

HOUSE No. 1623

The Commonwealth of Massachusetts

PRESENTED BY:

Tami L. Gouveia

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 the punishment of the crimes of photographing, videotaping, or electronically surveilling nude or partially nude persons, or the sexual or intimate parts of a person under or around the person’s clothing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>1/25/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>

HOUSE No. 1623

By Ms. Gouveia of Acton, a petition (accompanied by bill, House, No. 1623) of Tami L. Gouveia, David Allen Robertson and Danillo A. Sena relative to the penalty for the photographing or visual recording of nude or partially nude persons or under or around the certain clothing. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3316 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to the punishment of the crimes of photographing, videotaping, or electronically surveilling nude or partially nude persons, or the sexual or intimate parts of a person under or around the person’s clothing.

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. The first paragraph of subsection (b) of § 105 of Chapter 272 of the General
2 Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the words
3 “shall be punished by imprisonment in the house of correction for not more than 2½ years” the
4 following language: “or in the state prison for not more than 5 years”.

5 SECTION 2. The second paragraph of subsection (b) of § 105 of Chapter 272 of the
6 General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the
7 words “shall be punished by imprisonment in the house of correction for not more than 2½

8 years” the following language: “or by imprisonment in the state prison for not more than 5
9 years”.

10 SECTION 3. Section 178C of Chapter 6 of the General Laws, as amended by St. 2018,
11 chapter 219, section 1, is hereby amended by inserting into the definition of “Sex offense” after
12 the words “aggravated rape under section 39 of chapter 277;” the following: “photographing,
13 videotaping or electronically surveilling another person who is nude or partially nude under
14 section 105(b) of said chapter 272;”