

**HOUSE . . . . . No. 171**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Louis L. Kafka*

*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 leased office equipment and protection of privacy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/19/2017</i>

**HOUSE . . . . . No. 171**

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By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 171) of Louis L. Kafka relative to leased office equipment and destruction of hard drive devices. Consumer Protection and Professional Licensure.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 211 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to leased office equipment and protection of privacy.

*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 1 of Chapter 93I of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by inserting, before the definition of “Person”, the new  
3 definitions:-

4           “hard drive”, a data storage device used for storing and retrieving digital information.

5           “lessee”, a person who leases office equipment containing hard drives.

6           “lessor”, any person leasing office equipment containing hard drives.

7           “office equipment”, objects containing a hard drive including, but not be limited to  
8 copiers, printers, fax machines, and central processing units (CPUs).

9           Section 2: Chapter 93I of the General Laws, as appearing in the 2012 Official Edition, is  
10 hereby amended by inserting after section 2 the following sections:-

11           Section 2A. Private Sector Leased Office Equipment

12           When leasing office equipment to the private sector, the lessor, at the end of the lease,  
13 must allow the lessee to purchase and keep the hard drives contained in said office equipment.  
14 The lessor may charge the lessee up to the cost of the replacement hard drives for the office  
15 equipment including, but not limited to removal of existing hard drives, purchase of comparable  
16 hard drives, and installation of said hard drives.

17           Section 2B. Public Sector Leased Office Equipment

18           When leasing office equipment to the public sector the lessor, at the end of the lease,  
19 must allow the lessee to purchase and keep the hard drives contained in said office equipment.  
20 The lessor may charge the lessee up to the cost of the replacement hard drives for the office  
21 equipment including, but not limited to removal of existing hard drives, purchase of comparable  
22 hard drives, and installation of said hard drives. The lessee must purchase said hard drives and is  
23 responsible for safe storage of the information contained on the hard drives or the destruction of  
24 said hard drives.