

SENATE No. 952

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 recover assets used in the commission of sexual offenses.

PETITION OF:

NAME:

Bruce E. Tarr

DISTRICT/ADDRESS:

First Essex and Middlesex

SENATE No. 952

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 952) of Bruce E. Tarr for legislation to recover assets used in the commission of sexual offenses. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to recover assets used in the commission of sexual offenses.

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. Chapter 10 of the General Laws is hereby amended after Section 28B by
2 inserting the following new section:-

3 “Forfeiture of prizes for sexual offense violations

4 Section 28C. Any holder of a winning ticket who is convicted of a violation of sections
5 22-24C, inclusive, or sections 50 or 51, of chapter 265 of the General Laws shall be ineligible for
6 any remaining portion of a prize not yet disbursed. The commission shall not make any further
7 disbursements to the holder and shall return the remaining balance of the prize to the State
8 Lottery and Gaming Fund established by section 10 of this chapter.

9 SECTION 2. Section 55 of chapter 265 of the General Laws is hereby amended by
10 striking the section in its entirety and inserting in place thereof the following:-

11 “Forfeiture of funds used to facilitate violations of Secs. 22-24C, 50 or 51; victim
12 restitution

13 Section 55. All monies furnished or intended to be furnished by any person in exchange
14 for forced labor or services or sexual servitude, and all monies used or intended to be used to
15 facilitate any violation of sections 22-24C, inclusive, or section 50 or 51, shall be subject to
16 forfeiture to the commonwealth and shall be made available by the court to any victim ordered
17 restitution by the court pursuant to section 3 of chapter 258B.

18 SECTION 3. Section 56 of said Chapter 265 is hereby amended by striking the title and
19 inserting in place thereof the following:-

20 “Property subject to forfeiture resulting from violations of Secs. 22-24C, 50 or 51;
21 procedure; exceptions; records; preliminary orders for seizure; referral to office of seized
22 property management; homestead exemptions; recording of certificate of fact of final judgment”

23 SECTION 4. Section 56 of said chapter 265 is hereby further amended by inserting
24 before the words “section 50 or 51,” wherever so appearing, the following:-

25 “sections 22-24C, inclusive, or”

26 SECTION 5. Section 56 of said chapter 265 is hereby further amended by inserting after
27 clause (iv) in line 18 the following new clause:-

28 “(v) any monies received from the commonwealth, or from any fund or commission
29 established by the commonwealth, including but not limited to prizes disbursed by the State
30 Lottery Commission established by section 23 of chapter 10 of the General Laws, that were used
31 or intended to be used to facilitate any violation of sections 22-24C, inclusive, or section 50 or
32 51”