HOUSE DOCKET, NO. 73 FILED ON: 1/7/2021

HOUSE . . . . . No. 1783

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:
Joseph D. McKenna	*18th Worcester*	*1/7/2021*
Colleen M. Garry	*36th Middlesex*	*1/23/2021*
Kelly W. Pease	*4th Hampden*	*2/17/2021*
Michael J. Soter	*8th Worcester*	*2/23/2021*
Donald R. Berthiaume, Jr.	*5th Worcester*	*2/24/2021*
David Allen Robertson	*19th Middlesex*	*2/25/2021*

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HOUSE . . . . . No. 1783

By Mr. McKenna of Webster, a petition (accompanied by bill, House, No. 1783) 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE DOCKET, NO. *4384* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

Section 1.

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

SECTION XX:

Section 1. Any owner or tenant of residential real property shall have a private right of action for damages against any person who installs or affixes a video imaging device on property adjoining such residential real property for the purpose of video taping or taking moving digital images of the activities which occur in the backyard of the residential real property without the written consent thereto of such owner and/or tenant with intent to harass, annoy, or alarm another person, or with intent to threaten the person or property of another person. The provisions of this

section shall not apply to any law enforcement personnel engaged in the conduct of their authorized duties.

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