

# HOUSE . . . . . No. 1170

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Denise Andrews***

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*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.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>1/18/2013</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>2/1/2013</i>

# HOUSE . . . . . No. 1170

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By Ms. Andrews of Orange, a petition (accompanied by bill, House, No. 1170) of Denise Andrews and Cory Atkins relative to claims for damages by homeowners against municipalities. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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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 full and fair cash valuation of the real  
8 property. All claims for serious bodily injury against the Massachusetts Bay Transportation  
9 Authority shall not be subject to a \$100,000 limitation on compensatory damages.”