

**SENATE . . . . . No. 1026**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to impairment of health caused by infectious disease..

*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 32 of the general laws is hereby amended after section 94B by  
2 adding the following new section:-

3 “Section 94C: Notwithstanding the provisions of any general or special law to the  
4 contrary affecting the non-contributory or contributory system, any condition of impairment of  
5 health caused by an infectious disease resulting in total or partial disability or death to an  
6 employee of a correctional facility, shall, if he successfully passed a physical examination on  
7 entry into such service, or subsequently successfully passed a physical examination, which  
8 examination failed to reveal any evidence of such condition, be presumed to have been suffered  
9 in the line of duty, unless the contrary be shown by competent evidence.”