

**SENATE . . . . . No. 1881**

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**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts.

*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 32 of chapter 22C of the General Laws, as so appearing in the  
2 Official Edition of 2012, is hereby amended in the second paragraph in line 12 by striking the  
3 word “handicap” and inserting in place thereof the following:- disability, age,

4           SECTION 2. Section 1 of chapter 31 of the General Laws, as so appearing, is hereby  
5 amended by inserting after the last sentence of the definition for “Handicap”, the following:-  
6 “Handicap” shall have the same meaning as the term "disability".

7           SECTION 3. Clause (e) of subsection 1 of Section 1 of chapter 31A of the General  
8 Laws, as so appearing, is hereby amended by striking in line 22 the word “handicap” and  
9 inserting in place thereof the following:-disability

10           SECTION 4. Section 2 of chapter 31A of the General Laws, as so appearing, is hereby  
11 amended by inserting after the definition for “Department” the following:- "Disability", a  
12 physical or mental impairment that substantially limits one or more major life activities without  
13 regard to the ameliorative effects of mitigating measures which do not include ordinary  
14 eyeglasses or contact lenses.

15           SECTION 5. Section 2 of chapter 31A of the General Laws, as so appearing, is hereby  
16 amended by inserting after the definition for “Local merit appeals board” the following:-

17           Major life activities” shall include, but are not limited to, caring for oneself, performing  
18 manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking,  
19 breathing, learning, reading, concentrating, thinking, communicating, and working. This term  
20 also includes the meaning of “major bodily functions,” which include, but are not limited to,

21 functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological,  
22 brain, respiratory, circulatory, endocrine, and reproductive functions.

23 SECTION 6. Section 23 of chapter 32 of the General Laws, as so appearing, is hereby  
24 amended in clause (5)(b) by striking the words “physical handicap” and inserting the following:-  
25 disability

26 SECTION 7. Section 4 of chapter 92B of the General Laws, as so appearing, is hereby  
27 amended in line of 26 by striking the words “physical handicap”, and inserting in their place the  
28 following:- disability

29 SECTION 8. The title of section 103 of chapter 93 of the General Laws, as so appearing,  
30 , is hereby amended by striking the word “handicap” and inserting in its place the following:-  
31 disability

32 SECTION 9. Subsection a of section 103 of chapter 93 of the General Laws, as so  
33 appearing, is hereby amended by striking in the first sentence the word “handicap” and inserting  
34 in place thereof the following:- disability

35 SECTION 10. Subsection a of section 103 of chapter 93 of the General Laws, as so  
36 appearing, is hereby amended by inserting after the “reasonable” in line 1 the following:- or  
37 without reasonable accommodation,

38 SECTION 11. Section 24E of chapter 111, of the General Laws, as so appearing, is  
39 hereby amended in the second paragraph in line 8 by striking the word “handicap” and inserting  
40 in place thereof the following:- disability

41 SECTION 12. Subsection(a) of section 5 of chapter 161A of the General Laws, as so  
42 appearing, is hereby amended in line 11 by striking the word “handicap” and inserting in place  
43 thereof the following:- disability

44 SECTION 13 Section 25 of chapter 161A of the General Laws, as so appearing, is hereby  
45 amended by striking in line 21 the words “handicapping condition” and inserting in place thereof  
46 the following:- disability

47 SECTION 14. Section 5B of chapter 260 of the General Laws, as so appearing, is hereby  
48 amended in line 4 by striking the word “handicap” and insert in place thereof the following:-  
49 disability