

SENATE No. 1064

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act removing the charitable immunity cap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>6/27/2023</i>

SENATE No. 1064

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1064) of Mark C. Montigny for legislation relative to the limitation of tort liability on charitable organizations. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act removing the charitable immunity cap.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 85K of chapter 231 of the General Laws, as appearing in the 2020 official
2 edition, is hereby amended by striking out the first paragraph and inserting in place thereof the
3 following sentence:-

4 "It shall not constitute a defense to any cause of action based on tort brought against a
5 corporation, trustees of a trust, or members of an association that said corporation, trust, or
6 association is, or at the time the cause of action arose was, a charity."