

HOUSE No. 1170

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>1/18/2013</i> |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> | <i>2/1/2013</i> |

HOUSE No. 1170

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.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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.”