

# HOUSE . . . . . No. 1418

## The Commonwealth of Massachusetts

PRESENTED BY:

*Tackey Chan*

*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 restraining orders as they pertain to hate crimes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/19/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/6/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/6/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/7/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/8/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/17/2023</i>
<i>Adrienne Pusateri Ramos</i>	<i>14th Essex</i>	<i>2/18/2023</i>

**HOUSE . . . . . No. 1418**

By Representative Chan of Quincy, a petition (accompanied by bill, House, No. 1418) of Tackey Chan and others relative to restraining orders as they pertain to hate crimes. The Judiciary.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to restraining orders as they pertain to hate crimes.

*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 1 of chapter 258E of the General Laws, as appearing in the 2020  
2 Official Edition, is hereby amended by striking out the definition of “Harassment” and inserting  
3 in place thereof the following definition:-

4 “Harassment”, (i) 3 or more acts of willful and malicious conduct aimed at a specific  
5 person committed with the intent to caucus fear, intimidation, abuse or damage to property and  
6 that does in face cause fear, intimidation, abuse or damage to property; or (ii) an act that: (A) by  
7 force, threat or duress causes another to involuntarily engage in sexual relations; or (B)  
8 constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 37, 39, 43 or 43A of  
9 chapter 265 or section 3 of chapter 272.

10 SECTION 2. Section 39 of chapter 265 of the General Laws is hereby amended by  
11 striking out the first sentence and replacing it thereof with the following sentence:- (a) Whoever  
12 commits an assault or a battery upon a person or the relative thereof or damages the real or

13 personal property of a person with the intent to intimidate such person because of such person's  
14 race, color, religion, national origin, sexual orientation, gender identity, or disability shall be  
15 punished by a fine of not more than five thousand dollars or by imprisonment in a house of  
16 correction for not more than two and one-half years, or by both such fine and imprisonment.