

SENATE NO. 1048

AN ACT RELATIVE TO THE TORT LIABILITY OF CERTAIN CHARITABLE ORGANIZATIONS

*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 85K of chapter 231 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by striking out, in line 14, the word “purposes.” and inserting in
3 place thereof the following words: - “purposes, nor if the claim is for intentional, reckless, or
4 negligent conduct which caused or contributed to the sexual abuse of a child.”

5 SECTION 2. Section 85K of chapter 231 of the General Laws, as so appearing, is further
6 amended by striking out, in line 25, the word “vehicle.” and inserting in place thereof the
7 following words: - “vehicle, nor if the claim is for intentional, reckless or negligent conduct
8 which caused or contributed to the sexual abuse of a child.”

9 SECTION 3. Said section 85K is further amended by inserting at the end thereof the following
10 new paragraph: - “For the purposes of this section, “sexual abuse of a child ” shall mean the
11 commission of any act against a child under 16 as provided in sections 13B, 13F, 13H, 22, 22A,
12 23, 24B, or 26A of chapter 265.”

13 SECTION 4. Section 85W of chapter 231 of the General Laws, as appearing in the 2004
14 Official Edition, is hereby amended by striking out, in line 19, the word “automobile.” and
15 inserting in place thereof the following words: - “automobile, nor if the claim is for intentional,
16 reckless or negligent conduct which caused or contributed to the sexual abuse of a minor.”

17 SECTION 5. Section 85W of chapter 231 of the General Laws, as so appearing, is further
18 amended by inserting at the end thereof the following new paragraph: - “For the purposes of this
19 section, “sexual abuse of a child ” shall mean the commission of any act against a child under
20 16 as provided in sections 13B, 13F, 13H, 22, 22A, 23, 24B, or 26A of chapter 265.”