HOUSE DOCKET, NO. 2124 FILED ON: 1/19/2017

HOUSE . . . . . No. 2298

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 the protection of children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Bradley H. Jones, Jr.	*20th Middlesex*	*1/19/2017*
Bradford R. Hill	*4th Essex*	*2/3/2017*
Elizabeth A. Poirier	*14th Bristol*	*2/3/2017*
Susan Williams Gifford	*2nd Plymouth*	*1/19/2017*
Paul K. Frost	*7th Worcester*	*1/19/2017*
Todd M. Smola	*1st Hampden*	*2/3/2017*
F. Jay Barrows	*1st Bristol*	*1/19/2017*
Angelo L. D'Emilia	*8th Plymouth*	*1/19/2017*
Sheila C. Harrington	*1st Middlesex*	*1/19/2017*
Mathew Muratore	*1st Plymouth*	*1/19/2017*
Steven S. Howitt	*4th Bristol*	*1/19/2017*
Timothy R. Whelan	*1st Barnstable*	*1/19/2017*
Nicholas A. Boldyga	*3rd Hampden*	*1/19/2017*

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HOUSE . . . . . No. 2298

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2298) of Bradley H. Jones, Jr. and others relative to the crime of failing to notify law enforcement officials of a missing or deceased child. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1402* OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to the 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:

SECTION 1. Chapter 265 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding to the end thereof the following section:--

Section 13O. Failure to Notify Law Enforcement of Missing or Deceased Child

For the purposes of this section, the following words shall have the following meanings:--

"Person having care and custody", a parent, guardian, employee of a home or institution or any other person with equivalent supervision or care of a child, whether the supervision is temporary or permanent.

"Child", any person under 14 years of age.

"Law enforcement authority", any police department in the commonwealth or any of its political subdivisions.

"Missing child or children", any person under the age of 14 years missing from his normal and ordinary place of residence or last known whereabouts and whose whereabouts cannot be determined by the person having care and custody of such child.

Whoever, having care and custody of a child, fails to notify a law enforcement authority or emergency medical personnel of the death of such child, accidental or otherwise, within 2 hours of the discovery of such known death and (i) intends to mislead a public official, (ii) intends to impede any investigation, or (iii) causes an investigation to be impeded, shall be punished by a term of imprisonment in the state prison for not more than 10 years or imprisonment in the house of correction for not more than 2 ½ years.

Whoever, having care and custody of a child, finds the child missing and fails to notify a law enforcement authority of the missing child within 48 hours and (i) intends to mislead a public official, (ii) intends to impede an investigation, or (iii) causes an investigation to be impeded, shall be punished by a term of imprisonment in the state prison for not more than 10 years or imprisonment in the house of correction for not more than 2 ½ years.

SECTION 2. Section 13J of chapter 265 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, on line 32, the words “two and one-half years” and inserting in place thereof the following words:- 10 years

;and further, by striking out, on line 39, the words “five years” and inserting in place thereof the following:- 15 years

;and further, by striking out, on line 40, the words “two and one-half years” and inserting in the place thereof the following:- 10 years.