

HOUSE No. 1348

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon

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 relating to the age of consent in certain civil actions for sexual assault and rape of a child.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Kenneth I. Gordon

21st Middlesex

Denise Provost

27th Middlesex

HOUSE No. 1348

By Mr. Gordon of Bedford, a petition (accompanied by bill, House, No. 1348) of Kenneth I. Gordon and Denise Provost relative to civil actions in cases of sexual assault and rape of a child. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relating to the age of consent in certain civil actions for sexual assault and rape of a child.

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 16. Chapter 268 of the General Laws is hereby amended by adding after
2 section 21B, as so appearing, the following paragraph: -

3 Section 21C. Any person who is sexually abused by an employee or contractor with any
4 public or private school, or any institution of higher learning, or the department of youth
5 services, the department of social services, the department of mental health, the department of
6 developmental disabilities, or any private institution providing services to clients of such
7 departments, and who, in the course of such employment or contract or as a result thereof,
8 engages in sexual abuse of a person under the age of 19 who is served by such school,
9 department or institution, within or outside of such school, department or institution, shall have a
10 cause of action against such an employee or contractor, under chapter 260, section 4C. In a civil
11 action commenced under said section, a person served by such school, department or institution
12 shall be deemed incapable of consent to sexual relations with such an employee or contractor.