

# HOUSE . . . . . No. 3922

By Mr. Kaufman of Lexington (by request), petition of Kathleen Wolf for legislation to prohibit the corporal punishment of children. Children, Families and Persons with Disabilities.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

### AN ACT PROHIBITING CORPORAL PUNISHMENT OF CHILDREN.

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

1 Chapter 119 of the General Laws, as appearing in the 2004 Offi-  
2 cial Edition, is hereby amended by inserting after Section 51B, a  
3 new Section 51B½, as follows:—

4 Section 51B½. CORPORAL PUNISHMENT OF CHILDREN IS  
5 PROHIBITED. Corporal Punishment of children violates their rights  
6 to safe, secure and respectful care.

7 This section is intended to actively support nonviolent parenting.

8 The provisions of this section are intended to eliminate the use of  
9 corporal punishment to discipline children, because of the emotional  
10 harm and risks of bodily harm associated with corporal punishment  
11 of children.

12 The provisions of this section shall not preclude any adult from  
13 using incidental or minor physical contact designed to maintain  
14 order and control, or other discipline which does not constitute cor-  
15 poral punishment.

16 (a) For the purposes of this section, the following words shall,  
17 unless the context indicates otherwise, have the following mean-  
18 ings:—

19 “Child”, any person under eighteen years of age.

20 “Corporal punishment”, the willful infliction of physical pain or  
21 injurious or humiliating treatment.

22 (b) It shall be unlawful in the Commonwealth of Massachusetts  
23 for any adult to inflict corporal punishment upon a child.

24 (c) The infliction of corporal punishment on a child may be a  
25 basis for a finding of abuse and neglect.

26 (d) The provisions of this section shall not preclude any adult  
27 from using such reasonable force as is necessary to protect himself  
28 and others from imminent, serious, physical harm, including assault  
29 by a child, to divest a child of a dangerous instrument, to prevent  
30 injury to property, or to remove a child from a life-threatening or  
31 injurious situation.