

SENATE No. 2991

The Commonwealth of Massachusetts

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

SENATE, March 23, 2026.

The committee on The Judiciary to whom was referred the petition (accompanied by bill, Senate, No. 1064) of Sal N. DiDomenico for legislation to restore enforcement of civil rights, report the accompanying bill (Senate, No. 2991).

For the committee,
Lydia Edwards

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**In the One Hundred and Ninety-Fourth General Court
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An Act to safeguard civil rights and civil liberties.

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. The General Laws are hereby amended by inserting after Chapter 12C the
2 following chapter:-

3 CHAPTER 12D.

4 CIVIL RIGHTS AND CIVIL LIBERTIES ACT

5 Section 1. Definitions. For the purposes of this Act, the following terms shall have the
6 following meaning:-

7 “Person”, one or more individuals, partnerships, associations or organizations.

8 “Protected characteristic”, race, color, national origin, sex, gender identity, sexual
9 orientation, and genetic information.

10 “Covered entity”, (1) any executive office, department, agency or subdivision of the
11 Commonwealth including, without limitation: counties, cities, towns, offices, boards,
12 commissions and authorities, or (2) any organization or entity that receives financial assistance

13 from the state or any state agency, including contractors and grantees, or that receive any
14 financial assistance from the state.

15 Section 2. Prohibition of discrimination.

16 (a) No covered entity shall

17 (1) utilize criteria or methods of administration or otherwise engage in a program, policy,
18 or practice that has the effect of subjecting a person to discrimination on the basis of a protected
19 characteristic.

20 or

21 (2) treat a person differently, exclude a person from participation in, deny a person the
22 benefits of, or otherwise cause harm to a person by subjecting them to discrimination on the
23 basis of a protected characteristic.

24 (b) Discrimination may be established through a showing of unlawful discriminatory
25 effects, even without proof of discriminatory intent. An unlawful discriminatory effect occurs
26 when a facially neutral policy or practice, regardless of intent, has an adverse or disproportionate
27 impact, or predictably results in an adverse or disproportionate impact, on the basis of a protected
28 characteristic, unless the policy or practice is necessary to achieve a legally sufficient interest
29 and that interest could not be accomplished by less discriminatory means.

30 Section 3. Private right of action.

31 (a) Any person claiming to be aggrieved by a violation of subsection (a) of Section 2 may
32 institute and prosecute a civil action in a court of competent jurisdiction against a covered entity

33 for equitable relief, including injunctive or declaratory relief, a withdrawal of state funds, or an
34 award of actual and consequential damages.

35 (b) This civil action must be filed no later than three years after a violation or the
36 discovery of such violation under subsection (a) of Section 2 of this Act.

37 (c) Any aggrieved person who prevails in an action authorized by this Section shall be
38 entitled to an award of the costs of the litigation, including reasonable attorneys' fees, in an
39 amount to be fixed by the court, and pre-judgment and post-judgment interest.

40 (d) The attorney general may, in like manner, commence a civil action to seek relief of a
41 violation of subsection (a) of Section 2 of this Act.

42 Section 4. Remedial goal; statutory preemption; regulations by attorney general.

43 (a) This Act is intended to be liberally construed to effectuate the broad, remedial goal of
44 eradicating discrimination throughout state government and its funded programs and activities on
45 the basis of a protected characteristic and to secure access to the judicial process for persons
46 aggrieved under this Chapter.

47 (b) In the event any law of the Commonwealth or the United States prescribes stronger
48 protections against disparate impact discrimination or intentional discrimination, covered entities
49 shall be subject to the law prescribing stronger protections.

50 (c) Notwithstanding these additional protections, nothing herein shall be construed to
51 abridge any rights or requirements conferred by Chapter 151B or to abridge any other anti-
52 discrimination laws.

53 (d) The attorney general shall promulgate regulations for this Act no later than 1 year
54 after the effective date of this Act.

55 SECTION 2: This Act shall take effect upon its passage.