

**SENATE . . . . . No.**

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**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:

*Joan B. Lovely*

DISTRICT/ADDRESS:

*Second Essex*

**SENATE . . . . . No.**

[Pin Slip]

[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:*

1 SECTION 1: Section 1 of chapter 123B, as appearing in the 2018 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.