

SENATE No. 84

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to reckless endangerment of persons with disabilities..

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. Subsection (a) of section 13K of chapter 265 of the General Laws, as
2 appearing in the 2006 Official Edition, is hereby amended by striking out the definition of
3 “Person with a disability” and inserting in place thereof the following definition:-

4 “Person with a disability”, a person with a permanent or long-term physical or mental
5 impairment that prevents or restricts the individual’s ability to provide for his own care or
6 protection or a person who, as a result of inadequately developed or impaired intelligence, is
7 substantially limited in his ability to learn or adapt to function in the community.

8 SECTION 2. Section 13L of said chapter 265, as so appearing, is hereby further
9 amended by inserting after the definition of “Child” the following definition:-

10 “Person with a disability”, a person with a permanent or long-term physical or mental
11 impairment that prevents or restricts the individual’s ability to provide for his own care or
12 protection or a person who, as a result of inadequately developed or impaired intelligence, is
13 substantially limited in his ability to learn or adapt to function in the community.

14 SECTION 3. Said section 13L of said chapter 265, as so appearing, is hereby further
15 amended by inserting after the figure “265”, in line 8, the following words: - ; indecent assault
16 and battery on a mentally retarded person under section 13F of chapter 265.

17 SECTION 4. Said section 13L of said chapter 265, as so appearing, is hereby further
18 amended by inserting after the word “child”, in lines 16 and 23, the following words, in each
19 instance:- , “a person with a disability.”.