

**SENATE . . . . . No. 1064**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Mark C. Montigny***

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*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 removing the charitable immunity cap.

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PETITION OF:

NAME:

*Mark C. Montigny*

DISTRICT/ADDRESS:

*Second Bristol and Plymouth*

**SENATE . . . . . No. 1064**

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1064) of Mark C. Montigny for legislation relative to the limitation of tort liability on charitable organizations. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act removing 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 85K of chapter 231 of the General Laws, as appearing in the 2020 official  
2 edition, is hereby amended by striking out the first paragraph and inserting in place thereof the  
3 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 the cause of action arose was, a charity."