

HOUSE No. 1430

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act protecting children from domestic violence..

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 13A of chapter 265 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by adding the following subsection:--

3 (d) Whoever commits an assault or an assault and battery upon another within a dwelling
4 and in the presence of a child under 16 years of age shall be punished by imprisonment in the
5 state prison for not more than 5 years or in the house of correction for not more than 2½ years,
6 or by a fine of not more than \$5,000, or by both such fine and imprisonment. Furthermore, the
7 law enforcement agency filing the charges shall provide the department of social services, as
8 established in chapter 18B, with a notice of the charges, to be used at the department's
9 discretion.