SENATE DOCKET, NO. 139 FILED ON: 1/11/2017

SENATE . . . . . No. 807

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 require the reporting of satisfaction of judgments awarding money damages.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia Stone Creem	*First Middlesex and Norfolk*

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SENATE . . . . . No. 807

By Ms. Creem, a petition (accompanied by bill, Senate, No. 807) of Cynthia S. Creem for legislation to require that judgements for money damages be reported. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *769* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act to require the reporting of satisfaction of judgments awarding money damages.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. [Small claims.] Chapter 218 of the General Laws is hereby amended by inserting after section 25, as appearing in the 2014 Official Edition, the following section:-

Section 25A. Any party who obtains a judgment for money damages under the procedure shall, within 60 days after full satisfaction of such judgment, file a notice of satisfaction of judgment with the court that issued the judgment. Any party who fails to do so shall be liable to the judgment debtor for any costs and attorneys fees awarded on motion in the court's discretion that were reasonably incurred in proving that the judgment was satisfied in full. This section shall not apply to a judgment that has been satisfied by levy of execution.

SECTION 2. [Civil cases.] Chapter 235 of the General Laws is hereby amended by inserting after section 13, as so appearing, the following section:-

Section 13A. Any party who obtains a judgment for money damages shall, within 60 days after full satisfaction of such judgment, file a notice of satisfaction of judgment with the court that issued the judgment. Any party who fails to do so shall be liable to the judgment debtor for any costs and attorneys fees awarded on motion in the court's discretion that were reasonably incurred in proving that the judgment was satisfied in full. This section shall not apply to a judgment that has been satisfied by levy of execution.

SECTION 3. [Summary process.] Chapter 239 of the General Laws is hereby amended by inserting after section 3, as so appearing, the following section:-

Section 3A. Any party who obtains a judgment under this chapter that includes money damages for rent shall, within 60 days after full satisfaction of such judgment, file a notice of satisfaction of judgment with the court that issued the judgment. Any party who fails to do so shall be liable to the judgment debtor for any costs and attorneys fees awarded on motion in the court's discretion that were reasonably incurred in proving that the judgment was satisfied in full. This section shall not apply to a money judgment that has been satisfied by levy of execution.