

SENATE No. 945

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

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 allow restitution for civil rights violations.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------|-----------------------|------------------|
| <i>Sonia Chang-Diaz</i> | <i>Second Suffolk</i> | |
| <i>Adam Gomez</i> | <i>Hampden</i> | |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/24/2021</i> |
| <i>Liz Miranda</i> | <i>5th Suffolk</i> | <i>4/1/2021</i> |

SENATE No. 945

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 945) of Sonia Chang-Diaz, Adam Gomez, Jack Patrick Lewis and Liz Miranda for legislation to allow restitution for civil rights violations. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to allow restitution for civil rights violations.

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 11I of chapter 12 of the General Laws is hereby amended by
2 inserting before the existing paragraph the letter (a) and further amended by adding the following
3 new paragraph:-

4 (b) In an action for monetary damages brought under this section against a person or
5 entity acting under color of law, qualified immunity shall not apply where the defendant cannot
6 establish that the conduct was clearly lawful. Nothing in this section shall affect the provisions of
7 chapter 258 with respect to indemnification of public employees.

8 SECTION 2. The provisions of this act will take effect immediately upon enactment.