SENATE DOCKET, NO. 1584 FILED ON: 1/16/2025

SENATE . . . . . No. 1169

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 enhancing remedies for survivors of childhood sexual abuse.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joan B. Lovely	*Second Essex*	
William N. Brownsberger	*Suffolk and Middlesex*	*1/31/2025*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*3/5/2025*
Susannah M. Whipps	*2nd Franklin*	*3/5/2025*
John F. Keenan	*Norfolk and Plymouth*	*6/30/2025*

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SENATE . . . . . No. 1169

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 1169) of Joan B. Lovely, William N. Brownsberger, Jacob R. Oliveira and Susannah M. Whipps for legislation to ensure that survivors of childhood sexual abuse shall not be subject to a limitation on damages. The Judiciary.

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:

SECTION 1. Section 85K of chapter 231 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word “costs”, in line 12, the following words:- provided, however, that all claims of sexual abuse of a minor, as defined in section 4C of chapter 260, shall not be subject to a limitation on damages.

SECTION 2. Section 2 of chapter 258 of the General Laws, as so appearing, is hereby amended by inserting after the word “damages”, in line 12, the following words:- ; provided further that all claims of sexual abuse of a minor, as defined in section 4C of chapter 260, shall not be subject to a $100,000 limitation on damages.

SECTION 3. Subsection (j) of section 10 of said chapter 258, as so appearing, is hereby amended by inserting after paragraph (4) the following paragraph:- (5) any claim of sexual abuse of a minor, as defined in section 4C of chapter 260, by a public employee or contractor.

SECTION 4. Section 4C of chapter 260 of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Actions of tort alleging the defendant sexually abused a minor may be commenced at any time after the acts alleged to have caused an injury or condition.

SECTION 5. Said chapter 260 is hereby further amended by striking out section 4C1/2, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 4C½. An action of tort alleging that the defendant negligently supervised a person who sexually abused a minor or that the defendant's conduct caused or contributed to the sexual abuse of a minor by another person may be commenced at any time after the acts alleged to have caused an injury or condition. For the purposes of this section, "sexual abuse" shall have the same meaning as in section 4C.

SECTION 6. Sections 4C and 4C1/2 of chapter 260 of the General Laws shall apply regardless of when acts alleged to have caused an injury or condition to a minor shall have accrued and regardless of whether it may have lapsed or would otherwise be barred by time under any law of the commonwealth. In an action based on sexual abuse against a minor that would have been barred by time under any law of the commonwealth in effect before the effective date of this act, damages may be awarded against an entity that employed or supervised the person who allegedly committed the sexual abuse only if there is a finding of negligence on the part of the entity.

SECTION 7. Changes in the law made by Sections 1 – 6 above shall apply retroactively to childhood sexual abuse that occurred prior to the effective date of this act, irrespective of any statute of limitations in effect at the time the abuse occurred.

SECTION 8. These Acts shall take effect July 31, 2026.