

HOUSE No. 1496

The Commonwealth of Massachusetts

PRESENTED BY:

David Paul Linsky

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 protect individuals from malicious prosecution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/10/2019</i>

HOUSE No. 1496

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 1496) of David Paul Linsky relative to protection from malicious statements made by persons reporting crimes. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3082 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to protect individuals from malicious prosecution.

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 6F of Chapter 231 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the first paragraph the following new
3 paragraph:-

4 No person shall be liable in tort for statements made to law enforcement with respect to
5 the reporting of crime provided, however, that the immunity conferred by this section shall not
6 apply to any statement which, when given, was made maliciously, in bad faith or with
7 knowledge of its falsity. The plaintiff shall bear the burden of such proof by a preponderance of
8 the evidence.