

HOUSE No. 3788

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 prevent aiding, supporting, or enticing a child to runaway.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/19/2021</i>

HOUSE No. 3788

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3788) of Shawn Dooley relative to penalties for aiding, supporting, or enticing children to runaway. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to prevent aiding, supporting, or enticing a child to runaway.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 265 of the General Laws is hereby amended by inserting after section 26D the
2 following section:-

3 Section 26E. (a) As used in this section, the term “entice” shall mean to lure, induce,
4 persuade, tempt, incite, solicit, coax or invite.

5 (b) (1) Whoever, without lawful authority, knowingly aids, supports or entices a child
6 under the age of 18 in absconding from, or continuing to abscond from the care of a parent, legal
7 guardian or any other person, agency or entity legally responsible for the care of the child shall
8 be punished by imprisonment in the house of correction for not more than 1 year, or by a fine of
9 not more than \$1,000, or by both such fine and imprisonment.

10 (2) Whoever, without lawful authority, knowingly aids, supports or entices a child under
11 the age of 14 in absconding from, or continuing to abscond from the care of a parent, legal
12 guardian or any other person, agency or entity legally responsible for the care of the child shall

13 be punished by imprisonment in the state prison for not more than 5 years, or by a fine of not
14 more than \$1,000, or by both such fine and imprisonment.

15 (c) (1) Whoever knowingly aids, supports or entices a child under the age of 18 in
16 absconding from, or continuing to abscond from, the custody of the department of children and
17 families, foster care or from the custody of any other individual, agency or entity legally
18 responsible for the care of the child pursuant to a child requiring assistance order or
19 determination by the juvenile court shall be punished by imprisonment in a house of correction
20 for not more than 2½ years or in a state prison for not more than 5 years, or by a fine of not less
21 than \$2,500, or by both such fine and imprisonment.

22 (2) Whoever knowingly aids, supports or entices a child under the age of 14 in
23 absconding from, or continuing to abscond from, the custody of the department of children and
24 families, foster care or from the custody of any other individual, agency or entity legally
25 responsible for the care of the child pursuant to a child requiring assistance order or
26 determination by the juvenile court shall be punished by imprisonment in a state prison for not
27 more than 10 years, or by a fine of not less than \$5,000, or by both such fine and imprisonment.

28 (d) Whoever knowingly violates subsection (b) or (c) of this section on or within 300 feet
29 of the real property comprising a public or private accredited preschool, accredited head start
30 facility, elementary, vocational or secondary school, whether or not in session, shall be punished
31 by imprisonment in a house of correction for not more than 2½ years or in a state prison for not
32 more than 5 years, or by a fine of not less than \$2,500, or by both such fine and imprisonment.