

SENATE No. 1193

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 removing the charitable immunity cap.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No. 1193

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1193) of Mark C. Montigny for legislation relative to the limitation of tort liability on charitable organizations. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1064 OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act removing 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 85K of chapter 231 of the General Laws, as appearing in the 2022 official
2 edition, is hereby amended by striking out the first paragraph and inserting in place thereof the
3 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 the cause of action arose was, a charity."