

**HOUSE . . . . . No.**

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**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>	

**HOUSE . . . . . No.**

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By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli relative to authorizing the arrest for assault and battery on public employees. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act to authorize the arrest for assault and battery on a public employee.

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

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

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

3           Any officer authorized to make arrests may arrest without a warrant any person who he  
4 has probable cause to believe has committed the above offense and may keep said person in  
5 custody for not more than 24 hours, or until the next sitting of the court, during which period the  
6 officer shall seek the issuance of a complaint and request a bail determination. A person  
7 convicted of violating this section shall be guilty of a felony as defined by section 1 of chapter  
8 274 and may be subject to imprisonment in the state prison.