

# **HOUSE . . . . . No. 4347**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 3, 2020.

The committee on Children, Families and Persons with Disabilities, to whom was referred the petition (accompanied by bill, House, No. 141) of Kay Khan and others relative to individuals with intellectual or developmental disabilities, reports recommending the accompanying bill (House, No. 4347) ought to pass.

For the committee,

KAY KHAN.

**HOUSE . . . . . No. 4347**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to individuals with intellectual or developmental disabilities.

*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. This act may be referred to as Katie's Law.

2           SECTION 2. Section 172C of chapter 6 of the General Laws, as appearing in the  
3           2018 Official Edition, is hereby amended by striking out, in line 5, the words “is mentally  
4           retarded” and inserting in place thereof the following words:- “has an intellectual or  
5           developmental disability”.

6           SECTION 3. Section 178C of said chapter 6, as so appearing, is hereby amended by  
7           striking out, in line 60 and in line 138, the words “mentally retarded person” and inserting in  
8           place thereof the following words:- “person with an intellectual or developmental disability”.

9           SECTION 4. Section 178K of said chapter 6, as so appearing, is hereby amended by  
10          striking out, in line 236, the words “the mentally retarded” and inserting in place thereof the  
11          following words:- “people with intellectual disabilities”; and by striking out, in line 259, the

12 words “mentally retarded person” and inserting in place thereof the following words:- “person  
13 with an intellectual or developmental disability”.

14 SECTION 5. Section 22N of chapter 7 of the General Laws, as appearing in the 2018  
15 Official Edition, is hereby amended by striking out, in lines 13-14, the words “mental  
16 retardation” and inserting in place thereof the following words:- “developmental services”.

17 SECTION 6. Section 38 of chapter 10 of the General Laws, as appearing in the 2018  
18 Official Edition, is hereby amended by striking out, in line 9, the words “retarded children” and  
19 inserting in place thereof the following words:- “children with an intellectual disability”.

20 SECTION 7. Section 21 of chapter 19 of the General Laws, as appearing in the 2018  
21 Official Edition, is hereby amended by striking out, in line 16, the words "mentally retarded" and  
22 inserting in place thereof the following words:- "intellectually or developmentally disabled”.

23 SECTION 8. Section 7 of chapter 19B of the General Laws, as appearing in the 2018  
24 Official Edition, is hereby amended by striking out, in line 2, the words “mental retardation”.

25 SECTION 9. Section 8 of said chapter 19B, as so appearing, is hereby amended by  
26 striking out, in line 3, the words “mental retardation”; and further amended by striking out, in  
27 lines 6-7, the words “the mentally retarded” and inserting in place thereof the following words:-  
28 “people with intellectual or developmental disabilities”.

29 SECTION 10. Section 2 of chapter 21H of the General Laws, as appearing in the 2018  
30 Official Edition, is hereby amended by striking out, in lines 73-74, the word “retarded” and  
31 inserting in place thereof the following words:- “intellectually or developmentally disabled”.

32 SECTION 11. Section 47 of chapter 31 of the General Laws, as appearing in the 2018  
33 Official Edition, is hereby amended by striking out, in lines 32-33, the words “such mentally  
34 retarded person” and inserting in place thereof the following words:- “a person with an  
35 intellectual disability”.

36 SECTION 12. Clause (e) of subsection 1 of Section 1 of chapter 31A of the General  
37 Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 24,  
38 the word “handicap” and inserting in place thereof the following word:- “disability”.

39 SECTION 13. Section 23 of chapter 32 of the General Laws, as amended by section 8 of  
40 chapter 86 of the acts of 2015, is hereby amended by striking out, in subsection (b) of paragraph  
41 (5), in line 418, the words “physical handicap” and inserting in place thereof the following  
42 word:- “disability”.

43 SECTION 14. Section 3 of chapter 38 of the General Laws, as appearing in the 2018  
44 Official Edition, is hereby amended by striking out, in line 21, the words “mental retardation”  
45 and inserting in place thereof the following words:- “developmental services”.

46 SECTION 15. Section 3 of chapter 71B of the General Laws, as appearing in the 2018  
47 Official Edition, is hereby amended by striking out, in lines 175 and 217, the words “mental  
48 retardation” and inserting in place thereof, in each instance, the following words:-  
49 “developmental services”.

50 SECTION 16. Section 4 of chapter 92B of the General Laws, as appearing in the 2018  
51 Official Edition, is hereby amended by striking out, in line 28, the words “physical handicap”  
52 and inserting in place thereof the following word:- “disability”.

53 SECTION 17. Subsection (a) of section 103 of chapter 93 of the General Laws, as  
54 appearing in the 2018 Official Edition, is hereby amended by striking out, in line 2, the word  
55 “handicap” and inserting in place thereof the following word:- “disability”.

56 SECTION 18. Section 4O of chapter 111 of the General Laws, as appearing in the 2018  
57 Official Edition, is hereby amended by striking out, in line 24, the words “mental retardation”  
58 and inserting in place thereof the following words:- “developmental services”.

59 SECTION 19. Section 24E of said chapter 111 of the General Laws, as so  
60 appearing, is hereby amended by striking out, in line 9, the word “handicap” and  
61 inserting in place thereof the following word:- “disability”.

62 SECTION 20. Section 62J of said chapter 111, as so appearing, is hereby amended by  
63 striking out, in line 14, the words “mental retardation” and inserting in place thereof the  
64 following words:- “intellectual or developmental disability”.

65 SECTION 21. Section 67E of said chapter 111, as so appearing, is hereby amended by  
66 striking out, in lines 40 to 41, the words “mental retardation” and inserting in place thereof the  
67 following words:- “intellectual disability”.

68 SECTION 22. Section 69E of said chapter 111, as so appearing, is hereby amended by  
69 striking out, in line 9, the words “mental retardation” and inserting in place thereof the following  
70 words:- “intellectual or developmental disability”.

71 SECTION 23. Section 71 of said chapter 111, as so appearing, is hereby amended by  
72 striking out, in lines 10, 24-25, 80, 92, 137, 183, 186 and 226, the words “the mentally retarded”  
73 and inserting in place thereof, in each instance, the following words:- “persons with intellectual

74 disabilities”; and further amended by inserting after the word “mental”, in line 192, the word:-  
75 “health”.

76 SECTION 24. Section 72 of said chapter 111, as so appearing, is hereby amended by  
77 striking out, in lines 3-4, the words “the mentally retarded” and inserting in place thereof the  
78 following words:- “persons with intellectual disabilities”; and further amended by striking out, in  
79 line 17, the words “mentally retarded and”.

80 SECTION 25. Section 72Y of said chapter 111, as so appearing, is hereby amended by  
81 striking out, in lines 11-12, the word “retarded” and inserting in place thereof the following  
82 words:- “persons with intellectual or developmental disabilities”.

83 SECTION 26. Section 193 of said chapter 111, is hereby amended by striking out, in  
84 lines 12-13, the words “or retarded”.

85 SECTION 27. Section 23 of chapter 119 of the General Laws, as appearing in the 2018  
86 Official Edition, is hereby amended by striking out, in lines 49-50, the words “mental  
87 retardation” and inserting in place thereof the following words:- “intellectual or developmental  
88 disabilities”.

89 SECTION 28. Section 38A of chapter 121B of the General Laws, as appearing in the  
90 2018 Official Edition, is hereby amended by striking out, in line 31, the words “mental  
91 retardation” and inserting in place thereof the following words:- “intellectual or developmental  
92 disabilities”.

93 SECTION 29. Section 1 of chapter 122 of the General Laws, as appearing in the 2018  
94 Official Edition, is hereby amended by striking out, in line 11, the words “mental retardation”  
95 and inserting in place thereof the following:- “intellectual or developmental disability”.

96 SECTION 30. Section 14 of said chapter 122, as so appearing, is hereby amended by  
97 striking out, in lines 3-4, the words “mental retardation” and inserting in place thereof the  
98 following words:- “intellectual or developmental disability”.

99 SECTION 31. Section 1 of chapter 123A of the General Laws, as appearing in the 2018  
100 Official Edition, is hereby amended by striking out, in lines 45-46, the words “mentally retarded  
101 person” and inserting in place thereof the following words:- “person with an intellectual or  
102 developmental disability”.

103 SECTION 32. Chapter 123B of the General Laws, as appearing in the 2018 Official  
104 Edition, is hereby amended by striking out the title and inserting in place thereof the following  
105 title:- “Developmental Services” and further amended in Section 3 by striking out, in line 5, the  
106 phrase “the mentally retarded” and inserting in place thereof the following:- “persons with  
107 intellectual disabilities”.

108 SECTION 33. Section 133E of chapter 127 of the General Laws, as appearing in the  
109 2018 Official Edition, is hereby amended by striking out, in line 14, the words “mentally  
110 retarded person” and inserting in place thereof the following words:- “person with an intellectual  
111 or developmental disability”.

112 SECTION 34. Said section 13 of chapter 131 of the General Laws, as appearing in the  
113 2018 Official Edition, is hereby amended by striking out, in lines 49-50, the words “mentally

114 retarded” and inserting in place thereof, in each instance, the following words:- “intellectually or  
115 developmentally disabled”.

116 SECTION 35. Section 30A of chapter 149 of the General Laws, as appearing in the 2018  
117 Official Edition, is hereby amended by striking out, in line 22, the words “mental retardation”  
118 and inserting in place thereof the following words:- “developmental services”.

119 SECTION 36. Section 28 of chapter 152 of the General Laws, as appearing in the 2018  
120 Official Edition, is hereby amended by striking out, in lines 13-14, the words “mentally retarded  
121 persons” and inserting in place thereof the following words:- “persons with intellectual or  
122 developmental disabilities”.

123 SECTION 37. Subsection(a) of section 5 of chapter 161A of the General Laws, as  
124 appearing in the 2018 Official Edition, is hereby amended by striking out, in line 11, the word  
125 “handicap” and inserting in place thereof the following word:- “disability”.

126 SECTION 38. Section 25 of said chapter 161A, as so appearing, is hereby amended by  
127 striking out, in lines 22-23, the words “handicapping condition” and inserting in place thereof the  
128 following words:- “disability”.

129 SECTION 39. Section 120A of chapter 175 of the General Laws, as appearing in the  
130 2018 Official Edition, is hereby amended by striking out, in line 3, the words “mental  
131 retardation” and inserting in place thereof, in each instance, the following words:- “intellectual or  
132 developmental disability”.

133 SECTION 40. Section 17A of chapter 186 of the General Laws, as appearing in the 2018  
134 Official Edition, is hereby amended by striking out, in line 72, the words “mentally retarded



135 persons” and inserting in place thereof the following words:- “persons with an intellectual or  
136 developmental disability”.

137 SECTION 41. Section 5-101 of chapter 190B of the General Laws, as appearing in the  
138 2018 Official Edition, is hereby amended by striking out paragraph (12).

139 SECTION 42. Section 5-304 of said chapter 190B, as so appearing, is hereby amended  
140 by striking out, in line 16, the words “mentally retarded” and inserting in place thereof the  
141 following words:- “intellectually or developmentally disabled”.

142 SECTION 43. Section 5-309 of said chapter 190B, as so appearing, is hereby  
143 amended by striking out, in line 57, the words “mental retardation” and inserting in place  
144 thereof the following words:-“developmental services.”

145 SECTION 44. Section 32 of chapter 209 of the General Laws, of the General Laws, as  
146 appearing in the 2018 Official Edition, is hereby amended by striking out, in line 6, the words  
147 “mental retardation” and inserting in place thereof the following words:- “intellectual disability.”

148 SECTION 45. Section 85V of chapter 231 of the General Laws, as appearing in the 2018  
149 Official Edition, is hereby amended by striking out, in line 24, the words “mentally retarded” and  
150 inserting in place thereof the following words:- “persons with intellectual or developmental  
151 disabilities.”

152 SECTION 46. Section 23E of chapter 233 of the General Laws, of the General Laws, as  
153 appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 36 and 50, the  
154 words “mental retardation” and inserting in place thereof, in each instance, the following words:-  
155 “an intellectual disability”.

156 SECTION 47. Section 5B of chapter 260 of the General Laws, as appearing in the 2018  
157 Official Edition, is hereby amended by striking out, in line 5, the word “handicap” and inserting  
158 in place thereof the following word:- “disability”.

159 SECTION 48. Section 13F of chapter 265 of the General Laws, as appearing in the 2018  
160 Official Edition, is hereby amended by striking out, in lines 2, 3, 12-16, the words “an  
161 intellectual disability” and inserting in place thereof, in each instance, the following words:- “an  
162 intellectual or developmental disability”; and further amended by striking out, in lines 21-22, the  
163 words “mentally retarded” and inserting in place thereof, in each instance, the following words:-  
164 “person with an intellectual or developmental disability”.

165 SECTION 49. Section 45 of said chapter 265, as so appearing, is hereby amended by  
166 striking out, in line 3, the words “mentally retarded person” and inserting in place thereof the  
167 following words:- “person with an intellectual or developmental disability”.

168 SECTION 50. Section 7 of chapter 268A of the General Laws, as appearing in the 2018  
169 Official Edition, is thereby amended by striking out, in line 66, the words “mentally retarded”  
170 and inserting in place thereof the following words:- “intellectually or developmentally disabled”.