

HOUSE No. 1254

The Commonwealth of Massachusetts

PRESENTED BY:

Demetrius J. Atsalis

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 passage of the accompanying bill:

An Act relative to tort and contract actions.

PETITION OF:

NAME:

Demetrius J. Atsalis

DISTRICT/ADDRESS:

Second Barnstable

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 16 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT RELATIVE TO TORT AND CONTRACT ACTIONS..

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. Chapter 231 of the General Laws as appearing in the 2006 Official Edition, is hereby
2 amended by striking out section 6B and inserting in place thereof the following section:-

3 Section 6B. in any action in which a verdict is rendered or a finding made or an order for judgment made
4 for pecuniary damages for personal injuries to the plaintiff or for consequential damages, or for damage to
5 property, there shall be added by the clerk of court to the amount of damages interest thereon calculated at
6 a Weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the
7 Federal Reserve System, for the calendar week proceeding the date of judgment; provided, however, that
8 such interest shall not exceed the rate of 10 percent per annum. The secretary of administration and finance
9 shall maintain a schedule of the rate described above for distribution to the clerks of courts.

10
11 **SECTION 2.** Section 6C of chapter 231 of the General Laws, as appearing in the 2004 Official Edition is
12 hereby amended by striking out, in line 4, the words “of twelve per cent per annum” and inserting in place
13 thereof the words:- calculated at a Weekly average one-year constant maturity Treasury yield, as published
14 by the Board of Governors of the Federal Reserve System, for the calendar week preceding date of
15 judgment.

16
17 **SECTION 3.** Said section 6C of said chapter 231, as so appearing is hereby further amended by striking
18 out, in line 7, the words “of twelve percent per annum” and inserting in place thereof the words:- calculated
19 at a Weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of
20 the Federal Reserve System, for the calendar week preceding date of judgment.

21
22 **SECTION 4.** This act shall be deemed to be procedural in character, shall be deemed retroactive and shall
23 apply to all actions except those that have gone to judgment and either been affirmed upon appeal or not
24 been appealed within the time allowed for appeal.