HOUSE DOCKET, NO. 2865 FILED ON: 1/21/2011

HOUSE . . . . . No. 2151

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to personal injury litigation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Garrett J. Bradley	*3rd Plymouth*

HOUSE DOCKET, NO. 2865 FILED ON: 1/21/2011

HOUSE . . . . . No. 2151

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2151) of Garrett J. Bradley relative to the allocation of costs incurred in personal injury protection litigation. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1557* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to personal injury litigation.

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

SECTION 1. Section 34M of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the fourth paragraph the following paragraph:—

"If after the commencement of any such action, but before judgment, the insurer makes payment of the amount that is due and payable, the court may still assess costs and reasonable attorney's fees for the bringing and prosecuting of the action, but only up until the time of such payment. Interest, running from the commencement of the action shall be assessed on all amounts adjudged to be due and payable in any such action, at the same rate as interest is assessed for breach of contract actions in the Commonwealth.