

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the humane treatment of disabled persons.

PETITION OF:

NAME:

Barbara A. L'Italien

DISTRICT/ADDRESS:

18th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 109 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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:

- 1 SECTION 1. Section 16 of Chapter 6A of the General Laws, as appearing in the 2006 official edition, is
2 hereby amended by adding at the thereof the following text:-
- 3 Disabled citizens, as all other citizens of the Commonwealth, are entitled to equal protection under
4 Article CXIV of the Massachusetts Constitution, which prohibits discrimination on the basis of handicap,
5 and the full protection of the laws of the Commonwealth, which prohibit the use of corporal
6 punishment on school children and prisoners.
- 7 No program funded, operated, licensed, or approved by any agency or subdivision of the
8 Commonwealth shall administer to any person with a physical or mental disability any procedure which
9 causes obvious signs of physical pain, including, but not limited to, hitting, pinching, and electric shock
10 for the purposes of changing the behavior of the person.
- 11 No such program may employ any form of physical contact or punishment that is otherwise prohibited
12 by law, or would be prohibited if used on a non-disabled person.
- 13 No such program may employ any procedure which denies a person with a physical or mental disability
14 adequate sleep, food, shelter, bedding or bathroom facilities.