

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Denise Andrews*

*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 to reform the tort claims act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>4/23/2012</i>

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

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By Ms. Andrews of Orange, a petition (subject to Joint Rule 12) of Denise Andrews for legislation to reform the tort claims act. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Twelve**  
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An Act to reform the tort claims act.

*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 2 of chapter 258 of the General Laws, as appearing in the 2010  
2   Official Edition, is hereby amended by striking out, in lines 8 to 11, inclusive, the words “;  
3   provided, however, that all claims for serious bodily injury against the Massachusetts Bay  
4   Transportation Authority shall not be subject to a \$100,000 limitation on compensatory  
5   damages” and inserting in place thereof the following:-

6           “unless the claim for damage to real property exceeds \$100,000. Any amount of  
7   compensatory damages in such instance shall reflect the fair market value of the real property.

8   All claims for serious bodily injury against the Massachusetts Bay Transportation Authority shall  
9   not be subject to a \$100,000 limitation on compensatory damages.”