

HOUSE No. 3886

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

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 adoption of the accompanying bill:

An Act relative to the spread of COVID-19 in correctional facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>2/18/2021</i>

HOUSE No. 3886

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3886) of Chynah Tyler relative to the spread of COVID-19 in correctional facilities. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to the spread of COVID-19 in correctional facilities.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure regular testing of correctional facility staff members during the COVID-19 outbreak in the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and 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. For the purposes of this act, the following words shall, unless the context
2 clearly requires otherwise, have the following meanings:-

3 “Administrator”, chief administrative officer of a county correctional facility.

4 “Correctional facility”, any building, enclosure, space or structure used for the custody,
5 control and rehabilitation of committed offenders and of such other persons as may be placed in
6 custody therein in accordance with law.

7 “County correctional facility” or “jail”, any correctional facility or jail owned, operated,
8 administered or subject to the control of a county of the commonwealth.

9 “State correctional facility” or “prison”, any correctional facility or prison owned,
10 operated, administered or subject to the control of the department of correction, including but not
11 limited to: Massachusetts Correctional Institution, Cedar Junction; Massachusetts Correctional
12 Institution, Norfolk; Massachusetts Correctional Institution, Concord; Massachusetts
13 Correctional Institution, Framingham; Massachusetts Correctional Institution, Shirley; Souza-
14 Baranowski Correctional Center; and Bridgewater State Hospital.

15 “Superintendent”, the chief administrative officer of a state correctional facility or prison.

16 SECTION 2. (a) Prior to starting a shift, each employee, including correctional officers,
17 of a state correctional facility or county correctional facility shall be provided with and take a
18 COVID-19 rapid antigen test before entering the facility. Individual employees shall produce a
19 negative test before entering a site at the start of each work day.

20 (b) In a state correctional facility, the superintendent shall be responsible for providing
21 tests and ensuring that only employees who test negative for COVID-19 enter the state
22 correctional facility. In a county correctional facility, the administrator shall be responsible for
23 providing tests and ensuring that only employees who test negative for COVID-19 enter the
24 county correctional facility.