

HOUSE No. 1444

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr.

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 adoption of the accompanying bill:

An Act relative to governmental and charitable tort liability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>

HOUSE No. 1444

By Mr. Lawn of Watertown, a petition (accompanied by bill, House, No. 1444) of John J. Lawn, Jr. and others relative governmental and charitable tort liability in civil actions for sexual abuse of a minor. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to governmental and charitable tort liability.

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 10 (j) of Chapter 258 of the General Laws, as most recently
2 amended by Section 57 of Chapter 495 of the Acts of 1993, is hereby amended by adding after
3 the fourth paragraph, the following paragraph:

4 (5) any claim by or on behalf of a person who alleges that he was sexually abused as a
5 child, as that term is defined in G.L. c.260, section 4C.

6 SECTION 2. Section 85K of Chapter 231 of the General Laws, as most recently
7 amended by Section 222 of Chapter 224 of the Acts of 2012, is hereby amended by inserting
8 after the words "and provided further, that in the context of medical malpractice claims against a
9 nonprofit organization providing health care," the following:

10 or in a civil action for sexual abuse of a minor, as that term is defined in section 4C½ of
11 chapter 260.

12 SECTION 3. Section 85V of Chapter 231 of the General Laws, as most recently
13 amended by Chapter 331 of the Acts of 1993, is hereby amended by adding at the end thereof the
14 following paragraph:

15 (iv) a civil action for sexual abuse of a minor, as that term is defined in section 4C½ of
16 chapter 260.

17 SECTION 4. Section 85W of Chapter 231 of the General Laws, as most recently
18 amended by Chapter 345 of the Acts of 1987, is hereby amended by adding at the end of the
19 second paragraph, the following:

20 or in a civil action for sexual abuse of a minor, as that term is defined in section 4C½ of
21 chapter 260.