SENATE DOCKET, NO. 1358 FILED ON: 1/16/2025

SENATE . . . . . No. 150

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 relative to persons with developmental disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joan B. Lovely	*Second Essex*	
Michael J. Barrett	*Third Middlesex*	*2/5/2025*

SENATE DOCKET, NO. 1358 FILED ON: 1/16/2025

SENATE . . . . . No. 150

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 150) of Joan B. Lovely and Michael J. Barrett for legislation relative to persons with developmental disabilities. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *103* OF 2023-2024.]

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:

SECTION 1: Section 1 of chapter 123B, as appearing in the 2018 Official Edition, is hereby amended by striking lines 18 through 37 and inserting in place thereof the following:-

"Person with a developmental disability," (1) an individual 5 years of age or older with a severe, chronic disability that: (i) is attributable to a mental or physical impairment or combination of mental and physical impairments; (ii) is manifested before the individual attains age 22; (iii) is likely to continue indefinitely; (iv) results in substantial function limitations in 3 or more of the following areas of major life activity: (1) self-care; (2) receptive and expressive language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and (7) economic self-sufficiency; and (v) reflects the individual's need for a combination and sequence of special, interdisciplinary or generic services, individualized supports or other forms

of assistance that are of a lifelong or extended duration and are individually planned and coordinated; or (2) an individual under the age of 5 who has a substantial developmental delay or specific congenital or acquired condition with a high probability that the condition will result in developmental disability if services are not provided. A person who has a developmental disability may be considered to be mentally ill; provided, however, that no person with a developmental disability shall be considered to be mentally ill solely by the reason of the person's developmental disability.

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