

SENATE No. 1823

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to producing depictions of fighting for internet broadcast..

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

1 SECITON 1. Chapter 265 is hereby amended by inserting after section 47 the following
2 section:-

3 Section 48. (a) "Depiction of a physical altercation" means any visual or auditory
4 depiction, including but not limited to any photograph, movie, video recording, electronic image,
5 electronic series of images, or electronic movie, whether preserved in fixed media or equipment
6 or available via the Internet, downloadable, streaming or otherwise, or sound recording, that
7 would constitute a violation of sections 3, 9, 12, 13a, 14, 17, 20, 35, or 36 of chapter 265.

8 (b) "Person" shall include all individuals, corporations, business entities, organizations,
9 clubs and associations, whether or not operated for profit.

10 (c) For any of the purposes of this statute, any person who has knowingly or
11 intentionally placed or hosted on the Internet, or caused to be placed or hosted on the Internet
12 any depiction of a physical altercation, by so doing shall be deemed to have consented to
13 personal jurisdiction within the Commonwealth.

14 (d) No person may knowingly create, purchase, rent, possess, lease, host on a computer,
15 server, or Internet location a depiction of a physical altercation. Any person convicted of
16 violating this provision shall be punished by a fine of not more than \$500 or by imprisonment in
17 the house of correction for not more than 1 year or by both such fine and imprisonment.

18 (e) No person may sell, market, lease, offer to market or sell a depiction of a physical
19 altercation or place that depiction in commerce for commercial gain or entertainment. Any
20 person convicted of violating this provision shall be punished by a fine of not more than \$1,000
21 or by imprisonment in the house of correction for not more than 2 years or by both such fine and
22 imprisonment.

23 (f) Nothing in this section shall apply to religious, political, scientific, educational, law
24 enforcement or military training, journalistic, artistic, or historical value.