

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1670

TITLE: An Act relative to the repeal or reform of certain unenforceable or unconstitutional archaic laws

SPONSOR: Rep. Kate Donaghue

COSPONSORS: None

HEARING DATE: May 6, 2025

PRIOR HISTORY: H1469 (2023-2024) H950 (2017-2018)
H1847 (2021-2022) H4392 (2015-2016)
H1532 (2019-2020)

SENATE BILL: None

CURRENT LAW: Article VI of the Amendments to the Massachusetts State Constitution provides the required oath of office for every person chosen or appointed to office. The oath uses male pronouns and references God. Paragraph three offers an alternative affirmation for Quakers that omits references to God.

Section 30 Chapter 71 of the General Laws imposes “moral education” requirements.

Section 31 of Chapter 71 requires the daily reading of Bible verses in public schools.

Section 15 of Chapter 233 requires the use of the usual mode of administering oaths now in all cases where an oath may be administered by law, except as provided in sections sixteen to nineteen of this chapter.

Section 16 of Chapter 233 permits the administration of a different mode of taking the oath which is, in the opinion of the person to be sworn, more solemn and obligatory than the upholding of the hand.

Section 17 of Chapter 233 allows a Quaker or Friend, when called on to take an oath, to solemnly and sincerely affirm under the penalties of perjury.

Section 18 permits this affirmation's use by a person who declares conscientious scruples against taking an oath if a court or magistrate is satisfied of the truth of such declaration.

Section 19 of Chapter 233 permits a person who believes in any other than the Christian religion to be sworn according to the appropriate ceremonies of their religion. A person without belief in any religion must testify truly under the penalties of perjury, and evidence of their disbelief in God's existence may not be received to affect their credibility as a witness.

Section 26 of Chapter 272 prohibits using places where food or drink are sold to be consumed on the premises for immoral solicitation or bargaining or other immoral conduct.

Section 29 of Chapter 272 prohibits the knowing dissemination or possession of obscene matter.

Section 34 of Chapter 272 prohibits the abominable and detestable crime against nature, either with mankind or with a beast.

Section 35 of Chapter 272 prohibits the commission of any unnatural and lascivious act with another person.

Section 36 of Chapter 272 prohibits willful blasphemy.

BILL SUMMARY:

Section 1 – Repeals Section 30 Chapter 71.

Section 2 – This removes the requirement for the bible to be read in schools from Section 31 of Chapter 71.

Section 3 –. Strikes Section 15 of Chapter 233 and replaces it with language permitting in all cases where an oath or affirmation of truthfulness is required by law a person to make the oath or affirmation without religious reference, to hold up his or her hand and affirm that the testimony or declaration is truthful and, when appropriate, made under the penalties of perjury.

Section 4 – Repeals Sections 16 to19 of Chapter 233.

Section 5 – Repeals Section 26 of Chapter 272.

Section 6 – Repeals Section 29 of Chapter 272.

Section 7 – Repeals Section 34 of Chapter 272.

Section 8 - Repeals Section 35 of Chapter 272.

Section 9 – Repeals Section 36 of Chapter 272.