

Joint Committee on Financial Services
The 194th General Court of the Commonwealth of Massachusetts
2025-2026
Bill Summary

Bill No: H1087

Title: An Act relative to civil liability for improper flood hazard determinations

Sponsor: Bruce J. Ayers

Committee: Financial Services

Hearing Date: May 13, 2025

Reporting Date: July 12, 2025

Similar Matters: N/A

Prior History:

H904 (2019-2020) Study

H1036 (2021-2022) Study

H928 (2023-2024) Study

Current Law: M.G.L. c.183 – Section 69 provides for limits on the amount of flood insurance coverage required to be purchased. Bill adds new section afterwards.

Summary:

Gives homeowners that suffered damages due to flooding the ability to sue contractor or company if they misinterpreted the special flood hazard area.

The bill provides for a civil action by a property owner who has suffered damages due to an incorrect designation against the company or contractor that completed the standard flood hazard determination form for a bank or insurance company.

A rebuttable presumption would exist if the flood hazard determination was performed by a professional engineer or land surveyor but said presumption may be overcome if the court determines that it was done incorrectly. Awardable damages may include actual damages, attorney fees, and court costs.