

SENATE . . . . . No. 1997

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The Commonwealth of Massachusetts

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SENATE, July 1, 1975.

The committee on Human Services and Elderly Affairs, to whom was referred the petition (accompanied by bill, House, No. 2106) of Barbara E. Gray and another that the Department of Correction and the Department of Mental Health be authorized to provide modern toilet facilities for all persons confined in locked rooms or cells, reports the accompanying bill (Senate, No. 1997) (Representatives Cahillane of Springfield and Sullivan of Norwood dissenting).

For the Committee,

SEN. JACK H. BACKMAN

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five

### AN ACT TO PROVIDE MODERN TOILET FACILITIES FOR ALL PERSONS KEPT IN LOCKED ROOMS OR CELLS.

*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 127 of the General Laws is hereby  
2 amended by adding after section 32 the following section 32A:  
3 No person in a department of correction facility shall be  
4 kept in a locked room or cell which does not contain running  
5 water and modern toilet facilities, unless it is deemed danger-  
6 ous to their health by the attending physician.

1 SECTION 2. Section 21 of Chapter 123 of the General Laws  
2 as appearing in section four of Chapter 888 of the Acts of  
3 1970, is hereby amended by inserting at the end thereof, the  
4 following paragraph: No patient in a facility shall be kept in  
5 any space used for seclusion which does not contain running  
6 water and modern toilet facilities, unless such hygienic equip-  
7 ment is deemed dangerous to the patient by the head of the  
8 facility and the designated physician authorizing such seclu-  
9 sion.