

**HOUSE . . . . . No. 3289**

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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>

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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.

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

The Commonwealth of Massachusetts

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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.