SENATE DOCKET, NO. 1970 FILED ON: 1/20/2023

# SENATE . . . . . No. 1004

## The Commonwealth of Massachusetts

PRESENTED BY:

***Adam Gomez***

*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 reforming the Massachusetts civil rights act.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---|---|---|
| *Adam Gomez* | *Hampden* | |
| *Erika Uyterhoeven* | *27th Middlesex* | *2/22/2023* |
| *Rebecca L. Rausch* | *Norfolk, Worcester and Middlesex* | *7/11/2023* |

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# SENATE . . . . . No. 1004

By Mr. Gomez, a petition (accompanied by bill, Senate, No. 1004) of Adam Gomez and Erika Uyterhoeven for legislation to reform the Massachusetts civil rights act. The Judiciary.

## The Commonwealth of Massachusetts

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

An Act reforming the Massachusetts civil rights act.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 11I of chapter 12 of the General Laws is hereby amended by inserting after the word "damages." the following:-

In an action brought under this section against a person or entity acting under color of law, proof shall not be required that the interference or attempted interference was by threats, intimidation or coercion.

SECTION 2. Section 11I of chapter 12 of the General Laws is hereby amended by adding the following new paragraph:-

In an action for monetary damages brought under this section against a law enforcement officer, as defined in section 1 of chapter 6E, acting under color of law, qualified immunity shall not apply where the defendant cannot establish that the conduct was clearly lawful. Nothing in this section shall affect the provisions of chapter 258 with respect to indemnification of public employees.

SECTION 3. The provisions of this act will take effect immediately upon enactment.