

HOUSE No.

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
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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
2 Edition, is hereby amended by striking out section 6B and inserting in place
3 thereof the following section:-
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5 Section 6B. in any action in which a verdict is rendered or a finding made or an
6 order for judgment made for pecuniary damages for personal injuries to the
7 plaintiff or for consequential damages, or for damage to property, there shall be
8 added by the clerk of court to the amount of damages interest thereon calculated
9 at a Weekly average one-year constant maturity Treasury yield, as published by
10 the Board of Governors of the Federal Reserve System, for the calendar week
11 proceeding the date of judgment; provided, however, that such interest shall not
12 exceed the rate of 10 percent per annum. The secretary of administration and
13 finance shall maintain a schedule of the rate described above for distribution to
14 the clerks of courts.
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26 **SECTION 2.** Section 6C of chapter 231 of the General Laws, as appearing in the
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2004 Official Edition is hereby amended by striking out, in line 4, the words “of twelve per cent per annum” and inserting in place thereof the words:-
calculated at a Weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding date of judgment.

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

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