

# HOUSE . . . . . No. 4539

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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 were referred the petition (accompanied by bill, House, No. 1580) of Jennifer Balinsky Armini, Natalie M. Higgins and others relative to the charitable immunity cap for cases involving sexual abuse; the petition (accompanied by bill, House, No. 1639) of Michael S. Day relative to eliminating liability limits for abuse of minors; the petition (accompanied by bill, House, No. 1732) of Kenneth I. Gordon and Natalie M. Blais relative to the statute of limitations relating to civil rights actions and criminal prosecutions for the sexual assault and rape of a child; the petition (accompanied by bill, House, No. 1830) of John J. Lawn, Jr., for legislation relative to governmental and charitable tort liability; and the petition (accompanied by bill, House, No. 1833) of John J. Lawn, Jr., relative to remedies for survivors of childhood sexual abuse, reports recommending that the accompanying bill (House, No. 4539) ought to pass.

For the committee,

MICHAEL S. DAY.

**HOUSE . . . . . No. 4539**

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**The Commonwealth of Massachusetts**

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

An Act enhancing remedies for survivors of childhood sexual abuse.

*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 4C of chapter 260 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place  
3 thereof the following paragraph:-

4           Civil actions alleging a defendant sexually abused a minor may be commenced at any  
5 time after the acts alleged to have caused an injury or condition occurred.

6           SECTION 2. Said chapter 260 is hereby amended by striking out section 4C 1/2 and  
7 inserting in place thereof the following section:-

8           Section 4C½. Civil actions alleging that a defendant negligently supervised a person who  
9 sexually abused a minor or that a defendant’s conduct caused or contributed to the sexual abuse  
10 of a minor by another person may be commenced at any time after the acts alleged to have  
11 caused an injury or condition occurred. For the purposes of this section, “sexual abuse” shall  
12 have the same meaning as in section 4C.

13 SECTION 3. Said chapter 260 is hereby further amended by inserting after section 4C ½  
14 the following section:

15 Section 4C ¾. Notwithstanding any provision of law which imposes a period of  
16 limitations to the contrary and the provisions of any other law pertaining to the filing of a notice  
17 of claim or a notice of intention to file a claim as a condition precedent to commencement of an  
18 action or special proceeding, every civil claim or cause of action brought against a party alleging  
19 sexual abuse of a minor, as that term is defined in section 4C, or negligent supervision  
20 contributing to the sexual abuse of a minor under section 4C ½, or a predecessor statute that  
21 prohibited such conduct at the time of the act, which is barred as of the effective date of this  
22 section because the applicable period of limitations has expired or the plaintiff previously failed  
23 to file a notice of claim or a notice of intention to file a claim, is hereby revived, and action  
24 thereon may be commenced no later than 2 years after the effective date of this section. In any  
25 such claim or action, dismissal of a previous action, ordered before the effective date of this  
26 section, on grounds that such previous claim was time barred or for failure of a party to file a  
27 notice of claim or a notice of intention to file a claim, shall not be grounds for dismissal of a  
28 revival action pursuant to this section.

29 Notwithstanding any provision of law which limits the liability or damages for any  
30 organization or employer or their officers, directors, trustees, employees or volunteers, every  
31 civil claim or cause of action brought against a party alleging sexual abuse of a minor, as that  
32 term is defined in section 4C, or negligent supervision contributing to the sexual abuse of a  
33 minor under section 4C ½, or a predecessor statute that prohibited such conduct at the time of the  
34 act, which was subject to limits on liability or damages at the time of the act, shall not be subject  
35 to any limitations for revived actions brought pursuant to this section.

36 SECTION 4: Section 5B of said chapter 260 is hereby amended by striking out, in lines 5  
37 and 6, inclusive, the words “three years next after the cause of action accrues” and inserting in  
38 place thereof the following words:- 3 years next after the cause of action accrues; provided,  
39 however, that an action commenced under 20 U.S.C. §§1681-1688 for sexual abuse of a minor,  
40 as that term is defined in section 4C, or negligent supervision contributing to the sexual abuse of  
41 a minor under section 4C ½, shall be governed by the provisions of sections 4C and 4C½.

42 SECTION 5. Section 85K of chapter 231 of the General Laws, as so appearing, is hereby  
43 amended by inserting, in line 12, after the word “costs” the following words:- provided,  
44 however, that claims of sexual abuse of a minor, as that term is defined in section 4C of chapter  
45 260, and claims of negligent supervision contributing to the sexual abuse of a minor under  
46 section 4C ½ of chapter 260, shall not be subject to a limitation on damages.

47 SECTION 6. Section 85V of said chapter 231 is hereby amended by inserting after clause  
48 (iii) the following clause:-

49 (iv) claims of sexual abuse of a minor as the term is defined in section 4C of chapter 260  
50 and claims of negligent supervision contributing to the sexual abuse of a minor under section 4C  
51 ½ of chapter 260.

52 SECTION 7. Section 85W of said chapter 231 is hereby amended by inserting, in line 11,  
53 after the word “person” the following language:-

54 ; provided further, however, that the immunity conferred in this section shall not apply to  
55 claims related to child sexual abuse, as defined in section 4C of chapter 260, and claims of  
56 negligent supervision contributing to the sexual abuse of a minor under section 4C ½ of chapter  
57 260.

58 SECTION 8. Section 2 of chapter 258 of the General Laws, as so appearing, is hereby  
59 amended by inserting, in line 12, after the word “damages” the following words:- provided  
60 further, however, that claims of sexual abuse of a minor, as that term is defined in section 4C of  
61 chapter 260, and claims of negligent supervision contributing to the sexual abuse of a minor  
62 under section 4C ½ of chapter 260, shall not be subject to a limitation on damages.

63 SECTION 9. Subsection (j) of section 10 of said chapter 258 is hereby amended by  
64 inserting after paragraph (4) the following paragraph:- (5) any claim by or on behalf of a person  
65 who alleges they were sexually abused as a minor, as that term is defined in section 4C of  
66 chapter 260 and claims of negligent supervision contributing to the sexual abuse of a minor  
67 under section 4C ½ of chapter 260.

68 SECTION 10. Section 63 of chapter 277 of the General Laws, as so appearing, is hereby  
69 amended by inserting, in line 13, as amended by sections 9 and 10 of chapter 277 of the acts of  
70 2024, after the word “sections” the following number:- 13H,.

71 SECTION 11. Said section 63 of said chapter 277 is hereby further amended by inserting,  
72 in line 27, as amended by sections 9 and 10 of chapter 277 of the Acts of 2024, after the number  
73 “23,” the following number:- 24,.