

SENATE No. 1094

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 bodily autonomy and family integrity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	<i>2/27/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>3/3/2023</i>

SENATE No. 1094

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 1094) of Patrick M. O'Connor, Ryan C. Fattman and F. Jay Barrows for legislation relative to bodily autonomy and family integrity. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1122 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to bodily autonomy and family integrity.

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. Chapter 111 of the General Laws, as so appearing, is hereby amended by
2 inserting the following new section:

3 “Section 183A.

4 (a) Definitions - The following words used in this section shall have the following
5 meanings unless the context clearly requires otherwise:

6 “Non-invasive”, a test or treatment in which the body is not penetrated or entered by a
7 needle, tube, device, swab, or scope, or one in which no substance is administered orally or
8 otherwise.

9 (b) No person shall be compelled to acquiesce to medical treatments or procedures,
10 collection of specimens, or sharing of personal data or medical information. A person's
11 fundamental rights including privacy, travel, and speech afforded under the United States
12 Constitution shall not be infringed upon to impede the making of decisions for themselves or for
13 their dependents, including, but not limited to, decisions about health and medical care, including
14 complementary and alternative healthcare services, education, employment, travel, and lifestyle
15 preferences.

16 (c) No employer shall decline to hire, or terminate the employment of, a person solely on
17 the basis of the person's choice to engage or not engage with a medical treatment or procedure.
18 A person whose rights have been violated by this act may bring action for (i) an injunction
19 against any further violation; (ii) appropriate affirmative relief, including, but not limited to,
20 admission or reinstatement of employment with back pay plus 10 percent interest; and (iii) any
21 other relief necessary to ensure compliance with this Act.

22 Unless otherwise prescribed, any person or official who willfully violates a provision of
23 this chapter is in violation of Title 42 USC 1983, and remedies may be pursued to the fullest
24 extent of the law.

25 (d) Nothing in this section shall preclude drug or alcohol testing or any reasonable
26 requirement for non-invasive medical testing or treatments, such as requiring a pilot to undergo a
27 vision test or wear corrective lenses while piloting an aircraft.

28 SECTION 2. This act shall take effect 60 days after its passage.