SENATE DOCKET, NO. 815 FILED ON: 1/20/2011

SENATE . . . . . No. 707

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 require the reporting of satisfaction of judgments awarding money damages..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia S. Creem	

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SENATE . . . . . No. 707

By Ms. Creem, a petition (accompanied by bill, Senate, No. 707) of Cynthia S. Creem for legislation to require that judgements for money damages be reported. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1630* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to require the reporting of satisfaction of judgments awarding money damages..

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. [Small claims.] Chapter 218 of the General Laws is hereby amended by inserting after section 25, as appearing in the 2008 Official Edition, the following section:-

Section 25A. Any party who obtains a judgment for money damages under the procedure shall, within 60 days after full satisfaction of such judgment, file a notice of satisfaction of judgment with the court that issued the judgment. Any party who fails to do so shall be liable to the judgment debtor for any costs and attorneys fees awarded on motion in the court's discretion that were reasonably incurred in proving that the judgment was satisfied in full. This section shall not apply to a judgment that has been satisfied by levy of execution.

10 SECTION 2. [Civil cases.] Chapter 235 of the General Laws is hereby
11 amended by inserting after section 13, as so appearing, the following section:-

12 Section 13A. Any party who obtains a judgment for money damages shall,
13 within 60 days after full satisfaction of such judgment, file a notice of satisfaction of judgment
14 with the court that issued the judgment. Any party who fails to do so shall be liable to the
15 judgment debtor for any costs and attorneys fees awarded on motion in the court's discretion that
16 were reasonably incurred in proving that the judgment was satisfied in full. This section shall
17 not apply to a judgment that has been satisfied by levy of execution.

18 SECTION 3. [Summary process.] Chapter 239 of the General Laws is hereby
19 amended by inserting after section 3, as so appearing, the following section:-

20 Section 3A. Any party who obtains a judgment under this chapter that includes
21 money damages for rent shall, within 60 days after full satisfaction of such judgment, file a
22 notice of satisfaction of judgment with the court that issued the judgment. Any party who fails to
23 do so shall be liable to the judgment debtor for any costs and attorneys fees awarded on motion
24 in the court's discretion that were reasonably incurred in proving that the judgment was satisfied
25 in full. This section shall not apply to a money judgment that has been satisfied by levy of
26 execution.