

HOUSE No. 1907

By Representatives Ultrino of Malden and Tyler of Boston, a petition (accompanied by bill, House, No. 1907) of Steven Ultrino, Chynah Tyler and others relative to prohibiting discrimination based on natural hairstyles. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4930 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act prohibiting discrimination based on natural hairstyles.

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 7 of chapter 4 of the General Laws, as most recently amended by
2 section 3 of chapter 124 of the acts of 2020, is hereby further amended by adding the following
3 clause:-

4 Sixty-second, “Natural hairstyle”, shall mean hair texture, hair type and protective
5 hairstyles, which shall include, but not be limited to, protective hairstyles such as braids, locks,
6 twists and other formations.

7 SECTION 2. Section 32 of chapter 22C of the General Laws, as appearing in the 2018
8 Official Edition, is hereby amended by inserting after the word “racial”, in line 12, the following
9 words:- , natural hairstyle.

10 SECTION 3. Chapter 71 of the General Laws is hereby amended by inserting after
11 section 1C, as so appearing, the following section:-

12 Section 1D. No school district, school committee, public school or nonsectarian school
13 shall adopt or implement a policy or code that impairs or prohibits natural hairstyles.

14 The department of elementary and secondary education shall provide written guidance
15 for the administration of this section.

16 SECTION 4. Section 37O of said chapter 71, as so appearing, is hereby amended by
17 inserting after the word "color", in line 137, the following words:- , natural hairstyle.

18 SECTION 5. Section 89 of said chapter 71, as so appearing, is hereby amended by
19 inserting after the word "color", in lines 98 and 348, in each instance, the following words:- ,
20 natural hairstyle.

21 SECTION 6. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby
22 amended by inserting after the word "color", in line 11, the following words:-, natural hairstyle.

23 SECTION 7. Section 12B of said chapter 76, as so appearing, is hereby amended by
24 inserting after the word "color", in line 195, the following words:- , natural hairstyle.

25 SECTION 8. Section 3 of chapter 151B of the General Laws, as so appearing, is hereby
26 amended by inserting after the word "color", in lines 17 and 63, in each instance, the following
27 words:- , natural hairstyle.

28 SECTION 9. Section 4 of said chapter 151B, as so appearing, is hereby amended by
29 inserting after the word "color", in lines 3, 186, 201, 209, 220, 229, 263, 291, 298, 308, 358, 366,

30 376, 477, 487, 492, 499, 633, 643, 821 and 830, in each instance, the following words:- , natural
31 hairstyle.

32 SECTION 10. Section 39 of chapter 265 of the General Laws, as so appearing, is hereby
33 amended by inserting after the word "color", in line 3, the following words:- , natural hairstyle.

34 SECTION 11. Section 92A of chapter 272 of the General Laws, as so appearing, is
35 hereby amended by inserting after the word "color", in line 9, the following words:- , natural
36 hairstyle.

37 SECTION 12. Section 98 of said chapter 272, as so appearing, is hereby amended by
38 inserting after the word "color", in line 2, the following words:- , natural hairstyle.

39 SECTION 13. The Massachusetts Commission Against Discrimination shall adopt,
40 promulgate, amend and rescind rules and regulations or formulate policies and make
41 recommendations to effectuate the purposes of sections 4 to 9.

House, No. 1907

**BILL PROHIBITING
DISCRIMINATION BASED ON
NATURAL HAIRSTYLES.**

H.R.,.....**MAR 01 2022**.....'

Read, and referred, under Rule 33, to
the committee on Ways and Means.

Steven T. James, Clerk

H.R.,.....**MARCH 17, 2022**.....',
Referred, under Rule 7A, to the committee on
Steering, Policy and Scheduling.

with (HMM) ammd. H.4554 pending

Steven T. James, Clerk

, Reported, and
placed in O.D. for a second reading.

Lucy Stanton
For the committee.

Rule 7A suspended, read 2nd.
and amended (as recom. by
W&M) by substitution of House,
No. 4554.

ADOPTED

Amendment ID: S2796-1-R1

Redraft Amendment 1

Equity in Athletics

Ms. Rausch and Mr. Tarr move that the proposed new text be amended in section 2, by striking out, in lines 10 and 11, the words “or the Massachusetts Interscholastic Athletic Association or any equivalent school organization” and inserting in place thereof the following words:- “, the Massachusetts Interscholastic Athletic Association or any equivalent school organization or an entity or board that provides athletic officials such as referees and umpires for school sports or athletic events”.

ADOPTED

Amendment ID: S2796-2

Amendment 2

Religious Schools

Ms. Creem moves that the proposed new text be amended in section 2, by striking out, in line 10, the word “nonsectarian” and inserting in place thereof the following word:- “private”;

and in said section 2, by inserting after the word “race”, in line 14, the following words:- “; provided, however, that this section shall not apply to a private school, which is controlled by a religious or denominational educational institution to the extent its application would not be consistent with the religious tenets of such institution”.

The Commonwealth of Massachusetts

Senate, March 28, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554);

REPORTS that the matter ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2796.

Michael J. Rodriguez

HOUSE No. 2796

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

SENATE, March 28, 2022.

The committee on Senate Ways and Means to whom was referred the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered (Senate, No. 2796)]

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

1 SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by adding the following 2 clauses:-

3 Sixty-second, "Race", as applied to a prohibition on discrimination based on race, shall
4 include traits historically associated with race, including, but not limited to, hair texture, hair
5 type and protective hairstyle.

6 Sixty-third, "Protective hairstyle", shall include, but not be limited to, braids, locks,
7 twists and Bantu knots.

8 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
9 section 1C the following section:-

10 Section 1D. A school district, school committee, public school, nonsectarian school or the
11 Massachusetts Interscholastic Athletic Association or any equivalent school organization shall
12 not adopt or implement a policy or code, including, but not limited to, any policy or code
13 pertaining to a student's participation in sports or athletic events, that impairs or prohibits a
14 natural or protective hairstyle that is historically associated with race.

15 The department of elementary and secondary education shall provide written guidance
16 for the administration of this section.

17 SECTION 3. Chapter 151B of the General Laws is hereby amended by inserting after
18 section 3A the following section:-

19 Section 3B. The commission may adopt, promulgate, amend and rescind rules and
20 regulations or formulate policies and make recommendations as necessary to effectuate the
21 purposes of clauses Sixty-second and Sixty-third of section 7 of chapter 4.

Senate, No. 2796

Text of the Senate amendment (Ways and Means) to the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554).

Senate, March 28, 2022.

Reported from the committee on Ways and Means

Recommended new text for H4554

Order relative to subject matter adopted

Placed in the Orders of the Day for Thursday,
March 31st.

March 31, 2022.

Amendment #1 Rausch adopted

Amendment #2 Creem adopted

Reprinted as amended, see S2808

Substituted, as amended, as a new text for H4554

HOUSE No. 4554

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act prohibiting discrimination based on natural and protective hairstyles.

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

1 [A] SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2020

2 Official Edition, is hereby amended by adding the following clause:-

3 Sixty-second, "Natural or protective hairstyle", shall mean hair texture, hair type and
4 hairstyles, which shall include, but not be limited to, natural and protective hairstyles such as
5 braids, locks, twists, Bantu knots and other formations.

6 SECTION 2. Section 32 of chapter 22C of the General Laws, as so appearing, is hereby
7 amended by inserting after the word "racial", in line 12, the following words:- , natural or
8 protective hairstyle.

9 SECTION 3. Chapter 71 of the General Laws is hereby amended by inserting after
10 section 1C the following section:-

11 Section 1D. No school district, school committee, public school or nonsectarian school
12 shall adopt or implement a policy or code that impairs or prohibits a natural or protective
13 hairstyle.

14 The department of elementary and secondary education shall provide written guidance
15 for the administration of this section.

16 SECTION 4. Section 37O of said chapter 71, as appearing in the 2020 Official Edition, is
17 hereby amended by inserting after the word "color", in line 137, the following words:- , natural
18 or protective hairstyle.

19 SECTION 5. Section 89 of said chapter 71, as so appearing, is hereby amended by
20 inserting after the word "color", in lines 98 and 348, in each instance, the following words:- ,
21 natural or protective hairstyle.

22 SECTION 6. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby
23 amended by inserting after the word "color", in line 11, the following words:- , natural or
24 protective hairstyle.

25 SECTION 7. Section 12B of said chapter 76, as so appearing, is hereby amended by
26 inserting after the word "color", in line 195, the following words:- , natural or protective
27 hairstyle.

28 SECTION 8. Section 3 of chapter 151B of the General Laws, as so appearing, is hereby
29 amended by inserting after the word "color", in lines 17 and 63, in each instance, the following
30 words:- , natural or protective hairstyle.

31 SECTION 9. Section 4 of said chapter 151B, as so appearing, is hereby amended by
32 inserting after the word "color", in lines 3, 186, 201, 209, 220, 229, 263, 291, 298, 308, 358, 366,
33 376, 477, 487, 492, 499, 633, 643, 821 and 830, in each instance, the following words:- , natural
34 or protective hairstyle.

35 SECTION 10. Section 39 of chapter 265 of the General Laws, as so appearing, is hereby
36 amended by inserting after the word "color", in line 3, the following words:- , natural or
37 protective hairstyle.

38 SECTION 11. Section 92A of chapter 272 of the General Laws, as so appearing, is
39 hereby amended by inserting after the word "color", in line 9, the following words:- , natural or
40 protective hairstyle.

41 SECTION 12. Section 98 of said chapter 272, as so appearing, is hereby amended by
42 inserting after the word "color", in line 2, the following words:- , natural or protective hairstyle.

43 SECTION 13. The Massachusetts commission against discrimination shall adopt,
44 promulgate, amend and rescind rules and regulations or formulate policies and make
45 recommendations as necessary to effectuate the purposes of sections 4 to 9, inclusive.

Endorsement ID: H4554

Senate, March 31, 2022.

Passed to be engrossed, in concurrence, with an amendment by striking out at ["A"] all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2808.

Sent to the House for concurrence.

Michael D. Aley, Clerk

H.R. July 14, 2022,- The House concurred with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) [at "A"] and inserting in place thereof the text contained in House document numbered 5028.

Sent to the Senate for concurrence in the further amendment.

Steven T. James, Clerk.

SENATE, July 14, 2022.
Rules suspended
SENATE concurs in the further
House Amendment.

Senate Committee on BTR
Correctly drawn

Bill Jones
For the Committee

Michael D. Aley, Clerk.

SENATE No. 2808

Senate, March 31, 2022 -- Text of the Senate amendment to the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554) (being the text of Senate, No. 2796, printed as amended)

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

1 SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2020

2 Official Edition, is hereby amended by adding the following 2 clauses:-

3 Sixty-second, "Race", as applied to a prohibition on discrimination based on race, shall
4 include traits historically associated with race, including, but not limited to, hair texture, hair
5 type and protective hairstyle.

6 Sixty-third, "Protective hairstyle", shall include, but not be limited to, braids, locks,
7 twists and Bantu knots.

8 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
9 section 1C the following section:-

10 Section 1D. A school district, school committee, public school, nonsectarian school, the
11 Massachusetts Interscholastic Athletic Association or any equivalent school organization or an
12 entity or board that provides athletic officials, including, but not limited to, referees and umpires,
13 for school sports or athletic events shall not adopt or implement a policy or code, including, but
14 not limited to, any policy or code pertaining to a student's participation in sports or athletic

15 events, that impairs or prohibits a natural or protective hairstyle that is historically associated
16 with race; provided, however, that this section shall not apply to a private school that is
17 controlled by a religious or denominational educational institution to the extent its application
18 would not be consistent with the religious tenets of the institution.

19 The department of elementary and secondary education shall provide written guidance
20 for the administration of this section.

21 SECTION 3. Chapter 151B of the General Laws is hereby amended by inserting after
22 section 3A the following section:-

23 Section 3B. The commission may adopt, promulgate, amend and rescind rules and
24 regulations or formulate policies and make recommendations as necessary to effectuate the
25 purposes of clauses Sixty-second and Sixty-third of section 7 of chapter 4.

Senate, No. 2808

Text of the Senate amendment to the House Bill
prohibiting discrimination based on natural and
protective hairstyles (House, No. 4554).

Senate, March 31, 2022

Text of S.2796, printed as amended
Substituted as a new text for H.4554

HOUSE No. 5028

Text of a further amendment, offered by Mr. Day of Stoneham, to the Senate amendment to the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554). July 14, 2022.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

By striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the following:-

1 SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by adding the following 2 clauses:-

3 Sixty-second, "Race", as applied to a prohibition on discrimination based on race, shall
4 include traits historically associated with race, including, but not limited to, hair texture, hair
5 type, hair length and protective hairstyles.

6 Sixty-third, "Protective hairstyle", shall include, but not be limited to, braids, locks,
7 twists, Bantu knots, hair coverings and other formations.

8 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
9 section 1C the following section:-

10 Section 1D. A school district, school committee, public school, nonsectarian school, the
11 Massachusetts Interscholastic Athletic Association or any equivalent school organization, or an
12 entity or board that provides athletic officials, including, but not limited to, referees and umpires,

13 for school sports or athletic events, shall not adopt or implement a policy or code, including, but
14 not limited to, any policy or code pertaining to a student's participation in sports or athletic
15 events, that impairs or prohibits a hairstyle that is historically associated with race. The
16 department of elementary and secondary education shall provide written guidance for the
17 administration of this section.

18 SECTION 3. The Massachusetts commission against discrimination shall adopt,
19 promulgate, amend and rescind rules and regulations or formulate policies and make
20 recommendations as necessary to effectuate the purposes of *clauses sixty-second and sixty-third*
21 of section 7 of chapter 4 of the General Laws.

House, No. 5028

**TEXT OF A FURTHER
AMENDMENT (DAY) TO THE
SENATE AMENDMENT TO THE
HOUSE BILL PROHBITING
DISCRIMINATION BASED ON
NATURAL AND PROTECTIVE
HAIRSTYLES.**

H.R., July 14, 2022.
Adopted.