

HOUSE No. 109

The Commonwealth of Massachusetts

PETITION OF:

Barbara A. L'Italien
William N. Brownsberger
Richard J. Ross
Alice K. Wolf
Tom Sannicandro
Garrett J. Bradley
William Lantigua
Kathi-Anne Reinstein
Scott P. Brown
Frank I. Smizik
Elizabeth A. Malia
David Paul Linsky

Alice Hanlon Peisch
Anne M. Gobi
Harold P. Naughton, Jr.
Denise Provost
Joseph R. Driscoll
Charles A. Murphy
Stephen Stat Smith
Peter J. Koutoujian
Richard T. Moore
Cleon H. Turner

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE HUMANE TREATMENT OF DISABLED PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 16 of Chapter 6A of the General Laws, as appearing in the 2004 official edition, is hereby amended by adding at the thereof the following text:-

Disabled citizens, as all other citizens of the Commonwealth, are entitled to equal protection under Article CXIV of the Massachusetts Constitution, which prohibits discrimination on the basis of handicap, and the full protection of the laws of the Commonwealth, which prohibit the use of corporal punishment on school children and prisoners.

No program funded, operated, licensed, or approved by any agency or subdivision of the Commonwealth shall administer to any person with a physical or mental disability any procedure which causes obvious signs of physical pain,

including, but not limited to, hitting, pinching, and electric shock for the purposes of changing the behavior of the person.

No such program may employ any form of physical contact or punishment that is otherwise prohibited by law, or would be prohibited if used on a non-disabled person.

No such program may employ any procedure which denies a person with a physical or mental disability adequate sleep, food, shelter, bedding or bathroom facilities.