



The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

COMMITTEE ON WAYS AND MEANS

SENATOR MICHAEL J. RODRIGUES

First Bristol and Plymouth District

CHAIR

Committee on Ways and Means

MICHAEL.RODRIGUES@MASENATE.GOV

WWW.MASENATE.GOV

STATE HOUSE, ROOM 212
BOSTON, MA 02133-1053

TEL: (617) 722-1114

FAX: (617) 722-1498

WAYS & MEANS: (617) 722-1481

ONE GOVERNMENT CENTER

ROOM 235

FALL RIVER, MA 02722

TEL. (508) 646-0650

FAX. (508) 646-0656

SOMERSET TOWN HALL

140 WOOD STREET

SOMERSET, MA 02726

TEL. (508) 673-8408

M E M O R A N D U M

TO: Members of the Senate Committee on Ways and Means

FROM: Chair Michael J. Rodrigues

DATE: March 14, 2024

SUBJECT: Poll

Attached is a summary of the bill presently before the Senate Committee on Ways and Means. Committee members will be polled today from 11:30 am to 12:30 pm on the question of reporting the bill favorably.

Please be advised that under Senate Rule 12, all recorded votes of the Senate Committee on Ways and Means will be posted on the website of the General Court immediately following the conclusion of the poll.

Do not hesitate to contact Aaron Carty in my office if you have any questions. Thank you for your participation.

HOUSE 4241: **AN ACT TO PREVENT ABUSE AND EXPLOITATION**

(summary reflects text as redrafted)

SPONSORS: Senators Keenan, Velis, Timilty, Moore, O'Connor, Comerford, Fattman, Rausch, Moran, Lewis, Feeney, Miranda, Tarr, Edwards, Mark, DiDomenico, Lovely and Oliveira and several members of the House of Representatives

LEGISLATIVE HISTORY:

01/10/24	Reported from the Committee on House Ways and Means; Pending new draft of H4115; New draft of H4115; Ordered to a third reading; Rules suspended; Read third
01/11/24	Read and referred to the Committee on Senate Ways and Means

EXISTING LAWS

AFFECTED: M.G.L. c. 18C; c. 71; c. 119; c. 209A § 1; c. 265 § 43A; c. 272

PROPOSED LEGISLATION:

- Requires the Office of the Child Advocate to develop and implement a comprehensive educational diversion program designed for adolescents on the consequences of sexting and posting indecent visual depictions online.
- Requires the Department of Elementary and Secondary Education to encourage school districts to implement instruction on age-appropriate media literacy skills and to use content from the Office of the Child Advocate's comprehensive educational diversion program for educational programs on the topic of sexting and posting indecent visual depictions online.
- Defines "coercive control" as a single act or a pattern of behavior intended to threaten, intimidate, control or compel compliance of a family or household member that causes a fear of physical harm or a reduced sense of physical safety.
- Requires the diversion of a child alleged to be a juvenile delinquent for violating laws prohibiting the possession or dissemination of certain explicit visual material unless the court finds that failure to proceed with the arraignment would result in the substantial likelihood of serious harm to a member of the community.

- Increases the allowable fine for the crime of criminal harassment from \$1,000 to \$5,000.
- Establishes a new criminal offense for the unlawful distribution of certain visual material depicting another person who is nude, partially nude or engaged in sexual conduct without their consent.
- Establishes a new juvenile offense for the unlawful possession or dissemination of certain explicit visual material.

ESTIMATED
FISCAL
IMPACT:

This legislation has no cost to the Commonwealth.

(AJP)