

HOUSE No. 1395

By Mr. Foley of Springfield (by request), petition of the Massachusetts State Council #41 AFSC&ME AFL:CIO for legislation to make the Commonwealth liable in tort claims filed against certain officers and employees. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT TO MAKE THE COMMONWEALTH OF MASSACHUSETTS LIABLE
IN TORT CLAIMS FILED AGAINST CERTAIN OFFICERS AND EM-
PLOYEES.

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

1 Notwithstanding any other provision of law or rule to the
2 contrary, the commonwealth of Massachusetts shall be liable
3 for all tort claims filed against any officers and employees of any
4 agency, department, division or commission or any persons
5 acting on behalf of a state agency in an official capacity, tem-
6 porarily or permanently, whether with or without compensation
7 providing the tort claims result from the provisions of chapter
8 twelve, sections three B and three D. The commonwealth shall
9 be liable in the same manner and to same extent as a private
10 individual under like circumstances.

