

SENATE No. 1127

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 prohibiting body size discrimination.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/23/2021</i>

SENATE No. 1127

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1127) of Rebecca L. Rausch and Kay Khan for legislation to prohibit body size discrimination. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2495 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act prohibiting body size discrimination.

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 89 of chapter 71 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the word “identity,”, in lines 98 and 349, in
3 each instance, the following words:- “height or weight,”.

4 SECTION 2. Section 5 of chapter 76 of the General Laws, as appearing in the 2018
5 Official Edition, is hereby amended by inserting after the word “identity,”, in line 11, the
6 following words:- “height or weight,”.

7 SECTION 3. Section 12B of said chapter 76 of the General Laws, as so appearing, is
8 hereby amended by inserting after the word “identity,”, in line 11, the following words:- “height
9 or weight,”.

10 SECTION 4. Section 1 of chapter 151B of the General Laws, as appearing in the 2018
11 Official Edition, is hereby amended by inserting after the definition of “genetic test” the
12 following 2 definitions:-

13 The term “height” means a numerical measurement of total body height, or an
14 individual’s unique physical composition of height through body size, shape, and proportions.
15 “Height” encompasses, but is not limited to, an impression of a person as tall or short regardless
16 of numerical measurement, including the length of a person’s limbs in proportion to the person’s
17 body.

18 The term “weight” means a numerical measurement of total body weight, the ratio of a
19 person’s weight in relation to height, or an individual’s unique composition of weight through
20 body size, shape, and proportions. “Weight” encompasses, but is not limited to, an impression of
21 a person as fat or thin regardless of the numerical measurement of weight.

22 SECTION 5. Section 3 of said chapter 151B, as so appearing, is hereby amended by
23 inserting after the word “identity,” in lines 17 and 64, in each instance, the following words:-
24 “height or weight, unless for the purposes of compliance with any established state, federal, or
25 industry safety standard,”.

26 SECTION 6. Section 4 of said chapter 151B, as so appearing, is hereby amended by
27 inserting after the word “identity,” in lines 3, 187, 202, 210, 221, 230, 264, 291, 298, 309, 359,
28 367, 377, 477, 488, 493, 500, 633, 644, 655, 821, and 831, in each instance, the following
29 words:- “height or weight, unless for the purposes of compliance with any established state,
30 federal, or industry safety standard,”.

31 SECTION 7. Section 2 of chapter 151C of the General Laws, as appearing in the 2018
32 Official Edition, is hereby amended by inserting after the word “race,” in lines 5 and 18, in each
33 instance, the following words:- “height or weight,”.

34 SECTION 8. Section 2A of said chapter 151C, as so appearing, is hereby amended by
35 inserting after the word “race,” in lines 9 and 15, in each instance, the following words:- “height
36 or weight,”.

37 SECTION 9. Section 2 of chapter 151E of the General Laws, as appearing in the 2018
38 Official Edition, is hereby amended by inserting after the word “sex,” in lines 14 and 22, in each
39 instance, the following words:- “height or weight, unless for the purposes of compliance with
40 any established state, federal, or industry safety standard,”.

41 SECTION 10. Section 92A of chapter 272 of the General Laws, as appearing in the 2018
42 Official Edition, is hereby amended by inserting after the word “identity,” in line 10, the
43 following words:- “height or weight, unless for the purposes of compliance with any established
44 state, federal, or industry safety standard,”.

45 SECTION 11. Section 98 of said chapter 272, as so appearing, is hereby amended by
46 inserting after the word “identity,” in line 3, the following words:- “height or weight, unless for
47 the purposes of compliance with any established state, federal, or industry safety standard,”.