SENATE DOCKET, NO. 1062 FILED ON: 2/10/2021

SENATE . . . . . No. 393

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 strengthening background checks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	
James M. Murphy	*4th Norfolk*	*2/22/2021*
Hannah Kane	*11th Worcester*	*3/17/2021*

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SENATE . . . . . No. 393

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 393) of Walter F. Timilty, James M. Murphy and Hannah Kane for legislation to strengthen the background checks process. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *342* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to strengthening background checks.

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. Subsection (a) of section 7 of chapter 15D of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraphs:-

(iv) As part of the department's licensing and background record check process, the department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for present or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program or facility licensed, approved or funded by the department. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may

impact the health and safety of any resident at facilities licensed by the department pursuant to 606 CMR 3.03 and 606 CMR 7.03.

(v) As part of the department's licensing and background check process, the department shall maintain an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B of chapter 119 for current or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program funded, operated, approved or licensed by the department.

SECTION 2. Section 38R of chapter 71 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the first paragraph the following paragraphs:-

The department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for any current or prospective employee within the school district or any program or facility approved or funded by the department who may have direct and unmonitored contact with children. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may impact the health and safety of any student at schools licensed by the department pursuant to 603 CMR 28.09 or public school districts.

The department shall enter into an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B of chapter 119 for current or prospective employees or other persons who may have direct and unmonitored contact with children in a school district or any program or facility approved or funded by the department.