

HOUSE No. 1521

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Judgment Interest.

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 is hereby amended by striking out section
2 6B and inserting in place thereof the following section: -

3 Section 6B. In any action in which a verdict is rendered or a finding made or an order for
4 judgment made for pecuniary damages for personal injuries to the plaintiff or for consequential
5 damages, or for damage to property, there shall be added by the clerk of court to the amount of
6 damages interest thereon at a rate equal to the weekly average 1-year constant maturity Treasury
7 yield plus 2 per cent, as published by the Board of Governors of the Federal Reserve System for
8 the calendar week preceding the date of judgment from the date of commencement of the action
9 even though such interest brings the amount of the verdict or finding beyond the maximum
10 liability imposed by law.

11 SECTION 2. Chapter 231 of the General Laws is hereby further amended by striking out
12 section 60K and inserting in place thereof the following section: -

13 Section 60K. In any action for malpractice, negligence, error, omission, mistake or
14 unauthorized rendering of professional services, other than actions brought under section 2 of
15 Chapter 229, against a provider of health care, in which a verdict is rendered or a finding made
16 or an order for judgment made for pecuniary damages for personal injuries to the plaintiff or for
17 consequential damages, there shall be added by the clerk of the court to the amount of damages
18 interest thereon, at a rate to be determined as set forth below, from the date of the
19 commencement of the action even though such interest brings the amount of the verdict or
20 finding beyond the maximum liability imposed by law. For all actions commenced after the
21 effective date of this act, the rate of interest to be applied by the clerk shall be at a rate equal to
22 the weekly average 1-year constant maturity Treasury yield plus 24 per cent, as published by the
23 Board of Governors of the Federal Reserve System for the calendar week preceding the date of
24 judgment.