

HOUSE No. 1254

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to tort and contract actions..

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 1. Chapter 231 of the General Laws as appearing in the 2006 Official Edition,
2 is hereby amended by striking out section 6B and inserting in place thereof the following
3 section:-

4 Section 6B. in any action in which a verdict is rendered or a finding made or an order
5 for judgment made for pecuniary damages for personal injuries to the plaintiff or for
6 consequential damages, or for damage to property, there shall be added by the clerk of court to
7 the amount of damages interest thereon calculated at a Weekly average one-year constant
8 maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System,
9 for the calendar week proceeding the date of judgment; provided, however, that such interest
10 shall not exceed the rate of 10 percent per annum. The secretary of administration and finance
11 shall maintain a schedule of the rate described above for distribution to the clerks of courts.

12

13 SECTION 2. Section 6C of chapter 231 of the General Laws, as appearing in the 2004
14 Official Edition is hereby amended by striking out, in line 4, the words “of twelve per cent per
15 annum” and inserting in place thereof the words:- calculated at a Weekly average one-year
16 constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve
17 System, for the calendar week preceding date of judgment.

18

19 SECTION 3. Said section 6C of said chapter 231, as so appearing is hereby further
20 amended by striking out, in line 7, the words “of twelve percent per annum” and inserting in
21 place thereof the words:- calculated at a Weekly average one-year constant maturity Treasury
22 yield, as published by the Board of Governors of the Federal Reserve System, for the calendar
23 week preceding date of judgment.

24

25 SECTION 4. This act shall be deemed to be procedural in character, shall be deemed
26 retroactive and shall apply to all actions except those that have gone to judgment and either been
27 affirmed upon appeal or not been appealed within the time allowed for appeal.