

HOUSE No. 1528

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell and James J. Dwyer

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 the protection of children and developmentally disabled individuals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Laurie Myers</i>	<i>Community VOICES (president)</i> <input type="checkbox"/> <i>7 Pinehill Avenue</i> <input type="checkbox"/> <i>Chelmsford, MA 01824</i> <input type="checkbox"/>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>

<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>
<i>Joseph DiPietro, Protect Mass Children</i>	<i>1150 Walnut Street</i> <input type="checkbox"/> <i>Newton, MA 02461</i> <input type="checkbox"/>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>

HOUSE No. 1528

By Representatives O'Connell of Taunton and Dwyer of Woburn, a petition (accompanied by bill, House, No. 1528) of Shaunna O'Connell, James J. Dwyer and others relative to the protection of children and developmentally disabled individuals. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the protection of children and developmentally disabled individuals.

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 178E of chapter 6 of the General Laws, is hereby amended by
2 inserting at the end thereof, the following new subsection:—

3 (q) The district attorney shall notify the board whenever its office receives allegations of
4 sexual abuse or sexual assault by a person that is required to register as a sex offender or has
5 previously been required to register as a sex offender.

6 SECTION 2. Chapter 15D of the General Laws, is hereby amended by inserting after
7 section 8, the following new section:—

8 Section 8 ½. The department shall immediately notify the sex offender registry board
9 whenever a person applies for a license to operate a child care center, a family child care home, a
10 large family child care home, or a family child care system and that person (1) is required to
11 register as a sex offender; or (2) has previously been required to register as a sex offender. If a
12 person seeking a license from the department intends to provide childcare in a private residence,
13 the department shall ensure that no person living in the private residence (1) is required to
14 register as a sex offender; or (2) has previously been required to register as a sex offender. The
15 department shall immediately notify the sex offender registry board whenever a person applies
16 for a license to provide child care in a private residence and a person living in the private
17 residence (1) is required to register as a sex offender; or (2) has previously been required to
18 register as a sex offender.

19 SECTION 3. Section 10 of chapter 19B of the General Laws, is hereby amended by
20 adding at the end thereof the following:—

21 The superintendent of any state school, or the director of any intellectual disability
22 facility of the department, who has reason to believe that a sex offense, a sex offense involving a
23 child, or a sexually violent offense, has been committed by or upon any person on the premises
24 of the particular facility or by or upon any person in the care of the particular facility but not on
25 the premises thereof, shall no later than one week from the date of the commission of such
26 offense, report the same to the sex offender registry board.

27 The definitions of “sex offense”, “sex offense involving a child” and “sexually violent
28 offense” as established in section 178C of chapter 6 shall be applied to this section.

29 SECTION 4. Section 51B of chapter 119 of the General Laws, is hereby amended by
30 inserting, after the words, “sexual assault.” in line 104, the following:—

31 The department shall immediately notify the sex offender registry board when making a
32 report of sexual abuse or assault to the district attorney under subsection (k); provided further
33 that such notification to the sex offender registry board shall include all information regarding
34 alleged abuse which has been provided by the department to the district attorney.