

SENATE NO. 62

AN ACT PENALIZING DOMESTIC ABUSERS

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to establish a specific penalty for perpetrators of domestic abuse, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. Chapter 265 of the General Laws is hereby amended by inserting after section 13L, as
2 appearing in the 2004 Official Edition, the following section:-

3 Section 13M. Whoever commits assault or assault and battery on a family or household member shall
4 be punished by imprisonment in the house of correction for not more than 2 1/2 years or by
5 imprisonment in the state prison for not more than 5 years. For the purposes of this section, "family or
6 household member" shall be limited to persons who, on the date of the offense or within 5 years before
7 the date of the offense: (a) are or were married to one another; (b) are or were residing together in the
8 same household; (c) are or were related by blood or marriage; (d) have a child in common regardless
9 of whether they have ever married or lived together; or (e) are or have been in a substantive dating or
10 engagement relationship, which shall be determined by considering the following factors: (1) the
11 length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between

- 12 the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed
- 13 since the termination of the relationship.