

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1694

TITLE: An Act providing civil legal remedies for victims of economic abuse

SPONSOR: Rep. Brandy Fluker-Reid

COSPONSOR(S): Rep. Samantha Montaña Rep. Colleen Garry
Rep. Lindsay Sabadosa Rep. David LeBoeuf
Rep. Michael Connolly Sen. Jason Lewis
Rep. Natalie Higgins Rep. Vanna Howards
Rep. Mindy Domb Rep. Danillo Sena
Rep. Leigh Davis Rep. Tara Hong

HEARING DATE: July 29, 2025

PRIOR HISTORY: None

SENATE BILL: S1147 (R. Kennedy)

REPORTING DEADLINE: September 27, 2025 (subject extensions, in accordance with House Rule 27)

CURRENT LAW: Section 37E of Chapter 266 of the General Laws outlaws identify fraud by prohibiting any person from posing as another person or obtaining the personal identifying information with intent to defraud and without express authorization uses the person’s personal identifying information to obtain or attempt to obtain anything of value or harass another person punishable by up to 2.5 years in a house of correction or a fine of not more than \$5,000, or both. A person guilty of violating the Section may also be ordered to make restitution for any financial loss sustained by the victim including costs incurred to satisfy the person’s debts.

BILL SUMMARY: Section 1 – Creates a new Chapter 258G titled “Remedies for Victims of Economic Abuse.”

- Adds definitions for use in the Chapter including for “debt incurred through economic abuse” which is a debt incurred because of identity theft, fraud, duress, intimidation, threat, force, coercion, manipulation, undue influence, misinformation or the non-consensual use of the debtor’s personal identifying information by an abusive family member or caretaker.

- Requires creditors to, within 10 days of receiving a debtor's statement of debt incurred through economic abuse, notify any consumer reporting agency which they furnished adverse information about the debtor that the debtor disputes the adverse information. If the written statement does not include all necessary information or the statement is made orally and does not include adequate documentation, the creditor must notify the debtor of the additional information needed within 5 days. All debtor information provided shall remain private without the debtor's express written authorization.
- If the debtor also provided adequate documentation to the creditor then the creditor must: (i) cease all attempts to collect the debt & notify the debtor in writing of this action; (ii) refrain from filing a lawsuit to collect the debt; (iii) cease garnishing funds from the debtor for the debt while the debtor challenges the underlying judgement; (iv) dismiss the collection action against the debtor if filed; (v) return all payments made by the debtor on the debt; and (vi) contact any consumer reporting agency which was given information about the debtor and the debt and request they delete the information. The creditor may seek a court order declaring that the debt was not incurred through economic abuse postponing the above actions to resolution of the challenge. If the creditor receives the statement with adequate documentation from the debtor, they may not sell or transfer the debt. If the creditor is collecting for another entity, they must notify the owner of the requirements under this section.
- The debtor is not liable for a debt incurred through economic abuse and may raise this as a defense in any forum or as a motion to challenge a judgment based on the debt. The debtor establishes a prima facie case that the debt is incurred through economic abuse by providing a statement of debt incurred through economic abuse and adequate documentation. Court may take appropriate steps necessary to prevent abuse of the debtor. If creditor fails to comply with this Chapter the creditor is liable to the debtor for actual damages, court costs and attorney's fees and punitive damages if the court determines the creditor engaged in willful noncompliance. No agreement may waive this right to cause of action.
- Provides a model form for creditors to provide to debtors.

Section 2 - The Act will take effect January 1, 2026