

By Mr. Suhoski of Gardner, petition of Chester A. Suhoski relative to certain actions for damages or injunctive relief due to unlawful discrimination. The Judiciary.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO UNLAWFUL DISCRIMINATION.

*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, is  
2 hereby amended by striking out the second paragraph and insert-  
3 ing in its place the following paragraph: —

4 Any person claiming to be aggrieved by a practice made unlaw-  
5 ful under this Chapter or by any other unlawful practice within the  
6 jurisdiction of the Commission, may, at the expiration of 90 days  
7 after the filing of the complaint with the Commission, or sooner if  
8 the Commissioner assents in writing, bring a civil action for dam-  
9 ages or injunctive relief or both in the Superior or Probate Court  
10 for the county in which the alleged unlawful practice occurred or in  
11 the Housing Court within whose district the alleged unlawful  
12 practice occurred, if the unlawful practice involved residential  
13 housing. The petitioner shall notify the Commissioner of the filing  
14 of the action, and any complaint before the Commission shall then  
15 be dismissed without prejudice, as a petitioner shall be barred from  
16 subsequently bringing a complaint on the same matter before the  
17 Commission. An aggrieved person has the option of going into  
18 Court directly, by-passing the administrative procedure of the  
19 Commission. An aggrieved person may also seek temporary  
20 injunctive relief in the Superior, Housing or Probate Court within  
21 such county at any time to prevent irreparable injury during the  
22 pendency of or prior to the filing of the complaint with the  
23 Commissioner.

1 SECTION 2. Section 9 of Chapter 151B of the General Laws, is  
2 hereby amended by striking out the last sentence of the Section  
3 and inserting the following sentence: —

4 No action under this Section shall be filed later than six years  
5 after the alleged unlawful practice occurred. An aggrieved person  
6 does not have to file a complaint with the Commission before  
7 instituting suit under this Section. An aggrieved person shall have  
8 the right to a trial by jury in the Superior Court.