SENATE DOCKET, NO. 1762 FILED ON: 1/21/2011

# SENATE . . . . . No. 162

## The Commonwealth of Massachusetts

PRESENTED BY:

***Michael O. Moore***

*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 the definition of fraud II.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Michael O. Moore* | |
| | ☐ *[District]* |
| | ☐ |

SENATE DOCKET, NO. 1762 FILED ON: 1/21/2011

# SENATE . . . . . No. 162

By Mr. Moore, a petition (accompanied by bill, Senate, No. 162) of Michael O. Moore for legislation to define fraud II. Economic Development and Emerging Technologies.

## The Commonwealth of Massachusetts

An Act relative to the definition of fraud II.

*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 5 of the MGL 149A is hereby amended by inserting the following two paragraphs in Section 5 (d)

(14) Fraud shall be defined as a statement, act or omission relating to be a material fact that has the natural tendency to be relied upon in influence the average person, and that is knowingly false or misleading, or is in reckless disregard of its truth or falsity, and that is intended to mislead, regardless of whether the statement, act or omission is actually relied upon.

(15) Misrepresentation shall be defined as an intentionally or sometimes negligently false representation made verbally, by conduct, or sometimes non disclosure or concealment and often for the purpose for deceiving, defrauding or causing another to rely on it detrimentally; also: An Act or instance of making such a Representation.