

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile

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 ensuring emergency preparedness and responsible deployment of the Massachusetts National Guard.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>8/6/2025</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>8/17/2025</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>8/27/2025</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>9/5/2025</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>9/23/2025</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>9/2/2025</i>
<i>Lisa Field</i>	<i>3rd Bristol</i>	<i>9/11/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>8/7/2025</i>
<i>Tara T. Hong</i>	<i>18th Middlesex</i>	<i>8/18/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>8/16/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>9/10/2025</i>
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	<i>9/23/2025</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>10/1/2025</i>
<i>Amy Mah Sangiolo</i>	<i>11th Middlesex</i>	<i>8/20/2025</i>
<i>Greg Schwartz</i>	<i>12th Middlesex</i>	<i>8/14/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>8/21/2025</i>

HOUSE No.

By Representative Gentile of Sudbury, a petition (subject to Joint Rule 12) of Carmine Lawrence Gentile and James K. Hawkins relative to emergency preparedness and responsible deployment of the Massachusetts National Guard. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act relative to ensuring emergency preparedness and responsible deployment of the Massachusetts National Guard.

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 11 of chapter 33 of the General Laws, as appearing in the 2022 Official Edition,
2 is hereby amended by adding the following 2 paragraphs:-

3 The commander-in-chief shall not assist, facilitate, communicate or allow
4 communications between the United States Department of Defense or any branch thereof and
5 individual service members or units of the national guard on any matter associated with an
6 individual or unit being called into active service under Title 10 or 32 of the United States Code
7 unless the active service is:

8 (i) in support of a congressionally authorized military contingency;

9 (ii) in support of operations in response to a national catastrophe or disaster as declared in
10 a formal declaration of war, congressional authorization for the use of military force or
11 presidential declaration;

12 (iii) in support of a congressionally authorized mission with the United States Department
13 of Homeland Security that is consistent with federal law on the appropriate use of the Armed
14 Forces of the United States within or without the continental United States;

15 (iv) for training for duties that are part of the primary duties of the individual or unit;

16 (v) for military support of the civil authorities of another state or territory with the
17 express permission of the state's or territory's governor or executive civil authority; or

18 (vi) for military support of civil authorities for other duties supported by congressional
19 action, federal law or tradition, except not law enforcement or immigration enforcement duties
20 other than indirect support or surveillance duties that are part of a border security operation.

21 Notwithstanding the second paragraph, the commander-in-chief shall not allow an
22 individual or unit of the national guard to be called into active service under Title 10 or 32 of the
23 United States Code if allowing the call into active service would result in the national guard
24 being effectively incapable of responding to a statewide emergency, such as a natural disaster or
25 terrorism event.