

**SENATE . . . . . No. 2280**

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Ten**  
\_\_\_\_\_

An Act concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to fresh air and the outdoors.

*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 23 of chapter 123 of the General Laws, as appearing in the 2008  
2 Official Edition, is hereby amended by inserting after subparagraph (e) the following  
3 subparagraph:-

4           (f) reasonable access to daily fresh air at inpatient facilities in a manner consistent with  
5 such person’s clinical condition and safety. The department shall promulgate regulations  
6 defining what shall constitute reasonable access.

7           SECTION 2. Said section 23, as so appearing, is hereby further amended by striking out,  
8 in line 68, the word “(e)” and inserting the following word:- (f)

9           SECTION 3. Said section 23, as so appearing, is hereby further amended by inserting  
10 after the word “(c)”, in line 71, the following words:- and (f)