

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

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 relative to persons with developmental disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/13/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to persons with developmental disabilities.

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 1 of chapter 123B, as appearing in the 2022 Official Edition, is
2 hereby amended by striking lines 18 through 37 and inserting in place thereof the following:-

3 “Person with a developmental disability,” (1) an individual 5 years of age or older with a
4 severe, chronic disability that: (i) is attributable to a mental or physical impairment or
5 combination of mental and physical impairments; (ii) is manifested before the individual attains
6 age 22; (iii) is likely to continue indefinitely; (iv) results in substantial function limitations in 3
7 or more of the following areas of major life activity: (1) self-care; (2) receptive and expressive
8 language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and
9 (7) economic self-sufficiency; and (v) reflects the individual’s need for a combination and
10 sequence of special, interdisciplinary or generic services, individualized supports or other forms
11 of assistance that are of a lifelong or extended duration and are individually planned and
12 coordinated; or (2) an individual under the age of 5 who has a substantial developmental delay or
13 specific congenital or acquired condition with a high probability that the condition will result in

14 developmental disability if services are not provided. A person who has a developmental
15 disability may be considered to be mentally ill; provided, however, that no person with a
16 developmental disability shall be considered to be mentally ill solely by the reason of the
17 person's developmental disability.

18 SECTION 2: This act shall take effect on January 1, 2027.