

HOUSE No. 813

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine L. Gentile

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 eliminate the charitable immunity cap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>

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By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 813) of Carmine L. Gentile and others for legislation to eliminate the charitable immunity defense in certain court actions. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to eliminate 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 1. Section 85K of Chapter 231 of the General Laws, as appearing in the 2010
2 official edition is hereby amended by striking out the entire section and inserting in place thereof
3 the 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 of the cause of action arose was, a charity.