
By Mr. Mariano of Quincy, petition of Ronald Mariano, John H. Rogers and Stephen M. Brewer relative to actions for loss of consortium of certain victims of sexual abuse. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT AMENDING THE PARENTAL CONSORTIUM STATUTE.

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 85X of Chapter 231 of the General Laws,
2 as appearing in the 2000 Official Edition, shall be amended as
3 follows:

4 The parents of a minor child, or an adult child who is depen-
5 dent on his parents for support, or an adult child who was a victim
6 of sexual abuse as a minor, shall have a cause of action for loss of
7 consortium of the child who has been seriously injured against
8 any person who is legally responsible for causing such injury.

1 SECTION 2. Section 85X of Chapter 231 of the General Laws,
2 as appearing in the 2000 Official Edition, shall be further
3 amended as follows:

4 For purposes of this section, "sexual abuse" shall mean the
5 commission of any act against a minor as set forth in section thir-
6 teen B, thirteen F, thirteen H, twenty-two, twenty-two A, twenty-
7 three, twenty-four B, or twenty-six A of chapter two hundred and
8 sixty-five, or section one, two, three, four, four A, four B, five,
9 six, seven, eight, twelve, thirteen, seventeen, twenty-six, twenty-
10 eight, twenty-nine A, twenty-nine B, thirty-three, thirty-four,
11 thirty-five or thirty-five A of chapter two hundred and seventy-
12 two.

1 SECTION 3. This amendment shall become effective upon pas-
2 sage.

1 SECTION 4. This amendment shall apply to all claims which
2 have accrued, and to all actions which are pending, on the date
3 upon which it becomes effective.

1 SECTION 5. This amendment shall be deemed to be retroactive
2 to the fullest extent permitted under the Constitution of the United
3 States and the Declaration of Rights of the Commonwealth of
4 Massachusetts.

1 SECTION 6. Each section of this Act shall be separable and
2 shall continue in effect if any provision hereof is deemed to be
3 unconstitutional or otherwise ineffective.