

**SENATE . . . . . No. 319**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Thomas M. McGee*

*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 projects funded by the school building authority.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Thomas M. McGee*

*Third Essex*

*William C. Galvin*

*6th Norfolk*

**SENATE . . . . . No. 319**

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By Mr. McGee, a petition (accompanied by bill, Senate, No. 319) of Thomas M. McGee and William C. Galvin for legislation relative to projects funded by the school building authority. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 247 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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

An Act relative to projects funded by the school building authority.

*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 9 of Chapter 70B of the General Laws, is hereby amended by adding at the end of  
2 subsection (a), the following:-

3 (5) the applicant shall not enter into a contract for design services unless the designer has  
4 obtained professional liability insurance covering negligent errors, omissions and acts of the  
5 designer or of an person or business entity for whose performance the designer is legally liable  
6 arising out of the performance of the contract. Notwithstanding the provisions of Chapter 7  
7 Section 38H paragraph (f), the total amount of such insurance shall at a minimum equal fifty per  
8 cent of the project’s estimated cost of construction, or such larger amounts as the board may  
9 require, for the applicable limitations. A designer required by the authority to obtain all or a

- 10 portion of such insurance coverage at his own expense shall furnish a certificate of certificates of
- 11 insurance coverage to the applicant prior to the award of the contract.