

SENATE NO. 874

AN ACT TO PROHIBIT THE USE OF CERTAIN LIABILITY WAIVERS AS AGAINST PUBLIC POLICY

*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 85K of Chapter 231 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after the first paragraph the following paragraph:-
- 3 Notwithstanding any other provision of this section, if the tort was committed in the course of any
4 activity carried on to accomplish directly the charitable purpose of a corporation, trust or association
5 which is a hospital or clinic required to keep records under section seventy of chapter one hundred and
6 eleven, liability in any such cause of action shall not exceed the sum of five hundred thousand dollars,
7 exclusive of interest and costs.