

HOUSE No. 3060

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 amending the statute of limitations relating to civil rights actions and criminal prosecutions for the sexual assault and rape of a child.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/20/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>José F. Tosado</i>	<i>9th Hampden</i>	

HOUSE No. 3060

By Mr. Gordon of Bedford, a petition (accompanied by bill, House, No. 3060) of Kenneth I. Gordon and others relative to civil rights actions of persons under the age of eighteen when the offense was committed. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act amending the statute of limitations relating to civil rights actions and criminal prosecutions for the 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 1. Chapter 260 of the General Laws is hereby amended by striking out section
2 5B, as so appearing, and inserting in place thereof the following section: -

3 §5B. Civil rights actions

4 Actions arising on account of violations of any law intended for the protection of civil
5 rights, including but not limited to actions alleging employment, housing and other
6 discrimination on the basis of race, color, creed, national origin, sex, age, ancestry or handicap
7 shall be commenced only within three years next after the cause of action accrues, except that an
8 action commenced under 42 U.S.C. §1681-1686, Title IX, for sexual assault, or sexual abuse, as
9 that term is defined in G.L. c. 260, section 4C, shall be governed by the provisions of G.L. c.
10 260, section 4C½.

11 SECTION 2. Chapter 277 of the General Laws is hereby amended by adding at the end
12 of section 63, as so appearing, the following paragraph: -

13 Notwithstanding any other provision of this section, an indictment or complaint alleging
14 an offense of indecent assault and battery, or an offense of rape, may be found and filed at any
15 time after the commission of such offense, provided that the victim was under the age of 18
16 when the offense was committed.