

SENATE . . . . . No. 972

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By Mr. Lewis, a petition (accompanied by bill, Senate, No. 972) of Arthur Joseph Lewis, Jr., for legislation relative to the interest amount to be added to damages in eminent domain proceedings. The Judiciary.

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*The Commonwealth of Massachusetts*

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT RELATIVE TO THE INTEREST AMOUNT TO BE ADDED TO  
DAMAGES IN EMINENT DOMAIN PROCEEDINGS.

*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 79 of the General Laws is hereby amended by strik-  
2 ing out Section 37 as most recently amended by Chapter 800,  
3 section 3, of the Acts of 1981, and inserting in place thereof  
4 the following section: —

5 “In any action brought under this chapter in which a ver-  
6 dict is rendered or a finding made of an order for judgment  
7 shall be added by the clerk of the court to the amount of the  
8 damage in excess of the pro tanto payment, interest thereon  
9 at the rate of twelve (12) percent per annum from the date of  
10 the taking to the date of final judgment.

11 “Any final judgment under this Chapter shall bear interest  
12 at the rate of twelve (12) percent per annum from the date of  
13 the entry of such judgment to and including the last day of  
14 the month prior to the month in which the judgment is satis-  
15 fied, except a judgment against the Commonwealth shall not  
16 bear interest if satisfied within thirty (30) days of such entry.

17 “The provisions of this Section shall apply to all cases pend-  
18 ing on the effective date of this Act.

19 “In any matter which has gone to final judgment prior to  
20 the effective date of this act, but the judgment has not been  
21 satisfied, then interest up to the date of final judgment shall  
22 be at the rate of ten (10) percent per annum, and the interest  
23 after the date of final judgment shall be at the rate of twelve  
24 (12) percent per annum.”

PHILOSOPHY

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