

HOUSE No. 1508

The Commonwealth of Massachusetts

PRESENTED BY:

James R. Miceli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to authorize the arrest for assault and battery on a public employee.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|-----------------------------|------------------|
| <i>James R. Miceli</i> | <i>19th Middlesex</i> | <i>1/17/2013</i> |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | |
| <i>Anne M. Gobi</i> | <i>5th Worcester</i> | |
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i> | |
| <i>Michael D. Brady</i> | <i>9th Plymouth</i> | |
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | |
| <i>Robert M. Koczera</i> | <i>11th Bristol</i> | |
| <i>Christopher G. Fallon</i> | <i>33rd Middlesex</i> | |
| <i>Thomas J. Calter</i> | <i>12th Plymouth</i> | |
| <i>Robert L. Hedlund</i> | <i>Plymouth and Norfolk</i> | |
| <i>Antonio F. D. Cabral</i> | <i>13th Bristol</i> | |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i> | |
| <i>John H. Rogers</i> | <i>12th Norfolk</i> | |
| <i>Rhonda Nyman</i> | <i>5th Plymouth</i> | |

HOUSE No. 1508

By Mr. Miceli of Wilmington, a petition (accompanied by bill, House, No. 1508) of James R. Miceli and others for legislation to authorize the arrest without a warrant of any person for probable cause of assault and battery on a public employee or health care worker. The Judiciary.

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Thirteen
—————

An Act to authorize the arrest for assault and battery on a public employee.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Whereas, the deferred operation of this act would tend to defeat its purpose, which is
2 forthwith to protect public and health care workers from being inhibited in their duties due to
3 assault and battery, it is hereby declared to be an emergency law, necessary for immediate
4 preservation of public convenience.

5 Sections 13D and 13I of Chapter 265 of the General Laws, are hereby amended by
6 inserting after the final sentence in each section, the following sentence:

7 Any officer authorized to make arrests may arrest without a warrant any person who he
8 has probable cause to believe has committed the above offense and may keep said person in
9 custody for not more than twenty-four hours, or until the next sitting of the court, during which
10 period the officer shall seek the issuance of a complaint and request a bail determination.