

HOUSE No. 5084

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

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 insurance requirements.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>10/8/2020</i>

HOUSE No. 5084

By Mr. Murphy of Weymouth, a petition (subject to Joint Rule 12) of James M. Murphy relative to certain insurance requirement relief during the Governor's COVID-19 emergency declaration. Financial Services.

The Commonwealth of Massachusetts

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

An Act relative to insurance requirements.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to provide insurance requirement relief for liquor licensees not operating during the Governor’s COVID 19 emergency declaration, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety, health and convenience.

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

2 Notwithstanding anything to the contrary in M.G.L. 138 section 12, the holder of a
3 section 12 license who cannot reopen during the current State of Emergency until the phase 4
4 reopening and any other section 12 licensee who does not reopen during the phase 3 reopening
5 because of business disruption related to the outbreak of the 2019 novel coronavirus also known
6 as COVID-19 may renew its section 12 license for 2021 pursuant to M.G.L.138 section 16A
7 without submitting proof of liquor liability insurance. No such licensee shall, however, reopen to
8 the public without first submitting to the licensing authority proof of a liquor liability insurance
9 policy naming the licensee as the insured. No insurer, broker, agent or their representative shall

10 impose or collect any surcharge, penalty, fee or other charge in addition to the premium for any
11 such liquor liability insurance policy.

12 Section 2

13 Notwithstanding Section 12 of Chapter 138 any licensee that is licensed pursuant to said
14 Section 12 that cannot reopen during the current State of Emergency until the phase 4 reopening
15 and any other section 12 licensee who does not reopen during the phase 3 reopening because of
16 business disruption related to the outbreak of the 2019 novel coronavirus also known as COVID-
17 19 and has no payroll may file it's annual license renewal for 2021 without submitting proof of a
18 Worker's Compensation insurance policy provided that no such licensee shall reopen to the
19 public without first submitting proof of Workers Compensation Insurance to the licensing
20 authorities of those municipalities that call for it. No insurer, broker, agent or their representative
21 shall impose or collect any surcharge, penalty, fee or other charge in addition to the premium for
22 any such Workers Compensation Insurance policy.

23 This Act shall take effect immediately upon passage. This Act shall remain in effect for
24 120 days after the end of the National or Massachusetts State of Emergency, whichever is later.