

HOUSE No. 3289

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile

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 eliminate the charitable immunity cap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/14/2019</i>

HOUSE No. 3289

By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 3289) of Carmine Lawrence Gentile for legislation to eliminate the charitable immunity defense in certain court actions. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 813 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act to eliminate 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.