

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1997

TITLE: An Act relative to the protection of vulnerable adults from sexual assault committed by mandated reports, persons in a position of trust and providers of transportation

SPONSOR: Rep. Thomas M. Stanley

COSPONSOR(S): None

HEARING DATE: June 17, 2025

PRIOR HISTORY: H1768 (2023-2024)
H1660 (2021-2022)
H1438 (2019-2020)

SENATE BILL: S1153 (Lewis)

CURRENT LAW: Section 178C of Chapter 6 of the General Laws states the definitions applicable to the sex offender registry including a definition for “sex offense.”

Section 1 of Chapter 19C, Section 15 of Chapter 19A and Section 21 of Chapter 119 define “mandated reporter” to include health care providers, educators, childcare workers, probation and parole officers, law enforcement officers, clergy, social workers, foster parents and the child advocate.

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 13H ½ of Chapter 265 punishes a law enforcement officer who commits an indecent assault and battery on a person 14 years or older who is in their custody or control by up to 5 years in state prison, or up to 2.5 years in a house of correction. If the person is under 14 years of age, an elder or a person with a disability the punishment is up to 10 years in state prison or up to 2.5 years in a house of correction. If the person is known to the law enforcement officer as having an intellectual disability the punishment is 5 to 10 years 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 22D to Chapter 265 punishing the rape of a person known to be a vulnerable adult by a mandated reporter, supervisor or transportation provider with imprisonment for not more than 20 years, and for a second or subsequent offense prison for life. An indecent assault and battery of a person known to be a vulnerable adult by a mandated reporter, supervisor or transportation provider is punishable by up to 10 years in state prison, or up to 2.5 year in a house of correction, and for a second and subsequent offense prison for up to 20 years. A vulnerable adult is defined as a person 14 years of age or older who at the time of the offense is admitted to a mental health, community based or residential facility, is a resident of a long-term care facility or is receiving community-based services through DDS or DMH or MRC.

Section 2 – Adds the new Section 22D created above to the definition of “sex offense” in Section 178C of Chapter 6.