

HOUSE No. 1641

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

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 civil rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>1/17/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/11/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/11/2025</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>2/11/2025</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/11/2025</i>

HOUSE No. 1641

By Representative Day of Stoneham, a petition (accompanied by bill, House, No. 1641) of Michael S. Day and others relative to interference or attempted interference by threats, intimidation or coercion in civil rights actions. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4321 OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to civil rights.

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 11H of chapter 12 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting, in line 9, after the word “secured”, the
3 following:- ; provided, however, that in an action brought under this section against a law
4 enforcement officer, as defined in section 1 of chapter 6E, for conduct under color of law, proof
5 shall not be required that the interference or attempted interference was by threats, intimidation
6 or coercion.

7 SECTION 2. Said section 11H of said chapter 12 of the General Laws, as so appearing,
8 is hereby further amended by striking, in lines 39-41, the words “interference by threat,
9 intimidation or coercion, or attempted interference by threats, intimidation or coercion,” and
10 inserting in place thereof the following: - interference or attempted interference.

SECTION 3. Said section 11H of said chapter 12 of the General Laws, as so appearing, ,
is hereby further amended by inserting, after subsection (b), the following subsection: -

(c) When granting a claim of immunity from civil liability in an action brought pursuant
to this section or section 11I of this chapter against a law enforcement officer, as defined in
section 1 of chapter 6E, the court shall also make a determination in writing as to whether the
conduct alleged, if proven at trial, interfered with the exercise or enjoyment by any other person
or persons of rights secured by the constitution or laws of the United States, or of rights secured
by the constitution or laws of the commonwealth.

SECTION 4. Section 11I of said chapter 12 of the General Laws, as so appearing, is
hereby amended by inserting, in line 8, after the word “damages.” the following: - In an action
brought under this section against a law enforcement officer, as defined in section 1 of chapter
6E, for conduct under color of law, proof shall not be required that the interference or attempted
interference was by threats, intimidation or coercion.