Initiative Petition for a Law Relative to Humane Treatment of the Disabled

Be it enacted by the People, and by their authority:

Section 1:

Section 16 of Chapter 6A of the General Laws, as appearing in the 2016 official edition, is hereby amended by inserting, at the end of the section, the following text:

Notwithstanding any general or special law to the contrary, no program, agency, or facility funded, operated, licensed, permitted, or approved by any agency or subdivision of the Commonwealth shall administer or cause to be administered to any person with a physical, intellectual, or developmental disability any procedure that 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 or punishing the person.

No such program, agency, or facility may employ any form of punishment that is otherwise prohibited by law or would be prohibited if used on a person without a physical, intellectual, or developmental disability

No such program, agency, or facility may employ any procedure that denies a person with a physical, intellectual, or developmental disability reasonable sleep, food, shelter, bedding, bathroom facilities, or any other aspect of a humane existence.

Section 2. The provisions of this act are severable. If any part shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not impair the remaining provisions.

Section 3. This act shall take effect on January 1, 2021.

