

**SENATE . . . . . No. 594**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Patricia D. Jehlen***

*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 eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>

**SENATE . . . . . No. 594**

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By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 594) of Patricia D. Jehlen, Anne M. Gobi and Gloria L. Fox for legislation to eliminate archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts. Health Care Financing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1881 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts.

*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 32 of chapter 22C of the General Laws, as so appearing in the  
2 Official Edition of 2012, is hereby amended in the second paragraph in line 12 by striking the  
3 word “handicap” and inserting in place thereof the following:-

4           disability, age,

5           SECTION 2. Section 1 of chapter 31 of the General Laws, as so appearing, is hereby  
6 amended by inserting after the last sentence of the definition for “Handicap”, the following:-

7           “Handicap” shall have the same meaning as the term "disability".

8 SECTION 3. Clause (e) of subsection 1 of Section 1 of chapter 31A of the General  
9 Laws, as so appearing, is hereby amended by striking in line 22 the word “handicap” and  
10 inserting in place thereof the following:-

11 disability

12 SECTION 4. Section 2 of chapter 31A of the General Laws, as so appearing, is hereby  
13 amended by inserting after the definition for “Department” the following:-

14 "Disability", a physical or mental impairment that substantially limits one or more major  
15 life activities without regard to the ameliorative effects of mitigating measures which do not  
16 include ordinary eyeglasses or contact lenses.

17 SECTION 5. Section 2 of chapter 31A of the General Laws, as so appearing, is hereby  
18 amended by inserting after the definition for “Local merit appeals board” the following:-

19 Major life activities” shall include, but are not limited to, caring for oneself, performing  
20 manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking,  
21 breathing, learning, reading, concentrating, thinking, communicating, and working. This term  
22 also includes the meaning of “major bodily functions,” which include, but are not limited to,  
23 functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological,  
24 brain, respiratory, circulatory, endocrine, and reproductive functions.

25 SECTION 6. Section 23 of chapter 32 of the General Laws, as so appearing, is hereby  
26 amended in clause (5)(b) by striking the words “physical handicap” and inserting the following:-

27 disability

28 SECTION 7. Section 4 of chapter 92B of the General Laws, as so appearing, is hereby  
29 amended in line of 26 by striking the words “physical handicap”, and inserting in their place the  
30 following:-

31 disability

32 SECTION 8. The title of section 103 of chapter 93 of the General Laws, as so appearing,  
33 , is hereby amended by striking the word “handicap” and inserting in its place the following:-

34 disability

35 SECTION 9. Subsection a of section 103 of chapter 93 of the General Laws, as so  
36 appearing, is hereby amended by striking in the first sentence the word “handicap” and inserting  
37 in place thereof the following:-

38 disability

39 SECTION 10. Subsection a of section 103 of chapter 93 of the General Laws, as so  
40 appearing, is hereby amended by inserting after the “reasonable” in line 1 the following:-

41 or without reasonable accommodation,

42 SECTION 11. Section 24E of chapter 111, of the General Laws, as so appearing, is  
43 hereby amended in the second paragraph in line 8 by striking the word “handicap” and inserting  
44 in place thereof the following:-

45 disability

46 SECTION 12. Subsection(a) of section 5 of chapter 161A of the General Laws, as so  
47 appearing, is hereby amended in line 11 by striking the word “handicap” and inserting in place  
48 thereof the following:-

49 disability

50 SECTION 13 Section 25 of chapter 161A of the General Laws, as so appearing, is hereby  
51 amended by striking in line 21 the words “handicapping condition” and inserting in place thereof  
52 the following:-

53 disability

54 SECTION 14. Section 5B of chapter 260 of the General Laws, as so appearing, is hereby  
55 amended in line 4 by striking the word “handicap” and insert in place thereof the following:-

56 disability