

SENATE No. 2289

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 passage of the accompanying bill:

An Act to protect children from sexual abuse and exploitation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia Stone Creem	First Middlesex and Norfolk
Frederick E. Berry	Second Essex
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
Kenneth J. Donnelly	Fourth Middlesex
Susan C. Fargo	Third Middlesex
Brian A. Joyce	Norfolk, Bristol and Plymouth
Thomas M. McGee	Third Essex and Middlesex
Michael O. Moore	Second Worcester
Robert A. O'Leary	Cape and Islands
Steven C. Panagiotakos	First Middlesex
Anthony W. Petrucci	First Suffolk and Middlesex
John A. Hart, Jr.	First Suffolk
Susan C. Tucker	Second Essex and Middlesex
Karen E. Spilka	Second Middlesex and Norfolk
James B. Eldridge	Middlesex and Worcester

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act to protect children from sexual abuse and exploitation.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make to protect minors of the Commonwealth from harmful matter of all kinds by clarifying that the prohibition on dissemination of such matter shall extend to electronic and wireless communications, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 31 of Chapter 272 of the General Laws , as appearing in the 2008 Official
2 Edition, is hereby amended by striking the definition of “matter” and inserting in place thereof the
3 following definition:- “Matter”, any handwritten, printed, computer generated or electronically
4 transmitted material, visual representation, live performance or sound recording including but not limited
5 to, books, magazines, motion picture films, pamphlets, phonographic records, pictures, photographs,
6 figures, statues, plays, dances. Electronically transmitted material includes but is not limited to electronic
7 mail, instant messages, text messages, and any other use of the Internet or wireless network, whether by
8 computer, telephone, or any other device. Internet means an interactive computer service or system
9 or an information service, system, or access software provider that provides or enables computer access
10 by multiple users to a computer server, and includes, but is not limited to, an information service, system,
11 or access software provider that provides access to a network system commonly known as the Internet, or
12 any comparable system or service and also includes, but is not limited to, a World Wide Web page,

13 newsgroup, message board, mailing list, or chat area on any interactive computer service or system or
14 other online service.

15 SECTION 2. Said Section 31, as so appearing, is hereby further amended, in the definition of
16 “visual material”, by inserting, after the word “computer”, the following words:- , telephone or any other
17 device capable of electronic data storage or transmission