

HOUSE No. 313

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon

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 relative to the home improvement guaranty fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/13/2023</i>

HOUSE No. 313

By Representative Gordon of Bedford, a petition (accompanied by bill, House, No. 313) of Kenneth I. Gordon relative to the home improvement guaranty fund. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act relative to the home improvement guaranty fund.

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. Section 7 of said chapter 142A of the General Laws as appearing in the
2 2020 Official Edition is hereby amended by striking out the third paragraph and inserting in
3 place thereof the following paragraph: -

4 The fund administrator may not award: (1) more than twenty thousand dollars or any
5 amount necessary to compensate the owner for his actual loss, whichever is less to any one
6 claimant, or; (2) more than one hundred thousand dollars to claimants on account of the conduct
7 of any one registered contractor or subcontractor who has committed a prohibited act or violation
8 under section 17 of chapter 142A of the General Laws in the most previous twelve-month period,
9 unless after the fund administrator has paid out said one-hundred thousand dollars the registrant
10 has repaid the fund the full amount; provided, however, that it is within the discretion of the fund
11 administrator to waive the limit with cause; or (3) any amount for consequential damages, except

12 as may be allowed under section four, or for personal injury, punitive damages, attorney's fees,
13 court costs or interest.

14 SECTION 2. Not later than December 31, 2028, Section 7 of chapter 142A of the
15 General Laws as appearing in the 2020 Official Edition, shall be amended by striking out, in line
16 12, the word "twenty" and inserting the word "thirty".