

# HOUSE . . . . . No. 4557

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, October 2, 2025.

The committee on Aging and Independence, to whom was referred the petition (accompanied by bill, House, No. 756) of Bruce J. Ayers relative to deceptive actions perpetrated against elderly and disabled persons, reports recommending that the accompanying bill (House, No. 4557) ought to pass.

For the committee,

THOMAS M. STANLEY.

**HOUSE . . . . . No. 4557**

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**The Commonwealth of Massachusetts**

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

An Act increasing the penalties for unfair and deceptive actions perpetrated against persons with disabilities and senior citizens.

*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 29 of the General Laws is hereby amended by inserting Section  
2 2LLLLLL, as inserted by section 50 of chapter 14 of the Acts of 2025, the following section:—

3           Section 2MMMMMM. There is hereby established and set up on the books of the  
4 commonwealth a separate fund to be known as the Older Adults and Disabled Persons Abuse  
5 Prevention Fund. There shall be credited to said fund all revenues which are generated under the  
6 provisions of section 4 of chapter 93A which are in excess of any such revenues which were  
7 collected during each fiscal year. Amounts credited to said fund shall be available for  
8 expenditure, subject to appropriation, to:

9           (1) prepare and distribute educational materials to inform older adults, disabled persons  
10 and other citizens of the commonwealth regarding consumer protection laws and consumer rights  
11 that are of particular interest to older adults or disabled persons, and;

12 (2) to underwrite educational seminars and other forms of education and projects  
13 designed to explain deceptive investment or marketing practices which have historically targeted  
14 senior citizensolder adults and disabled persons.

15 SECTION 2. Section 1 of Chapter 93A of the General Laws is hereby amended by  
16 inserting after subsection (d) the following 2 subsections:—

17 (e) "older adult", a person who is at least 65 years of age.

18 (f) "Persons with disabilities", a person who has a physical or mental impairment which  
19 substantially limits one or more fundamental life activities. For the purposes of this subsection,  
20 "physical or mental impairment" shall include such diseases or conditions as orthopedic, visual,  
21 speech and hearing impairment, cancer, heart disease, diabetes, intellectual or developmental  
22 disability, and emotional illness; and "fundamental life activities" shall include activities such as  
23 caring for one's self, performing annual tasks, walking, seeing, hearing, speaking, breathing,  
24 learning and working.

25 SECTION 3. Section 4 of chapter 93A of the General Laws is hereby amended by  
26 inserting the following at the end of the first paragraph:—

27 "The court may also require such person to pay to the Commonwealth an additional civil  
28 penalty of not more than \$2,500 for each such violation if the court finds that each violation was  
29 perpetrated against one or more older adults or persons with disabilities.

30 In determining whether to impose the additional civil penalty pursuant to this section and  
31 the amount thereof, the court shall consider, in addition to any other appropriate factors, the  
32 extent to which one or more of the following factors are present:

33           (1) Whether the defendant knew or should have known that his or her conduct was  
34 directed at one or more older adults or persons with disabilities.

35           (2) Whether the defendant’s conduct caused one or more older adults or persons with  
36 disabilities to suffer one or more of the following (i): loss or encumbrance of a primary  
37 residence, principal employment, or source of income; (ii) substantial loss of property or assets  
38 set aside or held for retirement or for personal or family care and maintenance; (iii) substantial  
39 loss of payments received under a pension or retirement plan or a government benefits program;  
40 or (iv) assets essential to the health or welfare of the older adults or persons with disabilities.

41           (3) Whether one or more older adults or persons with disabilities are substantially more  
42 vulnerable than other members of the public to the defendant’s conduct because of age, poor  
43 health or infirmity, impaired understanding, restricted mobility, or disability, and actually  
44 suffered substantial physical, emotional or economic damage resulting from the defendant’s  
45 conduct.”