HOUSE DOCKET, NO. 3375 FILED ON: 1/16/2015

HOUSE . . . . . No. 1238

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 relative to filing slander against anonymous parties on the internet.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Tackey Chan	*2nd Norfolk*

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HOUSE . . . . . No. 1238

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 1238) of Tackey Chan relative to filing actions of slander against anonymous parties on the internet. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to filing slander against anonymous parties on the internet.

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

Section 91 of Chapter 231 is hereby amended by inserting in the following new paragraph:-

A plaintiff with the intent of filing against a defendant under this section, but is unable to do so because of a lack of a real name of the person committing the act and said real name is being held by a third party who provides the forum, which includes, but not limited to, paper, Internet and Telecommunications, by which the defendant is able to commit such an act. The third party shall release the name, address and relative contact information to the plaintiff within ten days of the plaintiff's request; provided that the plaintiff states the intent is the file an action against the defendant under this section. Should the third party not comply with the plaintiff's request, the plaintiff may seek a court order from district court, seeking the third party to release the information, so the plaintiff can initiate a filing against a defendant. The district court may impose penalties for non-compliance of a court order on the third party if there is no compliance.