

HOUSE No. 102

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr., and others relative to protecting children from domestic violence. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

PETITION OF:

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|-------------------------|------------------------|
| Bradley H. Jones, Jr. | Robert S. Hargraves |
| Mary S. Rogeness | Karyn E. Polito |
| George N. Peterson, Jr. | Susan Williams Gifford |
| John A. Lepper | Richard J. Ross |
| Viriato Manuel deMacedo | Paul J. P. Loscocco |
| Paul K. Frost | Donald F. Humason, Jr. |
| Bradford Hill | Todd M. Smola |
| Elizabeth A. Poirier | |

In the Year Two Thousand and Seven.

AN ACT PROTECTING CHILDREN FROM DOMESTIC VIOLENCE.

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 13A of chapter 265 of the General Laws, as appearing
2 in the 2004 Official Edition, is hereby amended by adding the
3 following subsection:—
4 (d) Whoever commits an assault or an assault and battery upon
5 another within a dwelling and in the presence of a child under 16
6 years of age shall be punished by imprisonment in the state prison
7 for not more than 5 years or in the house of correction for not
8 more than 2½ years, or by a fine of not more than \$5,000, or by
9 both such fine and imprisonment. Furthermore, the law enforce-
10 ment agency filing the charges shall provide the department of
11 social services, as established in chapter 18B, with a notice of the
12 charges, to be used at the department’s discretion.