

**HOUSE . . . . . No. 154**

**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:	DISTRICT/ADDRESS:
Barbara A. L'Italien	18th Essex
Cory Atkins	14th Middlesex
Stephen L. DiNatale	3rd Worcester
Brian A. Joyce	Norfolk, Bristol and Plymouth
Tom Sannicandro	7th Middlesex
Matthew C. Patrick	3rd Barnstable
Todd M. Smola	1st Hampden
Angelo J. Puppolo, Jr.	12th Hampden
Christine E. Canavan	10th Plymouth
Carlo P. Basile	1st Suffolk
Patricia D. Jehlen	Second Middlesex
Peter J. Koutoujian	10th Middlesex
Steven M. Walsh	11th Essex
Robert S. Hargraves	1st Middlesex
Robert L. Rice, Jr.	2nd Worcester
Colleen M. Garry	36th Middlesex
Elizabeth A. Malia	11th Suffolk
John D. Keenan	7th Essex
James B. Eldridge	Middlesex and Worcester

Denise Provost	27th Middlesex
Michael F. Rush	10th Suffolk
Denis E. Guyer	2nd Berkshire
Richard J. Ross	9th Norfolk
John P. Fresolo	16th Worcester
Sarah K. Peake	4th Barnstable
Jonathan Hecht	29th Middlesex
Thomas M. Stanley	9th Middlesex
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
Kevin G. Honan	17th Suffolk
Thomas P. Kennedy	Second Plymouth and Bristol
Joyce A. Spiliotis	12th Essex
Cleon H. Turner	1st Barnstable

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

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### 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 Article  
4 CXIV of the Massachusetts Constitution, which prohibits discrimination on the basis of handicap, and the  
5 full protection of the laws of the Commonwealth, which prohibit the use of corporal punishment on  
6 school children and prisoners.

7 No program funded, operated, licensed, or approved by any agency or subdivision of the Commonwealth  
8 shall administer to any person with a physical or mental disability any procedure which causes obvious  
9 signs of physical pain, including, but not limited to, hitting, pinching, and electric shock for the purposes  
10 of changing the behavior of the person.

11 No such program may employ any form of physical contact or punishment that is otherwise prohibited by  
12 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.