HOUSE DOCKET, NO. FILED ON: 1/14/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Louis L. Kafka**

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

*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 relative to the sale of dogfighting paraphernalia.

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

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Louis L. Kafka | 8th Norfolk |

The Commonwealth of Massachusetts

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

**In the Year Two Thousand and Nine**

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

An Act relative to the sale of dogfighting paraphernalia.

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

 SECTION 1.

Chapter 272 is hereby amended by inserting after section 95 the following section:-

Section 95A. (a) "Dog fighting paraphernalia" refers to any visual or auditory depiction of specific illegal dog fights, including but not limited to any photograph, movie, video recording, electronic image, electronic series of images, or electronic movie, whether preserved in fixed media or equipment or available via the Internet, downloadable, streaming or otherwise, or sound recording, that would constitute a violation of sections 77 or 94 of chapter 272 or section 112 of chapter 266.

(b) “Person” shall include all individuals, corporations, business entities, selling said paraphernalia for profit.

 (c) No person may knowingly create, sell, rent, or lease, any dog fighting paraphernalia deemed in violation of sections 77 or 94 of chapter 272 or section 112 of chapter 266. Any person convicted of violating this provision shall be punished by a fine of not more than $500 or by imprisonment in the house of correction for not more than 1 year or by both such fine and imprisonment.

(d) Nothing in this section shall apply to serious religious, political, scientific, educational, law enforcement or humane investigator training, journalistic, artistic, or historical value.