SENATE DOCKET, NO. 1731 FILED ON: 1/20/2017

SENATE . . . . . No. 330

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 relative to strengthening background checks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	
Carole A. Fiola	*6th Bristol*	*1/26/2017*
Susan Williams Gifford	*2nd Plymouth*	*1/26/2017*
Marjorie C. Decker	*25th Middlesex*	*1/26/2017*
Angelo J. Puppolo, Jr.	*12th Hampden*	*1/26/2017*
Mathew Muratore	*1st Plymouth*	*1/26/2017*
Frank A. Moran	*17th Essex*	*1/26/2017*
Timothy R. Whelan	*1st Barnstable*	*1/27/2017*
Michael D. Brady	*Second Plymouth and Bristol*	*1/30/2017*
David Paul Linsky	*5th Middlesex*	*1/30/2017*
John W. Scibak	*2nd Hampshire*	*1/30/2017*
Jason M. Lewis	*Fifth Middlesex*	*1/30/2017*
Brian M. Ashe	*2nd Hampden*	*1/31/2017*
Donald F. Humason, Jr.	*Second Hampden and Hampshire*	*1/31/2017*
Patrick M. O'Connor	*Plymouth and Norfolk*	*1/31/2017*
Louis L. Kafka	*8th Norfolk*	*1/31/2017*
James M. Cantwell	*4th Plymouth*	*1/31/2017*
Jay R. Kaufman	*15th Middlesex*	*1/31/2017*

Kenneth I. Gordon	*21st Middlesex*	*1/31/2017*
Danielle W. Gregoire	*4th Middlesex*	*2/1/2017*
Hannah Kane	*11th Worcester*	*2/1/2017*
Paul McMurtry	*11th Norfolk*	*2/1/2017*
William C. Galvin	*6th Norfolk*	*2/1/2017*
Keiko M. Orrall	*12th Bristol*	*2/1/2017*
Antonio F. D. Cabral	*13th Bristol*	*2/1/2017*
Shawn Dooley	*9th Norfolk*	*2/1/2017*
Josh S. Cutler	*6th Plymouth*	*2/2/2017*
Kimberly N. Ferguson	*1st Worcester*	*2/2/2017*
Edward F. Coppinger	*10th Suffolk*	*2/2/2017*
Joan B. Lovely	*Second Essex*	*2/2/2017*
Paul Brodeur	*32nd Middlesex*	*2/2/2017*
Kay Khan	*11th Middlesex*	*2/2/2017*
Michael F. Rush	*Norfolk and Suffolk*	*2/2/2017*
John F. Keenan	*Norfolk and Plymouth*	*2/2/2017*
James M. Murphy	*4th Norfolk*	*2/2/2017*
Michael S. Day	*31st Middlesex*	*2/2/2017*
Barbara A. L'Italien	*Second Essex and Middlesex*	*2/2/2017*
Jonathan D. Zlotnik	*2nd Worcester*	*2/3/2017*
Jack Lewis	*7th Middlesex*	*2/3/2017*
Kathleen O'Connor Ives	*First Essex*	*2/3/2017*
Michael O. Moore	*Second Worcester*	*2/3/2017*
Shaunna L. O'Connell	*3rd Bristol*	*2/3/2017*
John C. Velis	*4th Hampden*	*2/3/2017*
Thomas M. Stanley	*9th Middlesex*	*2/3/2017*
Natalie Higgins	*4th Worcester*	*2/3/2017*
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*2/3/2017*
Bradley H. Jones, Jr.	*20th Middlesex*	*2/3/2017*
John H. Rogers	*12th Norfolk*	*2/3/2017*
Michelle M. DuBois	*10th Plymouth*	*2/3/2017*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/23/2017*
Sonia Chang-Diaz	*Second Suffolk*	*3/6/2017*

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 330) of Walter F. Timilty, Carole A. Fiola, Susan Williams Gifford, Marjorie C. Decker and other members of the General Court for legislation relative to strengthening background checks. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to strengthening background checks.

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

SECTION 1. Subsection (a) of section 7 of chapter 15D of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following paragraphs:-

(iv) As part of the department's licensing and background record check process, the department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for present or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program or facility licensed, approved or funded by the department. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may impact the health and safety of any resident at facilities licensed by the department pursuant to 606 CMR 3.03 and 606 CMR 7.03.

(v) As part of the department's licensing and background check process, the department shall maintain an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B of chapter 119 for current or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program funded, operated, approved or licensed by the department.

SECTION 2. Section 38R of chapter 71 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the first paragraph the following paragraphs:-

The department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for any current or prospective employee within the school district or any program or facility approved or funded by the department who may have direct and unmonitored contact with children. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may impact the health and safety of any student at schools licensed by the department pursuant to 603 CMR 28.09 or public school districts.

The department shall enter into an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B

of chapter 119 for current or prospective employees or other persons who may have direct and unmonitored contact with children in a school district or any program or facility approved or funded by the department