

# HOUSE . . . . . No. 5050

By Mr. Feeney of Boston, petition of Michael Paul Feeney relative to the penalty for committing an assault and battery upon a spouse. The Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO BATTERED WOMEN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Whoever, being married, commits an assault and battery upon  
2 his spouse, shall be imprisoned for not more than two and one half  
3 years in the House of Correction.

4 A summons may be issued instead of a warrant for the arrest of  
5 any person upon a complaint for a violation of any provision of  
6 section if in the judgement of the court or justice receiving the  
7 complaint there is reason to believe that he will appear upon a  
8 summons.

9 The justice of the court hearing said case shall be empowered to  
10 order the defendant from the marital home for whatever period he  
11 shall deem proper.

