

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Joseph D. McKenna***

*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 ensure backyard privacy.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>7/19/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>7/22/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>7/23/2019</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>7/23/2019</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>7/24/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>7/24/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>7/25/2019</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>7/25/2019</i>

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By Mr. McKenna of Webster, a petition (subject to Joint Rule 12) of Joseph D. McKenna and others relative to the videotaping or taking of moving digital images of activities in the backyard of certain adjoining residential properties. The Judiciary.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act to ensure backyard 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.

2 MGL Chapter 272 is amended by adding the following new section:

3 SECTION XX:

4 Section 1. Any owner or tenant of residential real property shall have a private right of  
5 action for damages against any person who installs or affixes a video imaging device on property  
6 adjoining such residential real property for the purpose of video taping or taking moving digital  
7 images of the activities which occur in the backyard of the residential real property without the  
8 written consent thereto of such owner and/or tenant with intent to harass, annoy, or alarm another  
9 person, or with intent to threaten the person or property of another person. The provisions of this  
10 section shall not apply to any law enforcement personnel engaged in the conduct of their  
11 authorized duties.

12           Section 2. For the purposes of this section , “backyard” shall mean that portion of the  
13 parcel on which residential real property is located which extends beyond the rear footprint of  
14 the residential dwelling situated thereon, and to the side and rear boundaries of such parcel  
15 extending beyond the rear footprint of such residential dwelling.