

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Morrissey, Michael (SEN)**

*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 relating to damages paid by insurance companies under Chapter 93A.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Morrissey, Michael (SEN)	Norfolk and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00972 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT RELATING TO DAMAGES PAID BY INSURANCE COMPANIES UNDER CHAPTER  
93A.

*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. Paragraph (3) of section 9 of chapter 93A of the General Laws, as  
2 appearing in the 1998 Official Edition, is hereby amended by striking out the fourth sentence and  
3 inserting in place thereof the following: -

4 For the purpose of this chapter, the amount of actual damages and the amount of actual damages  
5 to be multiplied shall be those found by the court to be the foreseeable and proximate  
6 consequences of the respondent's violation of said section two, and the existence or non-  
7 existence of insurance coverage shall not limit the liability of the respondent for said actual  
8 damages or multiplied actual damages.

9 SECTION 2. The fifth paragraph of section 11 of said chapter 93A, as appearing in the 1998  
10 Official Edition, is hereby amended by striking the second sentence and inserting in place thereof  
11 the following:-

12 For the purpose of this chapter, the amount of actual damages and the amount of actual damages  
13 to be multiplied shall be those found by the court to be the foreseeable and proximate  
14 consequences of the respondent's violation of said section two, and the existence or non-  
15 existence of insurance coverage shall not limit the liability of the respondent for said actual  
16 damages or multiplied actual damages.