

HOUSE No. 1781

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to reduce domestic violence in the Commonwealth..

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. Chapter 265 of the General Laws is hereby amended by inserting after
2 section 13L, as appearing in the 2006 Official Edition, the following section:-

3 Section 13M. Whoever commits assault or assault and battery on a family or household
4 member shall be punished by imprisonment in the house of correction for not more than 2 ½
5 years or by imprisonment in the state prison for not more than 5 years. For the purposes of this
6 section, “family or household member” shall be limited to persons who, on the date of the
7 offense or within 5 years before the date of the offense: (a) are or were married to one another;
8 (b) are or were residing together in the same household; (c) are or were related by blood or
9 marriage; (d) have a child in common regardless of whether they have ever married or lived
10 together; or (e) are or have been in a substantive dating or engagement relationship, which shall
11 be determined by considering the following factors: (1) the length of time of the relationship; (2)
12 the type of relationship; (3) the frequency of interaction between the parties; and (4) if the
13 relationship has been terminated by either person, the length of time elapsed since the
14 termination of the relationship.