

HOUSE No. 01380

The Commonwealth of Massachusetts

PRESENTED BY:

Chris Walsh, (BY REQUEST)

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 passage of the accompanying bill:

An Act amending the marriage laws.

PETITION OF:

NAME:

Robert Edwards

DISTRICT/ADDRESS:

12D Rose Kennedy Lane

Framingham, MA 01702

Chris Walsh

6th Middlesex

HOUSE No. 01380

By Mr. Chris Walsh of Framingham (by request), petition (accompanied by bill, House, No. 01380) of Chris Walsh relative to the rights of disabled persons under the marriage laws. Joint Committee on the Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act amending the marriage laws.

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 No Group Home shall interfere in the dating and marriage of a disabled person any
- 2 violation under the marriage law a fine up to one thousand dollars or more.

- 3 SECTION 2 No disabled person shall be prevented from getting married by a legal guardian or
- 4 power of attorneys and family members if a disabled person has been previously divorced this
- 5 should be added under Massachusetts General Law Chapter 208 Section 1A.

- 6 SECTION 3 Any disabled person who has a trust fund before they get married shall have the
- 7 right to do a prenup or marriage contract under Massachusetts Marriage Law under
- 8 Massachusetts General Laws.

- 9 SECTION 4 any disabled or nondisabled person should not need the consent of a legal guardian
- 10 or power of attorney or family members if they are 21 years of age or over to get married under
- 11 the Marriage Law under this regulation under Massachusetts General Laws.

12 SECTION 5 No Legal Guardian or power of attorneys and family members shall prevent a
13 disabled or nondisabled person from getting married based on their religion if there is a violation
14 under this section a disabled person or nondisabled person shall have the right to make a
15 complaint with the Massachusetts Commission against Discrimination under the Massachusetts
16 Marriage Law.

17 SECTION 6 No Legal Guardian or Power of Attorney or families shall not prevent a disabled
18 person from getting married if they have a physical cognitive or emotional disability including
19 any person who has a traumatic brain injury a fine under this section minimum of one thousand
20 dollars and a maximum of five thousand dollar fine under this section should be given if there
21 has been a violation under the Massachusetts

22 Marriage Law under Massachusetts General Laws Chapter 208 Section 1A.

23

24 SECTION 7 No power of attorney or legal guardian or family members shall make any decision
25 on the behalf of any disabled person regarding competency only a health care professional shall
26 make the decision if a disabled person with a disability is competent to get married under
27 Massachusetts General Laws Chapter 208 Section 1A.