SENATE DOCKET, NO. 1410 FILED ON: 1/21/2011

SENATE . . . . . No. 51

The Commonwealth of Massachusetts

PRESENTED BY:

Brian A. Joyce

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:

An Act relative to the humane treatment of disabled persons. .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian A. Joyce	*Norfolk, Bristol, and Plymouth*
Patricia D. Jehlen	☐ *[District]* ☐
James B. Eldridge	☐ *[District]* ☐

SENATE DOCKET, NO. 1410 FILED ON: 1/21/2011

SENATE . . . . . No. 51

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 51) of Brian A. Joyce, Patricia D. Jehlen and James B. Eldridge for legislation relative to the humane treatment of disabled persons. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

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:

SECTION 1. Section 16 of Chapter 6A of the General Laws, as appearing in the 2006 official edition, is hereby amended by adding at the thereof the following text:-

Disabled citizens, as all other citizens of the C ommonwealth, are entitled to equal protection under Article CXIV of the Massachusetts Constitution, which prohibits discrimination on the basis of handicap, and the full protection of the laws of the C ommonwealth, which prohibit the use of corporal punishment on school children and prisoners.

No program funded, operated, licensed, or approved by any agency or subdivision of the C ommonwealth shall administer to any person with a physical or mental disability any procedure which 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.

No such program may employ any form of physical contact or punishment that is otherwise prohibited by law, or would be prohibited if used on a non-disabled person.

No such program may employ any procedure which denies a person with a physical or mental disability adequate sleep, food, shelter, bedding or bathroom facilities.