

HOUSE No. 3770

The Commonwealth of Massachusetts

PRESENTED BY:

Carole A. Fiola

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 requiring criminal record checks for game officials.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/15/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>5/2/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>2/1/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>5/2/2019</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/18/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>1/19/2019</i>

HOUSE No. 3770

By Ms. Fiola of Fall River, a petition (accompanied by bill, House, No. 3770) of Carole A. Fiola and others for legislation to require criminal record checks for officials, referees or umpires officiating at certain athletic events. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act requiring criminal record checks for game officials.

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 172 of chapter 6 of the General Laws, as
2 appearing in the 2016 Official Edition, is hereby amended by inserting after clause (33) the
3 following clause:-

4 (34) Pursuant to section 47 of chapter 71, a school committee, its athletic director or
5 designated employee of the school district, or a designated authorized representative of the
6 school committee shall obtain from the department of criminal justice information services data
7 permitted under section 172O. Information obtained under this section shall not be disseminated
8 for any purpose other than to further the protection of children.

9 SECTION 2. Said chapter 6 is hereby amended by inserting after section 172N, as
10 inserted by section 8 of chapter 69 of the acts of 2018, the following section:-

11 Section 172O. Notwithstanding section 172 or any other general or special law to the
12 contrary, to assist a school committee in determining suitability of any official, referee or umpire

13 officiating at any athletic event contact with children, an athletic director of a school committee
14 or if the school committee has no athletic director, a designated employee of a school district, or
15 a designated authorized representative of a school committee, shall obtain all available criminal
16 offender record information from the department prior to accepting any such official, referee or
17 umpire as an employee, volunteer, vendor or contractor who may have direct or unmonitored
18 contact with children 18 years of age or less. An official, referee or umpire may include any
19 game official enrolled, listed, or otherwise allowed to officiate an athletic event by the authorized
20 representative of the school committee as provided for in section 47 of chapter 71. Information
21 obtained under this section shall not be disseminated for any purpose other than to further the
22 protection of children.

23 SECTION 3. The first paragraph of section 47 of chapter 71 of the General Laws, as
24 appearing in the 2016 Official Edition, is hereby amended by inserting after the first sentence the
25 following 3 sentences:- The school committee shall require an athletic director or, if the school
26 committee has no athletic director, a designated employee of the school district, or a designated
27 authorized representative to conduct a criminal record check of any official, referee or umpire
28 officiating at any athletic event bearing the school name or organized in connection therewith to
29 assist the school committee in determining suitability of the official for contact with children.
30 Such person or designated authorized representative shall obtain all available criminal offender
31 record information from the department of criminal justice information services prior to the
32 school committee accepting any person as an employee, volunteer, vendor or contractor who
33 may have direct or unmonitored contact with children 18 years of age or less, which shall include
34 any game official, referee or umpire enrolled, listed, or otherwise allowed to officiate such
35 athletic event. If an athletic director or a designated employee of the school district receives

36 criminal offender record information that includes no disposition or is otherwise incomplete, the
37 school committee shall request that the school committee's authorized representative provide the
38 results of its own background check, if any, to assist the school committee in determining
39 suitability of the official for contact with children.

40 SECTION 4. The department of elementary and secondary education shall provide
41 guidelines to school committees to assist in the implementation of this act no later than 30 days
42 after the effective date of this act.