

SENATE No. 2516

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 mitigating COVID-19 transmission among children and families.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>8/2/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>8/3/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>8/3/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>8/3/2021</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>8/5/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>8/6/2021</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>8/6/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>8/7/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>8/8/2021</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>8/9/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>8/10/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>8/11/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>8/11/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>8/12/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>8/13/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>8/13/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>8/19/2021</i>

<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>8/19/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>8/19/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>8/19/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>8/30/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/6/2022</i>

SENATE No. 2516

By Ms. Rausch, a petition (accompanied by bill) (subject to Joint Rule 12) of Rebecca L. Rausch, Lindsay N. Sabadosa, Elizabeth A. Malia, David Paul Linsky and others for legislation to mitigate COVID-19 transmission among children and families. Public Health.

The Commonwealth of Massachusetts

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

An Act mitigating COVID-19 transmission among children and families.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to mitigate COVID-19 transmission among children and families in the 2021-2022 school year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

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. Any person age two or older who is attending, instructing, supervising, or
2 otherwise participating in or engaging with: (a) a child care program licensed by the department
3 of early education and care, or (b) any elementary or secondary school instructing children in
4 kindergarten through grade 12, inclusive, shall at all times when indoors wear a mask or face
5 covering that covers the mouth and nose, consistent with guidance issued by the United States
6 Centers for Disease Control and Prevention; provided, however, that masks or face coverings
7 shall not be required when eating or drinking, or for persons who are unable to wear masks or
8 face coverings due to physician-verified medical conditions, disability, or other health and safety
9 factors. The department of elementary and secondary education and the department of early
10 education and care may issue emergency guidance and regulations implementing this section.

11 SECTION 2. Notwithstanding section 1 of chapter 76 or any other special or general law
12 to the contrary, any public or private school shall excuse any absence necessary for an enrolled
13 student to be immunized against the 2019 novel coronavirus, also known as COVID-19, and said
14 student shall be provided with an opportunity to make up any examination or study missed
15 because of such absence.

16 SECTION 3. A parent, guardian, or caregiver of a dependent child shall be entitled, upon
17 request, to take six hours of paid leave to be used for the purpose of facilitating said child's
18 immunization against the 2019 novel coronavirus, also known as COVID-19. It shall be unlawful
19 for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise,
20 the right to take paid leave under this section. It shall be unlawful for any employer to retaliate in
21 any way against any employee attempting to take or taking paid leave under this section.

22 SECTION 4. Sections 1 through 3, inclusive, of this act are hereby repealed.

23 SECTION 5. Section 4 shall take effect on June 30, 2022.