SENATE DOCKET, NO. 1264 FILED ON: 1/20/2011

SENATE . . . . . No. 826

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 to protect the welfare of minors..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mark C. Montigny	

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SENATE . . . . . No. 826

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 826) of Mark C. Montigny for legislation to protect the welfare minors. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1750* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to protect the welfare of minors..

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

Section 1. Chapter 272 of the General Laws is hereby amended by inserting after section 35A the following section:-

"Section 35B. Any mandated reporter as defined by section 21 of Chapter 119 who has sexual intercourse, or engages in any sexual act with a person who is under the age of 18, regardless of consent, shall be punished by imprisonment in the house of correction for up to 2 1/2 years or a fine of not more than $10,000. Whoever violates this section and is more than four years older than the victim shall be punished by imprisonment in the state prison for not more than 10 years or in the house of correction for up to 2 1/2 years and a fine of not more than $10,000. It shall be a defense that a lawful marriage existed between the defendant and the victim at the time of such intercourse."