

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Ronald Mariano

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 Judgment Interest

PETITION OF:

NAME:

Ronald Mariano

DISTRICT/ADDRESS:

3rd Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO JUDGMENT INTEREST.

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 is hereby amended by striking out section 6B

2 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
4 judgment made for pecuniary damages for personal injuries to the plaintiff or for consequential
5 damages, or for damage to property, there shall be added by the clerk of court to the amount of
6 damages interest thereon at a rate equal to the weekly average 1-year constant maturity Treasury
7 yield plus 2 per cent, as published by the Board of Governors of the Federal Reserve System for
8 the calendar week preceding the date of judgment from the date of commencement of the action
9 even though such interest brings the amount of the verdict or finding beyond the maximum
10 liability imposed by law.

11 SECTION 2. Chapter 231 of the General Laws is hereby further amended by striking out section
12 60K and inserting in place thereof the following section: -

13 Section 60K. In any action for malpractice, negligence, error, omission, mistake or unauthorized
14 rendering of professional services, other than actions brought under section 2 of Chapter 229,

15 against a provider of health care, in which a verdict is rendered or a finding made or an order for
16 judgment made for pecuniary damages for personal injuries to the plaintiff or for consequential
17 damages, there shall be added by the clerk of the court to the amount of damages interest
18 thereon, at a rate to be determined as set forth below, from the date of the commencement of the
19 action even though such interest brings the amount of the verdict or finding beyond the
20 maximum liability imposed by law. For all actions commenced after the effective date of this act,
21 the rate of interest to be applied by the clerk shall be at a rate equal to the weekly average 1-year
22 constant maturity Treasury yield plus 24 per cent, as published by the Board of Governors of the
23 Federal Reserve System for the calendar week preceding the date of judgment.