HOUSE DOCKET, NO. 2861 FILED ON: 2/18/2021

HOUSE . . . . . No. 4151

The Commonwealth of Massachusetts

PRESENTED BY:

Sheila C. Harrington

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 affirming and protecting the constitutional right to personal liberty.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Sheila C. Harrington	*1st Middlesex*	*2/26/2021*
Julie Boras	*MA Committee on Health Rights*	*2/18/2021*

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HOUSE . . . . . No. 4151

By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 4151) of Sheila C. Harrington and Julie Boras for legislation to establish the inalienable right to bodily integrity, free from threat or compulsion to accept any unwanted intervention. The Judiciary.

The Commonwealth of Massachusetts

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

An Act affirming and protecting the constitutional right to personal liberty.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith an inalienable right to bodily integrity, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Chapter 12 of the General Laws is hereby amended by inserting after section 11J the following section:-

Section 11J ½. (a) Every person has the inalienable right to bodily integrity, free from threat or compulsion to accept any unwanted intervention, including, but not limited to: medical treatments or procedures; physical or mental examinations; testing; experimental procedures, protocols, and devices; collection of specimens; participation in tracking or tracing programs; and sharing of personal data or medical information.

The right to be secure in the ability to make personal decisions for themselves or for their dependents, including, but not limited to, health and medical care, including complementary and

alternative healthcare services, education, daycare, employment, travel, religion, hobbies, entertainment, sports and other lifestyle preferences, shall not be infringed.

(b) A person whose rights under this section are violated may sue an employer, hospital or health care facility in district court in the county where the hospital, facility or institution is located for: (1) an injunction against any further violation; (2) appropriate affirmative relief, including, but not limited to, admission or reinstatement of employment with back pay plus 10 percent interest; and (3) any other relief necessary to ensure compliance with this section. A violation of this section shall be a per se violation of section 11H.

SECTION 2. This act shall take effect 60 days after its passage.