

SENATE No. 1017

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 social networking impersonation or harassment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/25/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/28/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>1/30/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/31/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/23/2019</i>

SENATE No. 1017

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1017) of Michael F. Rush, Jason M. Lewis, Shawn Dooley, Patrick M. O'Connor and other members of the General Court for legislation relative to social networking impersonation or harassment. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to social networking impersonation or harassment.

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 37E of Chapter 266 of the General Laws is hereby amended by
2 adding the following section:-

3 “Section 37F. (a) Whoever, with intent to defraud, poses, or impersonates a public
4 official by communication by internet website, social networking or other electronic means with
5 intent to obtain a benefit or injure, harass, threaten or defraud another, or by such communication
6 pretends to be a public servant in order to induce another to submit to such authority or act in
7 reliance on such pretense shall be guilty of identity fraud and shall be punished by a fine of not
8 more than \$5,000 or imprisonment in a house of correction for not more than two and one-half
9 years, or by both such fine and imprisonment.

10 (e) A law enforcement officer may arrest without warrant any person he has probable
11 cause to believe has committed the offense of identity fraud as defined in this section.

12 (f) A law enforcement officer shall accept a police incident report from a victim and shall
13 provide a copy to such victim, if requested, within 24 hours. Such police incident reports may be
14 filed in any county where a victim resides, or in any county where the owner or license holder of
15 personal information stores or maintains said personal information, the owner's or license
16 holder's principal place of business or any county in which the breach of security occurred, in
17 whole or in part."