

**JOINT COMMITTEE ON THE JUDICIARY  
BILL SUMMARY**

**BILL NO.** H1734

**TITLE:** An Act relative to preventing educator sexual misconduct and abuse of children and youth.

**SPONSOR:** Rep. Kenneth I. Gordon

**COSPONSOR(S):** Rep. Natalie M. Blais

**HEARING DATE:** June 17, 2025

**PRIOR HISTORY:** H1538 (2023-2024)  
H1620 (2021-2022)

**SENATE BILL:** None

**CURRENT LAW:** Section 21 of Chapter 119 of the General Laws defines “mandated reporter” to include public or private school teacher, educational administrator, guidance or family counselor, child care worker, person paid to care for or work with a child in any public or private facility, or home or program funded or licensed by the commonwealth that provides child care or residential services to children or that provides the services of child care resources and referral agencies, voucher management agencies or family child care systems or child care food programs, licenser of the department of early education and care or school attendance officer.

Section 13B ½ of Chapter 265 in subsection (b) punishes a mandated reporter who commits an indecent assault and battery on a child under the age of 14 by 10 years to life in state prison.

Section 23A of Chapter 265 in subsection (c) punishes a mandated reporter who rapes and abuses a child under 16 years of age by 10 years to life in state prison.

**BILL SUMMARY:** Section 1 – Adds Section 21C to Chapter 268 providing a civil cause of action against the employee or contractor who perpetrated the abuse under the new Section 21B created in Section 2 of this legislation.

Section S – Adds Section 21B to Chapter 268 punishing with up to 5 years in state prison or up to 2.5 years in a house of correction or a fine of \$10,000, or both fine and incarceration, any person over 21 years of age employed by or contracted with a private or public school, DYS, DCF, DMH, DDS or any private institution providing services to clients of such departments who, during or as a result of their employment or contract, engage in sexual abuse of a person either: (i) under 19 years of age, has not received a high school diploma or equivalent document and is served by the school, department or institution; or (ii) under the age of 22, has special needs under Chapter 71B, has not received a high school diploma or an equivalent document and is served by such school, department or institution. Registration as a sex offender is required and any teaching certificate or professional license will be revoked. In a prosecution under the section the individual served by the school, department or institution is deemed incapable of consent to sexual relations with the defendant.