SENATE DOCKET, NO. 1296 FILED ON: 1/16/2025

SENATE . . . . . No. 1045

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 protecting personal security.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	
Mindy Domb	*3rd Hampshire*	*1/22/2025*
Brendan P. Crighton	*Third Essex*	*2/5/2025*
Jason M. Lewis	*Fifth Middlesex*	*2/14/2025*
Patricia D. Jehlen	*Second Middlesex*	*2/19/2025*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/20/2025*
Robyn K. Kennedy	*First Worcester*	*3/3/2025*

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By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1045) of Joanne M. Comerford, Mindy Domb, Brendan P. Crighton, Jason M. Lewis and other members of the General Court for legislation to protect personal security before a decree of a change of name. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act protecting personal security.

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

Chapter 210 of the General Laws is hereby amended by striking out section 13, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 13. (a) The court shall, before decreeing a change of name, request a report from the commissioner of probation on the person filing the petition and, upon entry of a decree, the name as established thereby shall be the legal name of the petitioner, and the register may issue a certificate, under the seal of the court, of the name as so established.

No decree shall be entered, however, until there has been filed in the court a copy of the birth record of the person whose name is sought to be changed and, in case such person's name has previously been changed by decree of court or at marriage pursuant to section 1D of chapter 46, either a copy of the record of such person’s birth amended to conform to the previous decree changing the person’s name, a copy of such decree or a copy of the record of marriage; provided,

that the filing of any such copy may be dispensed with if the judge is satisfied that it cannot be obtained.

(b) The court shall, at the request of the person whose name is sought to be changed, order that the petition for name change, all pleadings, papers or documents filed in connection therewith, docket entries in the permanent docket and record books shall not be available for inspection if the court finds that an open record of the person's name change would jeopardize such person's safety based on the totality of the circumstances. Upon such a finding, the petitions, reports, pleadings, papers, documents and permanent docket and record books shall be segregated. A separate permanent docket book shall be provided for all such segregated entries. This section shall apply to the index of the court of all such segregated entries, a separate index of which shall be provided.

For the purposes of this section, "totality of the circumstances" shall include, but not be limited to, a consideration of the risk of violence or discrimination against the person, including the person’s gender non-conformity or status as transgender or as a survivor of domestic violence.

The court shall not deny such request to segregate solely on the basis that the person lacks specific instances of or a personal history of threats to their personal safety.