

**SENATE . . . . . No. 1058**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark C. Montigny***

*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 victims of rape and their children.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/15/2023</i>
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	<i>2/21/2023</i>

**SENATE . . . . . No. 1058**

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1058) of Mark C. Montigny, Michael O. Moore and Anne M. Gobi for legislation to protect victims of rape and their children. The Judiciary.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act protecting victims of rape and their children.

*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 3 of chapter 209C of the General Laws, as appearing in the 2020 Official Edition,  
2 is hereby amended by striking the fourth sentence in subsection (a) and inserting in place thereof  
3 the following sentence:-

4 “No court shall make an order providing visitation rights to a parent who was convicted  
5 of rape, under sections 22 to 23B, inclusive, of chapter 265 or section 2, 3, or 4 of chapter 272,  
6 and is seeking to obtain visitation with the child who was conceived during the commission of  
7 that rape; provided, that in the absence of a conviction a court shall not make an order providing  
8 said visitation rights whenever clear and convincing evidence of the commission of rape can be  
9 established”.