

By Ms. Gibson of Belmont, petition of Mary Jane Gibson, David B. Cohen and others relative to discrimination against aged or handicapped persons. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO DISCRIMINATION BASED ON AGE AND HANDICAP.

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 9 of chapter 151B of the General Laws
2 as appearing in the 1988 Official Edition is hereby amended by
3 adding the following new paragraph to the end of the third
4 paragraph thereof: —
5 Any person claiming to be aggrieved by a practice made
6 unlawful under subsections one B, one C, or seventeen (a), (b),
7 or (c) of this chapter, or by any other unlawful practice set forth
8 in subsection four of this section regarding age discrimination in
9 employment, may, at the expiration of ninety days after the filing
10 of a complaint with the commission, or sooner if a commissioner
11 assents in writing, bring a civil action for injunctive and other
12 appropriate equitable relief, including the award of damages in
13 the superior or probate court for the county in which the alleged
14 unlawful practice occurred. Said damages may be not greater than
15 three times the amount of actual damages suffered by the
16 aggrieved person. An aggrieved person who prevails in such
17 action, in addition to other damages, shall be entitled to an award
18 of reasonable attorneys' fees and costs in an amount to be fixed
19 by the court. The provisions set forth in paragraphs one, two and
20 three of this section shall be applicable to such complaint or action
21 to the extent that such provisions do not conflict with the
22 provisions set forth in this paragraph:.

1 SECTION 2. Subsection (a) of section 102 of chapter 93 of the
 2 General Laws, as added to the General Laws by chapter 322 of
 3 the Acts of 1989, is amended by deleting the words "or national
 4 origin," and inserting in place thereof the words, "national origin,
 5 age, or handicap,".

The Commission on Governmental Organization and Administration

is the body that has prepared this bill and report.

It is hereby recommended that the bill be passed.

A BILL RELATIVE TO GOVERNMENTAL ORGANIZATION AND ADMINISTRATION

It is hereby recommended that the bill be passed, and that the committee report thereon.

SECTION 2. Subsection (a) of section 102 of chapter 93 of the
 General Laws, as added to the General Laws by chapter 322 of
 the Acts of 1989, is amended by deleting the words "or national
 origin," and inserting in place thereof the words, "national origin,
 age, or handicap,".