

**HOUSE . . . . . No. 1557**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to personal injury litigation..

*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. Section 34M of chapter 90 of the General Laws, as appearing in the 2000  
2 Official Edition, is hereby amended by inserting after the fourth paragraph the following  
3 paragraph:—

4           “If after the commencement of any such action, but before judgment, the insurer makes  
5 payment of the amount that is due and payable, the court may still assess costs and reasonable  
6 attorney’s fees for the bringing and prosecuting of the action, but only up until the time of such  
7 payment. Interest, running from the commencement of the action shall be assessed on all  
8 amounts adjudged to be due and payable in any such action, at the same rate as interest is  
9 assessed for breach of contract actions in the Commonwealth.