

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1639

TITLE: An Act relative to eliminating liability limits for abuse of a minor

SPONSOR: Rep. Michael S. Day

COSPONSORS: None

HEARING DATE: June 17, 2025

PRIOR HISTORY: H1446 (2023-2024)

SENATE BILL: None

CURRENT LAW: Section 85K of Chapter 231 limits the tort liability of certain charitable organizations and the directors, officers or trustees of educational institutions. It limits the liability of charitable corporations, trusts and organizations to \$20,000 for any cause of action stemming from an act committed in the course of an activity done to directly accomplish the charitable purpose of the corporation, trust or association. Liability for medical malpractice claims against nonprofit organizations providing health care is limited to \$1000,000. This cap on charitable liability does not apply if the action was committed in the course of activities primarily commercial in character despite them being done to obtain revenue to be used for charitable purposes. The section further limits the liability of volunteer directors, officers and trustees of non-profit educational institutions acting in good faith and within the scope of official functions and duties to damages or injuries unless caused by willful or wanton misconduct. None of the liability limits in this section apply to any motor vehicle case.

SUMMARY: Section 1 – Adds to Section 85K of Chapter 231 an exception to the liability limits provided in the section for claims of sexual abuse of a minor.