HOUSE DOCKET, NO. FILED ON: 1/13/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Geraldo Alicea**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act for public protection of our youth.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Richard T. Moore | Worcester and Norfolk |
| John D. Keenan | 7th Essex |
| Christine E. Canavan | 10th Plymouth |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4284 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act for public protection of our youth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 268 of the General laws is hereby amended by inserting after section 21 the following section:-

Section 21A.  Any person who is employed by a public or private school or institution of higher learning, the department of youth services, the department of social services, the department of mental health, the department of mental retardation or any private institution providing services to clients of such departments and who in the course of such employment or contract with a pupil or client of such departments or institutions within or outside of any facility thereof or a pupil or client under the direct custodial supervision and control of such person or another person, a pupil or client shall be deemed incapable of consent to sexual relations with such person.  For purposes of this section, sexual relations shall include intentional, inappropriate contact of a sexual nature, including, but not limited to conduct prohibited by section 22 or 24 of chapter 265 or section 2, 3, 35 or 53A of chapter 272.