

# An Act Relative to Snow and Ice Removal

House Bill 1987

*Lead Sponsors: Representative Denise Provost  
and Senator Patricia Jehlen*

"I am hoping it will encourage people to shovel more.  
Consider it a Good Samaritan law for shoveling."

~Representative Denise Provost, *Somerville Journal*, January 31, 2007

## ❖ **WHAT WILL THIS BILL DO?**

This legislation, if passed, will apply to residents, landlords, and tenants who live in communities that have local ordinances that require them to shovel snow and ice in front of their property. In these communities, this legislation will mean that residents, landlords, and tenants can shovel without fear of being found liable for accidental injuries (unless their behavior constitutes gross negligence). The existence of this legislation will encourage other communities to enact such ordinances.

## ❖ **WHY IS THIS BILL NEEDED?**

- State law follows a "natural accumulation doctrine" which means that residents, landlords, and tenants are not liable for accidental injury caused by the untouched natural accumulation of snow and ice on their property.
- However, some cities and towns have local ordinances that require residents, landlords and tenants to shovel snow and ice in front of their property, exposing them to liability.
- This bill would help insure that people who shovel snow and ice from their property or the sidewalks in front of their property in those communities will not be held liable for accidental injury caused by the condition of the sidewalk and would reduce the likelihood of opposition to such ordinances.

## ❖ **WHAT AREA OF THE LAW WILL THIS BILL ADDRESS?**

This bill will amend General Law chapter 85.

For more information, please contact Representative Denise Provost  
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