

HOUSE No. 1710

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to further religious freedom..

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 13J of Chapter 265 of the General Laws, as inserted by Chapter
2 340 of the Acts of 1993, is hereby further amended by inserting after paragraph (b) the following
3 paragraph:--

4 (c) It shall be an affirmative defense to any prosecution under this section that the parent,
5 guardian, or other person legally charged with the care or custody of such child reasonably
6 provided to the child spiritual treatment through prayer in lieu of medical treatment.”

7 SECTION 2: “Section 13L of Chapter 265 of the General Laws, as inserted by Chapter
8 322 of the Acts of 2002, is hereby amended by inserting after the final paragraph the following
9 paragraph:--

10 It shall be an affirmative defense to any prosecution under this section that the parent,
11 guardian, or other person legally charged with the care or custody of such child reasonably
12 provided to the child spiritual treatment through prayer in lieu of medical treatment.”