SENATE DOCKET, NO. 888 FILED ON: 1/15/2015

SENATE . . . . . No. 108

The Commonwealth of Massachusetts

PRESENTED BY:

***Daniel A. Wolf*, (BY REQUEST)**

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 protecting persons who provide information to protect children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Nancy Guardia	*440 Mary Chase Road, Eastham, MA 02642*

SENATE DOCKET, NO. 888 FILED ON: 1/15/2015

SENATE . . . . . No. 108

By Mr. Wolf (by request), a petition (accompanied by bill, Senate, No. 108) of Nancy Guardia for legislation to protect persons who provide information to protect children. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act protecting persons who provide information to protect children.

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 51B of Chapter 119 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (n) and inserting in place thereof:-

No person who participates in an investigation under this section, testifies or is about to testify in any judicial proceeding involving child abuse or neglect, provides information to the department of children and families in response to an inquiry from the department, or directly contacts the department about a potential threat to a child's safety shall be liable in any civil or criminal action for providing such information, provided that the person was acting in good faith and the person did not perpetrate or inflict the abuse or neglect.

SECTION 2. Said section 51B is hereby further amended by striking out subsection (o) and inserting in place thereof:-

No employer shall discharge, discriminate or retaliate against a mandated reporter or any other person who, in good faith, participates in an investigation under this section, testifies or is

13 about to testify in any judicial proceeding involving child abuse or neglect, provides information
14 to the department of children and families in response to an inquiry from the department, or
15 directly contacts the department about a potential threat to a child's safety unless such person
16 perpetrated or inflicted such abuse or neglect. Any employer who discharges, discriminates or
17 retaliates against such a person shall be liable to such person for treble damages, costs and
18 attorney's fees. The attorney general may investigate and bring a civil action in superior court to
19 enforce the provisions of this subsection.