

HOUSE No. 4159

The Commonwealth of Massachusetts

PRESENTED BY:

John H. Rogers

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 legislative witness tampering.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/19/2021</i>

HOUSE No. 4159

By Mr. Rogers of Norwood, a petition (accompanied by bill, House, No. 4159) of John H. Rogers relative to legislative witness tampering. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to legislative witness tampering.

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 3 of the General Laws is hereby amended by inserting after section 28A the
2 following section:-

3 Section 28B. (a) As used in this section, the words “harass” or “intimidate” shall, unless
4 the context clearly requires otherwise, mean to engage in an act directed at a specific person or
5 group of persons and would cause a reasonable person or group of persons to suffer substantial
6 emotional distress including, but not limited to, an act conducted by mail or by use of a
7 telephonic or telecommunication device or electronic communication device including, but not
8 limited to, electronic mail, internet communications, instant messages and facsimile
9 communications.

10 (b) Whoever willfully, either directly or indirectly: harasses or intimidates another person
11 who is: (i) a witness or potential witness set to appear before either branch of the general court,
12 or both jointly, or under any provision of law, upon any matter under inquiry before either

13 branch, or before any committee of either branch, or before any joint or special committee or
14 special commission consisting in whole or in part of members of the general court; or (ii) a
15 family member of a person described in this section, with intent to or with reckless disregard for
16 the fact that it may: (A) impede, obstruct, delay, prevent or otherwise interfere with a matter
17 under inquiry before the general court; or (B) punish, harm or otherwise retaliate against any
18 witness or potential witness or such person's family member's participation in any matter under
19 inquiry before either branch, or before any committee of either branch, or before any joint or
20 special committee or special commission consisting in whole or in part of members of the
21 general court, shall be punished by imprisonment in the state prison for not more than XX years
22 or by imprisonment in the house of correction for not more than XX years or by a fine of not less
23 than \$XX or more than \$XX or by both such fine and imprisonment.