

HOUSE No. 1882

The Commonwealth of Massachusetts

PRESENTED BY:

Alyson M. Sullivan

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 protecting domestic violence victims.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>1/28/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/28/2021</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/3/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/9/2021</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/9/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/16/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/19/2021</i>
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>2/20/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/23/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/25/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>3/18/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/18/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>3/19/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>3/19/2021</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>3/19/2021</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>3/31/2021</i>

HOUSE No. 1882

By Ms. Sullivan of Abington, a petition (accompanied by bill, House, No. 1882) of Alyson M. Sullivan and others relative to protecting domestic violence victims. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to protecting domestic violence victims.

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 18C of Chapter 265 of the Massachusetts General Laws is hereby
2 amended by deleting the section in its entirety and replacing it with the following:-

3 (a) Whoever knowingly, in the day time or night time, breaks and enters a building,
4 ship, vessel or vehicle or otherwise illegally enters into the dwelling place of another and
5 discovers that one or more persons are present shall have an immediate duty to retreat. Any
6 person or persons who have illegally entered under this section and have failed to retreat shall
7 forfeit any rights to civil or criminal action against the legal occupants for any injuries incurred.

8 (b) Whoever knowingly, in the day time or night time, breaks and enters a building,
9 ship, vessel or vehicle or otherwise illegally enters into the dwelling place of another where one
10 or more minors are present shall have an immediate duty to retreat. Any person or persons who
11 have illegally entered under this section and have failed to retreat shall forfeit any rights to civil
12 or criminal action against the legal occupants for any injuries incurred. Further, any person who

13 is found guilty of illegally entering under this section where one or more minors are present shall
14 be punished by imprisonment in the state prison for any term not less five years.

15 (c) Whoever, in the day time or night time, breaks and enters a building, ship, vessel
16 or vehicle or otherwise enters into the dwelling place of another knowing or having reason to
17 know that one or more persons are present within or knowingly enters the dwelling place of
18 another and remains in such dwelling place knowing or having reason to know that one or more
19 persons are present within while armed with a dangerous weapon, uses force or threatens the
20 imminent use of force upon any person within such dwelling place whether or not injury occurs,
21 or intentionally causes any injury to any person within such dwelling place shall be punished by
22 imprisonment in the state prison for life or for any term of not less than twenty years.