

HOUSE No. 1332

By Mr. Bradley of Hingham, petition of Garrett J. Bradley relative to actions for assault and battery alleging a defendant sexually abused a minor. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO ACTIONS FOR ASSAULT AND BATTERY ALLEGING A DEFENDANT SEXUALLY ABUSED A MINOR.

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 4C of Chapter 260 of the General Laws, as
2 appearing in the 2004 Official Edition, shall be amended by substi-
3 tuting for the first paragraph thereof the following section:—

4 Section 4C. Any actions for assault and battery alleging the
5 defendant sexually abused a minor, or for negligence alleging that
6 the defendant negligently supervised a third person who sexually
7 abused a minor, or that the defendant's conduct caused or con-
8 tributed to the sexual abuse of a minor by a third person, may be
9 commenced at any time after the acts alleged to have caused an
10 injury or condition, but any complaint filed more than 27 years after
11 the plaintiff's 16th birthday shall be supported by independent evi-
12 dence which corroborates the plaintiff's allegation. Such indepen-
13 dent evidence shall be admissible during trial and may include the
14 opinions of mental health professionals.

1 SECTION 2. The provisions of Section 1 shall apply to all claims
2 under Section 4C of Chapter 260 which have accrued, and to all
3 actions which are pending, on the date upon which it becomes effec-
4 tive.

1 SECTION 3. The provisions of Section 1 shall be deemed to be
2 retroactive to the fullest extent permitted under the Constitution of
3 the United States and the Declaration of Rights of the Common-
4 wealth of Massachusetts.