

**SENATE . . . . . No. 932**

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 932) of Bruce E. Tarr and Anthony J. Verga for legislation relative to the protection of the civil rights of persons in the Commonwealth. The Judiciary.

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**The Commonwealth of Massachusetts**

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

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AN ACT RELATIVE TO THE PROTECTION OF THE CIVIL RIGHTS OF PERSONS  
IN THE COMMONWEALTH.

*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 11H of Chapter 12 of the General Laws, as appearing in  
2 the 1990 Official Edition, is hereby amended by adding the fol-  
3 lowing four paragraphs: —

4 In addition to injunctive and equitable relief, the attorney gen-  
5 eral may seek compensatory and punitive money damages on  
6 behalf of the aggrieved person or persons.

7 The Commonwealth, shall in addition to other relief provided  
8 for by this section and irrespective of the nature to an award of the  
9 costs of the litigation and reasonable attorney's fees in an amount  
10 to be fixed by the court.

11 If the Commonwealth prevails in its claim for injunctive relief  
12 or for money damages, a civil penalty may also be assessed by the  
13 court and awarded to the Commonwealth. If assessed, the civil  
14 penalty shall be in an amount not to exceed five thousand dollars  
15 against a defendant.

16 There shall be established and set up on the books of the  
17 Commonwealth a separate fund, to be known as the Civil Rights  
18 Enforcement Fund. There shall be credited to such fund all money  
19 received by the Commonwealth from attorney's fees, costs and  
20 civil penalties as a result of actions brought by the attorney gen-  
21 eral pursuant to this statute. Amounts credited to such fund shall  
22 be provided to the attorney general for the payment of expenses  
23 and resource costs incurred by the attorney general in connection

24 with the enforcement of the civil rights laws of the  
25 Commonwealth, civil rights training, including the training of law  
26 enforcement personnel, and public education. At the end of any  
27 fiscal year, if the balance in the Civil Rights Enforcement fund  
28 exceeds seven hundred thousand dollars, the excess shall be with-  
29 drawn from the Fund and deposited in the General Fund.