

SENATE No. 2435

The Commonwealth of Massachusetts

PRESENTED BY:

Dean A. Tran

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 safety at public events.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>9/20/2019</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>9/19/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>9/20/2019</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>9/20/2019</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>9/20/2019</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>9/20/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>9/20/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>9/20/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>9/23/2019</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>9/24/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>9/25/2019</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>9/26/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>9/28/2019</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>10/1/2019</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>10/4/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>10/11/2019</i>

<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>11/19/2019</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>1/2/2020</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>6/17/2020</i>

SENATE No. 2435

By Mr. Tran, a petition (accompanied by bill, Senate, No. 2435) (subject to Joint Rule 12) of Dean A. Tran, Timothy R. Whelan, Michael J. Soter, Steven S. Howitt and other members of the General Court for legislation relative to safety at public events. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to safety at public events.

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

1 Chapter 268 of the General Laws is hereby amended by striking out section 34, as so
2 appearing in the 2018 Official Edition, and inserting in place thereof the following section:-

3 (a) Whoever willfully disguises themselves in a manner including but not limited to
4 concealing their facial features by wearing any face-covering, mask, or other disguise with the
5 intent to shield their identity while in the act of obstructing, preventing, or interfering with an
6 officer or other law enforcement official from the lawful performance of their duty, or prevents,
7 intimidates, or harasses another person in the exercise of their constitutional rights as guaranteed
8 by the United States Constitution, the Massachusetts Declaration of Rights, or the laws of the
9 Commonwealth, whether such intent is effected or not, shall be punished by a fine of up to \$500
10 or up to 1 year imprisonment in a house of correction, or both.

11 (b) Whoever willfully disguises themselves at any public event in a manner including but
12 not limited to concealing their facial features by wearing any face-covering, mask, or other

13 disguise with the intent to shield their identity while in the act of obstructing, preventing, or
14 interfering with an officer or other law enforcement official from the lawful performance of their
15 duty, or prevents, intimidates, or harasses another person in the exercise of their constitutional
16 rights as guaranteed by the United States Constitution, the Massachusetts Declaration of Rights,
17 or the laws of the Commonwealth, whether such intent is effected or not, shall be punished by a
18 fine of \$1,000 or up to 1 year imprisonment in a house of correction, or both.

19 (c) Whoever willfully commits any act of violence, as described in any section of Chapter
20 265 or Chapter 268 of the General Laws, against another person at any public event while
21 wearing any covering, mask, or other disguise that conceals their facial features with the intent to
22 shield their identity shall be punished by a fine of up to \$1,500, or up to one and one half years
23 imprisonment in a house of correction, or both.

24 (d) Whoever willfully commits any act of violence, as described in any section of
25 Chapter 265 or Chapter 268 of the General Laws, against any sworn police officer, firefighter, or
26 other first responder at any public event while wearing any covering, mask, or other disguise that
27 conceals their facial features with the intent to shield their identity shall be punished by a fine of
28 up to \$2,000, or up to two years imprisonment in a house of correction, or both.

29 (e) For the purposes of this section, a disguise shall not include a face covering worn for
30 the following reasons: (1) as required by religious custom or practice, (2) for the treatment of a
31 medical condition, (3) as part of a costume worn on the occasion of or in close proximity to the
32 occasion of a holiday, or (4) for warmth during periods of extreme cold. Any police officer who
33 has probable cause may arrest any individual who violates any provision of subsection (a), (b),
34 (c), or (d) of this section.