

OFFICE OF THE SECRETARY, Boston, July 24, 1974.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock and thirty-seven minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and thirty of the acts of nineteen hundred and seventy-four.

JOHN F. X. DAVOREN,  
Secretary of the Commonwealth.

---

**Chap. 531. AN ACT PROHIBITING UNLAWFUL DISCRIMINATION BY EMPLOYERS REGARDING THE USE OF CERTAIN CRIMINAL RECORDS OF EMPLOYEES OR APPLICANTS FOR EMPLOYMENT.**

*Be it enacted, etc., as follows:*

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 9, as amended by chapter 428 of the acts of 1972, and inserting in place thereof the following subsection:—

9. For an employer, himself or through his agent, in connection with an application for employment, or the terms, conditions, or privileges of employment, or the transfer, promotion, bonding, or discharge of any person, or in any other matter relating to the employment of any person, to request any information, to make or keep a record of such information, to use any form of application or application blank which requests such information, or to exclude, limit or otherwise discriminate against any person by reason of his or her failure to furnish such information through a written application or oral inquiry or otherwise regarding: (i) an arrest, detention, or disposition regarding any violation of law in which no conviction resulted, or (ii) a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace, or (iii) any conviction of a misdemeanor where the date of such conviction or the completion of any period of incarceration resulting therefrom, whichever date is later, occurred five or more years prior to the date of such application for employment or such request for information, unless such person has been convicted of any offense within five years immediately preceding the date of such application for employment or such request for information.

No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving a false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold by this subsection.

Nothing contained herein shall be construed to affect the application of section thirty-four of chapter ninety-four C, or of chapter two hundred and seventy-six relative to the sealing of records.

*Approved July 12, 1974.*