

**SENATE . . . . . No. 1213**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*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 improving sexual violence survivor protections.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/20/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/20/2025</i>

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By Mr. Moore, a petition (accompanied by bill, Senate, No. 1213) of Michael O. Moore, James B. Eldridge and James K. Hawkins for legislation to establish a bill of rights for survivors of sexual assault and related purposes. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1078 OF 2023-2024.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act relative to improving sexual violence survivor protections.

*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 97B1/2 of chapter 41 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out section (b)(2) and replacing it with:-

3           (2) Submit new sexual assault evidence kits to the crime laboratory within the department  
4 of the state police or the police department of a municipality that operates a crime laboratory and  
5 has a population of more than 150,000, in the case of a sexual assault alleged to have taken place  
6 in that municipality, within 7 business days of taking possession. A sexual violence  
7 survivor/victim who has not yet filed a report with law enforcement may elect their sexual  
8 assault evidence kit to be tested. Alternatively, a survivor/victim may elect their kit to be safely  
9 stored by law enforcement in a manner that preserves evidence for the duration of the statute of  
10 limitations for all sexual assault and rape cases.

11 SECTION 2. Section 97B1/2 of chapter 41 of the General Laws, as so appearing, is  
12 hereby amended by adding subsection (e):-

13 (e) A survivor of sexual assault has the right not to have the results of the rape kit used to  
14 prosecute the survivor/victim. Law enforcement agencies and their agents shall use  
15 survivor/victim DNA samples or profiles only for purposes directly related to the incident being  
16 investigated. No law enforcement agency or agent thereof may compare any of these  
17 survivor/victim samples or profiles with DNA samples or profiles that do not relate to the  
18 incident being investigated. No law enforcement agency or agent thereof may include any of  
19 these survivor/victim DNA profiles in any database that allows these samples to be compared to  
20 or matched with profiles derived from DNA evidence obtained from crime scenes.