

**HOUSE . . . . . No. 2778**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Carlo Basile*

*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 relative to insurance in the Commonwealth.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlo Basile</i>	<i>1st Suffolk</i>	<i>1/15/2013</i>

**HOUSE . . . . . No. 2778**

By Mr. Basile of Boston, a petition (accompanied by bill, House, No. 2778) of Carlo Basile for legislation to authorize the combined procurement of owner-controlled insurance programs by certain state agencies. State Administration and Regulatory Oversight.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to insurance in the Commonwealth.

*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 6. Chapter 30 of the General Laws is hereby amended by inserting after  
2 section 39S the following section:

3 Section 39T. Notwithstanding section 8 of chapter 268A or section 44F(c) of chapter 149  
4 or section 8 of chapter 149A, the following agencies may, in their discretion, implement  
5 competitively procured owner controlled insurance programs on any single project or by pooling  
6 more than one project into a combined or rolling program: (a) the division of capital asset  
7 management, (b) the department of transportation or any division or authority thereof, (c) the  
8 Massachusetts Port Authority, (d) the Massachusetts Water Resources Authority, (d) the  
9 Massachusetts State College Building Authority, (e) the University of Massachusetts Building  
10 Authority, and (f) the Massachusetts Convention Center Authority. For purposes of this section,  
11 owner controlled insurance program means that the awarding authority bears the costs and  
12 benefits of procuring and administering one or more of the usual categories of insurance required  
13 for such a project or projects, including but not limited to general liability, completed operations,  
14 excess umbrella, and/or workers' compensation insurance covering the awarding authority, the  
15 general contractor or construction manager at risk, the owner's project manager, and all  
16 subcontractor performing work on site.