

**SENATE . . . . . No. 00162**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Michael O. Moore*

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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 passage of the accompanying bill:

An Act relative to the definition of fraud II.

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PETITION OF:

NAME:

*Michael O. Moore*

DISTRICT/ADDRESS:

*Second Worcester*

# SENATE . . . . . No. 00162

By Mr. Moore, petition (accompanied by bill, Senate, No. 162) of Moore for legislation to define fraud II [Joint Committee on Economic Development and Emerging Technologies].

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the definition of fraud II.

*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 5 of the MGL 149A is hereby amended by inserting the following  
2 two paragraphs in Section 5 (d)

3 (14) Fraud shall be defined as a statement, act or omission relating to be a material fact  
4 that has the natural tendency to be relied upon in influence the average person, and that is  
5 knowingly false or misleading, or is in reckless disregard of its truth or falsity, and that is  
6 intended to mislead, regardless of whether the statement, act or omission is actually relied upon.

7 (15) Misrepresentation shall be defined as an intentionally or sometimes negligently false  
8 representation made verbally, by conduct, or sometimes non disclosure or concealment and often  
9 for the purpose for deceiving, defrauding or causing another to rely on it detrimentally; also: An  
10 Act or instance of making such a Representation.