

HOUSE No. 16

By Mr. Atsalis of Barnstable, petition of Demetrius J. Atsalis relative to tort and contract actions. Bonding, Capital Expenditures and State Assets.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO TORT AND CONTRACT ACTIONS.

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, as appearing in
2 the 2004 Official Edition, is hereby amended by striking out
3 section 6B and inserting in place thereof the following section:—

4 Section 6B. In any action in which a verdict is rendered or a
5 finding made or an order for judgment made for pecuniary dam-
6 ages for personal injuries to the plaintiff or for consequential dam-
7 ages, or for damage to property, there shall be added by the clerk
8 of court to the amount of damages interest thereon calculated at a
9 Weekly average one-year constant maturity Treasury yield, as
10 published by the Board of Governors of the Federal Reserve
11 System, for the calendar week proceeding the date of judgment;
12 provided, however, that such interest shall not exceed the rate of
13 10 percent per annum. The secretary of administration and
14 finance shall maintain a schedule of the rate described above for
15 distribution to the clerks of courts.

1 SECTION 2. Section 6C of chapter 231 of the General Laws,
2 as appearing in the 2004 Official Edition is hereby amended by
3 striking out, in line 4, the words “of twelve per cent per annum”
4 and inserting in place thereof the words:—
5 calculated at a Weekly average one-year constant maturity
6 Treasury yield, as published by the Board of Governors of the
7 Federal Reserve System, for the calendar week preceding date of
8 judgment.

1 SECTION 3. Said section 6C of said chapter 231, as so
2 appearing is hereby further amended by striking out, in line 7, the
3 words “of twelve percent per annum” and inserting in place
4 thereof the words:—

5 calculated at a Weekly average one-year constant maturity
6 Treasury yield, as published by the Board of Governors of the
7 Federal Reserve System, for the calendar week preceding date of
8 judgment.

1 SECTION 4. This act shall be deemed to be procedural in
2 character, shall be deemed retroactive and shall apply to all
3 actions except those that have gone to judgment and either been
4 affirmed upon appeal or not been appealed within the time
5 allowed for appeal.