

# HOUSE . . . . . No. 1987

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By Representative Provost of Somerville and Senator Jehlen, joint petition of Denise Provost and David B. Sullivan relative to liability for the removal of snow and ice from property. Municipalities and Regional Government.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Seven.

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AN ACT RELATIVE TO SNOW AND ICE REMOVAL.

*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 85 is hereby amended by inserting after Section 5 the  
2 following sections:—

3 SECTION 5A. The general court determines that it is undesirable  
4 for any person to be found liable for damages due to his or her  
5 efforts in the removal of snow or ice from such sidewalks, except for  
6 acts which amount to clear wrongdoing, as described in Chapter 85,  
7 Section 5B.

8 SECTION 5B. Any owner, lessor, occupant or other person in  
9 charge of any residential property, or any agent of or other person  
10 engaged by any such party, who removes or attempts to remove  
11 snow or ice from sidewalks abutting the property shall not be liable  
12 for any personal injuries allegedly caused by the snowy or icy condi-  
13 tion of the sidewalk resulting from his or her acts or omissions  
14 unless the alleged misconduct was gross negligence.