

# HOUSE . . . . . No. 1338

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Carmine L. Gentile, (BY REQUEST)***

*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 abrogating the charitable immunity cap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey Beeler</i>	<i>57 Wagonwheel Rd. Sudbury, MA 01776</i>	<i>1/16/2015</i>

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By Mr. Gentile of Sudbury (by request), a petition (accompanied by bill, House, No. 1338) of Jeffrey Beeler for legislation to prohibit the defense of being a charitable entity to any cause of action based on tort brought against a corporation, trustees of a trust or members of an association. The Judiciary.

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## The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act relative to abrogating the charitable immunity cap.

*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 85K of Chapter 231 of the General Laws, as appearing in the 2010  
2           official edition is hereby amended by striking out the entire section and inserting in place thereof  
3           the following sentence:

4           It shall not constitute a defense to any cause of action based on tort brought against a  
5           corporation, trustees of a trust, or members of an association that said corporation, trust or  
6           association is, or at the time of the cause of action arose was, a charity.