

# HOUSE . . . . . No. 4351

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 12, 2024.

The committee on The Judiciary, to whom were referred the petition (accompanied by bill, House, No. 1551) of Kate Hogan for legislation to protect victims of stalking in violation of harassment prevention orders, and the petition (accompanied by bill, House, No. 3788) of David T. Vieira and others relative to providing notification to victims and family members of victims when notices of temporary restraining orders or other abuse prevention orders have been successfully served, reports recommending that the accompanying bill (House, No. 4351) ought to pass.

For the committee,

MICHAEL S. DAY.

**HOUSE . . . . . No. 4351**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act to protect victims of stalking in violation of harassment prevention orders.

*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 7 of chapter 209A of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by inserting, after the first sentence in the second paragraph,  
3 the following sentence:- The appropriate law enforcement agency responsible for notice to the  
4 defendant shall notify the victim when a temporary or permanent abuse prevention order: (i) has  
5 been successfully served; (ii) has not been successfully served within 12 hours of receipt of the  
6 order from the court, and every 24 hours thereafter until service is complete or the court orders  
7 otherwise, and the effect of non-service on the order’s validity; or (iii) has expired or otherwise  
8 become ineffective.

9           SECTION 2. Section 9 of chapter 258E of the General Laws, as so appearing, is hereby  
10 amended by inserting, after the first sentence in the second paragraph, the following sentence:  
11 The appropriate law enforcement agency responsible for notice to the defendant shall notify the  
12 victim when a temporary or permanent harassment prevention order: (i) has been successfully  
13 served; (ii) has not been successfully served within 12 hours of receipt of the order from the  
14 court, and every 24 hours thereafter until service is complete or the court orders otherwise, and

15 the effect of non-service on the order's validity; or (iii) has expired or otherwise become  
16 ineffective.

17 SECTION 3. Section 43 of chapter 265 of the General Laws, as so appearing, is amended  
18 by inserting, in line 21, after the word "vacate" the following words:- , harassment prevention.

19 SECTION 4. Said section 43 of said chapter 265 is hereby further amended by inserting,  
20 in line 26, after the words "two hundred and nine C" the following words:- ;or sections three,  
21 five, or six of chapter two hundred and fifty-eight E;.