

HOUSE No. 1682

By Mr. Peterson of Grafton, petition of George N. Peterson, Jr. relative to the protection of victims of certain crimes and good samaritans. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO PROTECT THE VICTIMS OF CRIME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 278 of the General Laws, as appearing in the 2002 Offi-
2 cial Edition, is hereby amended by adding the following new
3 section:—

4 Section 8B. In any tort action for damages based upon personal
5 injury sustained by the plaintiff where the defendant shall furnish
6 proof by preponderance of evidence that the plaintiff's injuries were
7 sustained during the commission or attempted commission of a vio-
8 lation of Sections 1, 3, 13, 13A, 13B, 13C, 13D, 13D1/2, 13F, 13G,
9 13H, 13I, 13J, 13K, 14, 15, 15A, 15B, 16, 17, 18, 18A, 18B, 18C,
10 19, 20, 21, 21A, 22, 22A, 23, 24, 24B, 25, 26, 26A, 28, 29, 36, 37,
11 38, 39, 43, or 44 of chapter two hundred and sixty-five, or of Sec-
12 tions 1, 2, 5A, 14, 15, 17 or 18 of chapter two hundred and sixty-six,
13 and the plaintiff was convicted of or adjudicated delinquent of any
14 such offense; and then the plaintiff shall be deemed to have assumed
15 all risks of injury, whether such injury was caused intentionally or
16 unintentionally, arising from the encounter with any victim or good
17 Samaritan during the commission or attempted commission of any
18 such crimes, and such proof shall constitute a complete defense to
19 this action.