

SENATE No. 122

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to persons with developmental disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/23/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/4/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/6/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/12/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/15/2021</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>3/31/2021</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>4/9/2021</i>

SENATE No. 122

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 122) of Joan B. Lovely, Joanne M. Comerford, Michael O. Moore, Brendan P. Crighton and other members of the General Court for legislation relative to persons with developmental disabilities. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 61 OF 2019-2020.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**
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An Act relative to persons with developmental disabilities.

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 1 of chapter 123B, as appearing in the 2018 Official Edition, is
2 hereby amended by striking lines 18 through 37 and inserting in place thereof the following:-

3 “Person with a developmental disability,” (1) an individual 5 years of age or older with a
4 severe, chronic disability that: (i) is attributable to a mental or physical impairment or
5 combination of mental and physical impairments; (ii) is manifested before the individual attains
6 age 22; (iii) is likely to continue indefinitely; (iv) results in substantial function limitations in 3
7 or more of the following areas of major life activity: (1) self-care; (2) receptive and expressive
8 language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and
9 (7) economic self-sufficiency; and (v) reflects the individual’s need for a combination and

10 sequence of special, interdisciplinary or generic services, individualized supports or other forms
11 of assistance that are of a lifelong or extended duration and are individually planned and
12 coordinated; or (2) an individual under the age of 5 who has a substantial developmental delay or
13 specific congenital or acquired condition with a high probability that the condition will result in
14 developmental disability if services are not provided. A person who has a developmental
15 disability may be considered to be mentally ill; provided, however, that no person with a
16 developmental disability shall be considered to be mentally ill solely by the reason of the
17 person's developmental disability.

18 SECTION 2: This act shall take effect on January 1, 2022.