

HOUSE No. 1589

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to technical corrections regarding the further protection of 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 1. Section 178C of chapter 6 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by inserting after the words “13B of chapter 265;”, in lines
3 56, 87 and 106, the following words:- aggravated indecent assault and battery on a child under
4 the age of 14 under section 13B½ of said chapter 265; a repeat offense under section 13B¾ of
5 said chapter 265;

6 SECTION 2. Said section 178C of said chapter 6 is hereby further amended by inserting
7 after the words “22A of said chapter 265;”, in lines 60, 88 and 109, the following words:-
8 aggravated rape of a child under 16 with force under section 22B of said chapter 265; a repeat
9 offense under section 22C of said chapter 265;

10 SECTION 3. Said section 178C of said chapter 6 is hereby further amended by inserting
11 after the words “23 of said chapter 265;”, in lines 61 and 89, the following words:- aggravated
12 rape and abuse of a child under section 23A of said chapter 265; a repeat offense under section
13 23B of said chapter 265;

SECTION 4. Section 178H of said chapter 6 is hereby amended by inserting after the word “13B”, in line 12, the following words:- 13B½, 13B¾,

SECTION 5. Said section 178H of said chapter 6 is hereby further amended by inserting after the word “22A,” in line 12, the following words:- 22B, 22C,

SECTION 6. Said section 178H of said chapter 6 is hereby further amended by inserting after the word “23,” in line 12, the following words:- 23A, 23B,

SECTION 7. Section 1 of chapter 9A of the General Laws, as so appearing, is hereby amended by inserting after the word “22A,” in line 16, the following words:- 22B, 22C,

SECTION 8. Said section 1 of said chapter 9A is hereby further amended by inserting after the word “23,” in line 16, the following words:- 23A, 23B,

SECTION 9. Said section 1 of said chapter 9A is hereby further amended by inserting after the word “13B,” in line 18, the following words:- 13B½, 13B¾,

SECTION 10. Section 37 of chapter 22C of the General Laws, as so appearing, is hereby amended by inserting after the word “thirteen B”, in line 6, the following words:- thirteen B½, thirteen B¾,

SECTION 11. Section 72K of chapter 111 of the General Laws, as so appearing, is hereby amended by inserting after the word “13B,” in line 13, the following words:- 13B½, 13B¾,

SECTION 12. Said section 72K of said chapter 111 is hereby further amended by inserting after the word “22A,” in line 13, the following words:- “22B, 22C, 23, 23A, 23B,”

SECTION 13. Section 51B of chapter 119 of the General Laws, as amended by section 98 of chapter 176 of the acts of 2008, is hereby further amended by striking out the words “section 13B, 13H, 22, 22A, 23, 24 or 24B of chapter 265”, in subsection (k)(2), and inserting in place thereof the following words:- section 13B, 13B $\frac{1}{2}$, 13B $\frac{3}{4}$, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B, 24 or 24B of chapter 265

SECTION 14. Section 55B of chapter 119 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word “13B,” in line 16, the following words:- 13B $\frac{1}{2}$, 13B $\frac{3}{4}$,

SECTION 15. Said section 55B of said chapter 119 is hereby further amended by inserting after the word “22A,” in line 16, the following words:- 22B, 22C,

SECTION 16. Said section 55B of said chapter 119 is hereby further amended by inserting after the word “23,” in line 16, the following words:- 23A, 23B,

SECTION 17. Section 58 of said said chapter 119 is hereby amended by inserting after the word “13B,” in line 12, the following words:- 13B $\frac{1}{2}$, 13B $\frac{3}{4}$,

SECTION 18. Said section 58 of said chapter 119 is hereby further amended by inserting after the word “22A”, in line 12, the following words:- “, 22B, 22C,”

SECTION 19. Said section 58 of said chapter 119 is hereby further amended by striking out the words “or section 23”, in lines 12 and 13, and inserting in its place the following words:- 23, 23A, or 23B

SECTION 20. Section 12 of chapter 120 of the General Laws, as so appearing, is hereby amended by inserting after the words “thirteen B of said chapter two hundred and sixty-five;”, in

line 12, the following words:- or aggravated indecent assault and battery on a child under the age of fourteen, as defined by section thirteen B $\frac{1}{2}$ of said chapter two hundred and sixty-five; or a repeat offense, as defined by section thirteen B $\frac{3}{4}$ of said chapter two hundred and sixty-five;

SECTION 21. Said section 12 of said chapter 120 is hereby further amended by inserting after the words “twenty-two A of said chapter two hundred and sixty-five;”, in line 8, the following words:- or aggravated rape of a child under 16 with force, as defined by section twenty-two B of said chapter two hundred and sixty-five; or a repeat offense, as defined by section twenty-two C of said chapter two hundred and sixty-five;

SECTION 22. Said section 12 of said chapter 120 is hereby further amended by inserting after the words “twenty-five of said chapter two hundred and sixty-five;”, in line 10, the following words:- or aggravated rape and abuse of a child, as defined in section twenty-three A of said chapter two hundred and sixty-five; or a repeat offense, as defined by section twenty-three B of said chapter two hundred and sixty-five;

SECTION 23. Section 1 of chapter 123A of the General Laws, as so appearing, is hereby amended by inserting after the words “thirteen B of chapter two hundred and sixty-five;”, in line 39, the following words:- aggravated indecent assault and battery on a child under the age of fourteen under the provisions of section thirteen B $\frac{1}{2}$ of chapter two hundred and sixty-five; a repeat offense under the provisions of section thirteen B $\frac{3}{4}$ of chapter two hundred and sixty-five;

SECTION 24. Said section 1 of said chapter 123A is hereby further amended by inserting after the words “twenty-two A of chapter two hundred and sixty-five;”, in line 46, the following words:- aggravated rape of a child under sixteen with force under the provisions of

section twenty-two B of chapter two hundred and sixty-five; a repeat offense under the provisions of section twenty-two C of chapter two hundred and sixty-five;

SECTION 25. Said section 1 of said chapter 123A is hereby further amended by inserting after the words “twenty-three of chapter two hundred and sixty-five;”, in lines 47 and 48, the following words:- aggravated rape and abuse of a child under the provisions of section twenty-three A of chapter two hundred and sixty-five; a repeat offense under the provisions of section twenty-three B of chapter two hundred and sixty-five;

SECTION 26. Said section 1 of said chapter 123A is hereby further amended by inserting after the word “13B,” in line 52, the following words:- 13B $\frac{1}{2}$, 13B $\frac{3}{4}$,

SECTION 27. Said section 1 of said chapter 123A is hereby further amended by inserting after the word “22A,” in line 53, the following words:- 22B, 22C,

SECTION 28. Said section 1 of said chapter 123A is hereby further amended by inserting after the word “23,” in line 53, the following words:- 23A, 23B,

SECTION 29. Section 49B of chapter 127 of the General Laws, as so appearing, is hereby amended by inserting after the word “thirteen B,” in lines 24 and 25, the following words:- thirteen B $\frac{1}{2}$, thirteen B $\frac{3}{4}$,

SECTION 30. Said section 49B of said chapter 127 is hereby further amended by inserting after the word “twenty-two A,” in line 25, the following words:- twenty-two B, twenty-two C,

SECTION 31. Said section 49B of said chapter 127 is hereby further amended by inserting after the word “twenty-three,” in line 25, the following words:- twenty-three A, twenty-three B,

SECTION 32. Section 49C of said chapter 127 is hereby amended by inserting after the word “thirteen B,” in lines 21 and 22, the following words:- thirteen B $\frac{1}{2}$, thirteen B $\frac{3}{4}$,

SECTION 33. Said section 49C of said chapter 127 is hereby further amended by inserting after the word “twenty-two A,” in line 22, the following words:- twenty-two B, twenty-two C,

SECTION 34. Said section 49C of said chapter 127 is hereby amended by inserting after the word “twenty-three,” in line 22, the following words:- twenty-three A, twenty-three B,

SECTION 35. Section 83B of said said chapter 127 is hereby amended by inserting after the word “twenty-two,” in line 7, the following words:- twenty-two A, twenty-two B, twenty-two C,

SECTION 36. Said section 83B of said chapter 127 is hereby further amended by inserting after the word “twenty-three,” in line 7, the following words:- twenty-three A, twenty-three B,

SECTION 37. Section 90A of said chapter 127 is hereby amended by inserting after the word “thirteen B,” in line 9, the following words:- thirteen B $\frac{1}{2}$, thirteen B $\frac{3}{4}$,

SECTION 38. Said section 90A of said chapter 127 is hereby further amended by inserting after the word “twenty-two A,” in lines 10 and 11, the following words:- twenty-two B, twenty-two C,

116 SECTION 39. Said section 90A of said chapter 127 is hereby further amended by
117 inserting after the word “twenty-three,” in line 11, the following words:- twenty-three A,
118 twenty-three B,

119 SECTION 40. Section 133E of said chapter 127 is hereby amended by inserting after the
120 words “section 13B of chapter 265;”, in line 11, the following words:- aggravated indecent
121 assault and battery on a child under 14 under section 13B½ of said chapter 265; a repeat offense
122 under section 13B¾ of said chapter 265;

123 SECTION 41. Said section 133E of said chapter 127 is hereby further amended by
124 inserting after the words “section 22A of said chapter 265;”, in line 15, the following words:-
125 aggravated rape of a child under 16 with force under section 22B of said chapter 265; a repeat
126 offense pursuant to section 22C of said chapter 265;

127 SECTION 42. Said section 133E of said chapter 127 is hereby further amended by
128 inserting after the words “section 23 of chapter 265;”, in line 16, the following words:-
129 aggravated rape and abuse of a child under section 23A of said chapter 265; a repeat offense
130 pursuant to section 23B of said chapter 265;

131 SECTION 43. Section 152 of said chapter 127 is hereby amended by inserting after the
132 word “thirteen B,” in line 39, the following words:- thirteen B½, thirteen B¾,

133 SECTION 44. Said section 152 of said chapter 127 is hereby further amended by
134 inserting after the word “twenty-two A,” in lines 41 and 42, the following words:- twenty-two
135 B, twenty-two C,

136 SECTION 45. Said section 152 of said chapter 127 is hereby further amended by
137 inserting after the word “twenty-three,” in line 42, the following words:- twenty-three A,
138 twenty-three B,

139 SECTION 46. Section 21B of chapter 233 of the General Laws, as so appearing, is
140 hereby amended by inserting after the word “thirteen B,” in lines 3 and 4, the following words:-
141 thirteen B $\frac{1}{2}$, thirteen B $\frac{3}{4}$,

142 SECTION 47. Said section 21B of said chapter 233 is hereby further amended by
143 inserting after the word “twenty-two A,” in line 4, the following words:- twenty-two B, twenty-
144 two C,

145 SECTION 48. Said section 21B of said chapter 233 is hereby further amended by
146 inserting after the word “twenty-three,” in line 4, the following words:- twenty-three A, twenty-
147 three B,

148 SECTION 49. Section 4C of chapter 260 of the General Laws, as so appearing, is hereby
149 amended by inserting after the word “thirteen B,” in line 10, the following words:- thirteen B $\frac{1}{2}$,
150 thirteen B $\frac{3}{4}$,

151 SECTION 50. Said section 4C of said chapter 260 is hereby further amended by
152 inserting after the word “twenty-two A,” in line 11, the following words:- twenty-two B, twenty-
153 two C,

154 SECTION 51. Said section 4C of said chapter 260 is hereby further amended by
155 inserting after the word “twenty-three,” in line 11, the following words:- twenty-three A,
156 twenty-three B,

157 SECTION 52. Section 13L of chapter 265 of the General Laws, as so appearing, is
158 hereby amended by inserting after the words “section 13B of chapter 265;”, in line 8, the
159 following words:- aggravated indecent assault and battery on a child under 14 under section
160 13B½ of said chapter 265; a repeat offense pursuant to section 13B¾ of said chapter 265;

161 SECTION 53. Said section 13L of said chapter 265 is hereby further amended by
162 inserting after the words “section 22A of said chapter 265;”, in lines 10 and 11, the following
163 words:- aggravated rape of a child under 16 with force under section 22B of said chapter 265; a
164 repeat offense pursuant to section 22C of said chapter 265;

165 SECTION 54. Said section 13L of said chapter 265 is hereby further amended by
166 inserting after the words “section 23 of chapter 265;”, in lines 11 and 12, the following words:-
167 aggravated rape and abuse of a child under section 23A of said chapter 265; a repeat offense
168 pursuant to section 23B of said chapter 265;

169 SECTION 55. Section 24A of said chapter 265 is hereby amended by inserting after the
170 words “thirteen B,” in line 2, the following words:- thirteen B½, thirteen B¾,

171 SECTION 56. Said section 24A of said chapter 265 is hereby further amended by
172 inserting after the words “twenty-two A,” in line 3, the following words:- twenty-two B, twenty-
173 two C,

174 SECTION 57. Said section 24A of said chapter 265 is hereby further amended by
175 inserting after the words “twenty-three,” in line 3, the following words:- twenty-three A, twenty-
176 three B,

177 SECTION 58. Section 24C of said chapter 265 is hereby amended by inserting after the
178 word “thirteen B,” in line 4, the following words:- thirteen B $\frac{1}{2}$, thirteen B $\frac{3}{4}$,

179 SECTION 59. Said section 24C of said chapter 265 is hereby further amended by
180 inserting after the word “twenty-two A,” in line 5, the following words:- twenty-two B, twenty-
181 two C,

182 SECTION 60. Said section 24C of said chapter 265 is hereby further amended by
183 inserting after the word “twenty-three,” in line 5, the following words:- twenty-three A, twenty-
184 three B,

185 SECTION 61. Section 26 of said chapter 265 is hereby amended by striking out the
186 words “13B, 13F, 13H, 22, 22A, 23, 24 or 24B”, in lines 33 and 34, and inserting in place
187 thereof the following words:- 13B, 13B $\frac{1}{2}$, 13B $\frac{3}{4}$, 13F, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B,
188 24 or 24B

189 SECTION 62. Section 26C of said chapter 265 is hereby amended by inserting after the
190 word “13B,” in line 6, the following words:- 13B $\frac{1}{2}$, 13B $\frac{3}{4}$,

191 SECTION 63. Said section 26C of said chapter 265 is hereby further amended by
192 inserting after the word “22A,” in line 6, the following words:- 22B, 22C,

193 SECTION 64. Said section 26C of said chapter 265 is hereby further amended by
194 inserting after the word “23,” in line 6, the following words:- 23A, 23B,

195 SECTION 65. Section 45 of said chapter 265 is hereby amended by striking out the
196 words “13B, 13F, 13H, 22, 22A, 23, 24, 24B or 26”, in line 21, and inserting in place thereof the

197 following words:- 13B, 13B½, 13B¾, 13F, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B or
198 26

199 SECTION 66. Section 87 of chapter 276 of the General Laws, as so appearing, is hereby
200 amended by inserting after the word “twenty-two A”, in line 10, the following words:- , twenty-
201 two B, twenty-two C

202 SECTION 67. Section 63 of chapter 277 of the General Laws, as so appearing, is hereby
203 amended by inserting after the word “13B,”, in line 3, the following words:- 13B½, 13B¾,

204 SECTION 68. Said section 63 of said chapter 277 is hereby further amended by inserting
205 after the word “22A,”, in line 3, the following words:- 22B, 22C,

206 SECTION 69. Said section 63 of said chapter 277 is hereby further amended by inserting
207 after the word “23,”, in line 3, the following words:- 23A, 23B,

208 SECTION 70. Section 70C of said chapter 277 is hereby amended by inserting after the
209 word “13B,”, in line 9, the following words:- 13B½, 13B¾,

210 SECTION 71. Said section 70C of said chapter 277 is hereby further amended by
211 striking out word “23,”, in line 10, and inserting in place thereof the following words:- 22A,
212 22B, 22C, 23, 23A, 23B,

213 SECTION 72. Section 16D of chapter 278 of the General Laws, as so appearing, is
214 hereby amended by inserting after the word “thirteen B,”, in line 5, the following words:-
215 thirteen B½, thirteen B¾,

216 SECTION 73. Said section 16D of said chapter 278 is hereby further amended by
217 inserting after the word “twenty-two A,” in lines 5 and 6, the following words:- twenty-two B,
218 twenty-two C,

219 SECTION 74. Said section 16D of said chapter 278 is hereby further amended by
220 inserting after the word “twenty-three,” in line 6, the following words:- twenty-three A, twenty-
221 three B,