

# HOUSE . . . . . No. 4536

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, September 25, 2025.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 1987) of Adam J. Scanlon, Hannah Kane and others relative to the statute of limitations for the crime of rape and establishing a DNA exception rule, reports recommending that the accompanying bill (House, No. 4536) ought to pass.

For the committee,

MICHAEL S. DAY.

**HOUSE . . . . . No. 4536**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act to establish a DNA exception rule for victims of rape.

*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 97B ½ of chapter 41 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by inserting, in line 20, after the word “cases” the following  
3 words:- ; provided, however, that all kits shall be retained for no less than 15 years.

4           SECTION 2. Said section 97B ½ of said chapter 41 is hereby further amended by  
5 inserting, in line 26, after the word “enforcement” the following words:- , notwithstanding the  
6 statute of limitations of the underlying offense.

7           SECTION 3. Section 63 of chapter 277 of the General Laws, as so appearing, is hereby  
8 amended by inserting after the first paragraph, as amended by sections 9 and 10 of chapter 167 of  
9 the Acts of 2024, the following paragraph:-

10           Notwithstanding the first paragraph, an indictment or complaint for an offense set forth in  
11 sections 22, 22A, 22B, 22C, 22D, 23, 23A or 23B of chapter 265 may be found and filed at any  
12 time after the date of the commission of such offense if the identity of the person who allegedly  
13 committed the offense: (1) was identified after the limitation period set forth in this section; and

- 14 (2) the identity has been established through a DNA record, as defined in section 1 of chapter
- 15 22E, using evidence collected at the time of the commission of the offense.