

HOUSE No. 1823

The Commonwealth of Massachusetts

PRESENTED BY:

Steven George Xiarhos

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 assault and battery against healthcare personnel, school officials, and first responders.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|-----------------------|------------------|
| <i>Steven George Xiarhos</i> | <i>5th Barnstable</i> | <i>1/13/2023</i> |
| <i>Kip A. Diggs</i> | <i>2nd Barnstable</i> | <i>1/31/2023</i> |
| <i>David T. Vieira</i> | <i>3rd Barnstable</i> | <i>2/19/2023</i> |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>3/2/2023</i> |

HOUSE No. 1823

By Representative Xiarhos of Barnstable, a petition (accompanied by bill, House, No. 1823) of Steven George Xiarhos and others relative to assault and battery against healthcare personnel, school officials, and first responders. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to assault and battery against healthcare personnel, school officials, and first responders.

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 13A of Chapter 265 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof
3 the following subsection:-

4 (b) Whoever commits an assault or an assault and battery:

5 (i) upon another and by such assault and battery causes serious bodily injury;

6 (ii) upon another who is pregnant at the time of such assault and battery, knowing or
7 having reason to know that the person is pregnant;

8 (iii) upon another who he knows has an outstanding temporary or permanent vacate,
9 restraining or no contact order or judgment issued pursuant to section 18, section 34B or 34C of
10 chapter 208, section 32 of chapter 209, section 3, 4, or 5 of chapter 209A, or section 15 or 20 of
11 chapter 209C, in effect against him at the time of such assault or assault and battery;

12 (iv) upon a person who is classified within Group 4 of subdivision 2 of paragraph (g)
13 section 3 of chapter 32 of the General Laws by virtue of their employment, while such person is
14 actively engaged in the performance of their official duties;

15 (v) upon a person who is a teacher, school librarian, school adjustment counselor, school
16 nurse, school social worker or school psychologist in any public school, while such person is
17 actively engaged in the performance of their official duties;

18 (vi) upon a person who is a registered nurse or licensed practical nurse, while such person
19 is actively engaged in the performance of their official duties;

20 (vii) upon a person serving as a referee or other official of a school athletic event, while
21 such person is actively engaged in the performance of their official duties; or

22 (viii) upon a police dog, as defined in section 1 of chapter 111C, while such animal is
23 actively engaged in the performance of their official duties;

24 shall be punished by imprisonment in the state prison for not more than 5 years or in the
25 house of correction for not more than 2 1/2 years, or by a fine of not more than \$5,000, or by both
26 such fine and imprisonment.