

**SENATE . . . . . No. 945**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sonia Chang-Diaz***

*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 to allow restitution for civil rights violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Adam Gomez</i>	<i>Hampden</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/24/2021</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>4/1/2021</i>

**SENATE . . . . . No. 945**

---

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 945) of Sonia Chang-Diaz, Adam Gomez, Jack Patrick Lewis and Liz Miranda for legislation to allow restitution for civil rights violations. The Judiciary.

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to allow restitution for civil rights violations.

*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 11I of chapter 12 of the General Laws is hereby amended by  
2 inserting before the existing paragraph the letter (a) and further amended by adding the following  
3 new paragraph:-

4 (b) In an action for monetary damages brought under this section against a person or  
5 entity acting under color of law, qualified immunity shall not apply where the defendant cannot  
6 establish that the conduct was clearly lawful. Nothing in this section shall affect the provisions of  
7 chapter 258 with respect to indemnification of public employees.

8 SECTION 2. The provisions of this act will take effect immediately upon enactment.