

HOUSE No. 4361

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 12, 2024.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 1746) of Jeffrey N. Roy relative to tort actions for latent diseases, reports recommending that the accompanying bill (House, No. 4361) ought to pass.

For the committee,

MICHAEL S. DAY.

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The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to tort actions for latent diseases.

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 2B of Chapter 260 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking, in line 4, the words “thirty-nine A of chapter
3 seven” and inserting in place thereof the following words:- 39A of chapter 7.

4 SECTION 2. Said section 2B, as so appearing, is hereby further amended by striking, in
5 line 5, the words “only within three years next” and inserting in place thereof the following
6 words:- within 3 years.

7 SECTION 3. Said section 2B, as so appearing, is hereby further amended by striking, in
8 lines 5 to 6, inclusive, the words “in no event shall such actions” and inserting in place thereof
9 the following words:- , except for tort actions for damages due to latent diseases caused by
10 exposure to toxic substances including, but not limited to, asbestos, such actions shall not.

11 SECTION 4. Said section 2B, as so appearing, is hereby further amended by striking, in
12 line 7 the word “six” and inserting in place thereof the following number:- 6.

13 SECTION 5. Said section 2B, as so appearing, is hereby further amended by striking, in
14 lines 14 to 15, inclusive, the words “thirty-nine A shall be commenced only within three years
15 next” and inserting in place thereof the following words:- 39A shall be commenced within 3
16 years.

17 SECTION 6. Said section 2B, as so appearing, is hereby further amended by striking, in
18 lines 15 to 16, inclusive, the words “in no event shall actions be commenced more than six” and
19 inserting in place thereof the following words:- , except for tort actions for damages due to latent
20 diseases caused by exposure to toxic substances including, but not limited to, asbestos, such
21 actions shall not be commenced more than 6.

22 SECTION 7. Said section 2B, as so appearing, is hereby further amended by striking, in
23 line 20, the words “chapter thirty, section thirty-nine G” and inserting in place thereof the
24 following words:- section 39G of chapter 30.

25 SECTION 8. Sections 1 to 7, inclusive, shall be effective for all causes of action accruing
26 before, on, or after the date of enactment, including any pending causes of action.