

SENATE No. 1058

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 protecting victims of rape and their children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/15/2023</i>
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	<i>2/21/2023</i>

SENATE No. 1058

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1058) of Mark C. Montigny, Michael O. Moore and Anne M. Gobi for legislation to protect victims of rape and their children. The Judiciary.

The Commonwealth of Massachusetts

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

An Act protecting victims of rape and their children.

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 3 of chapter 209C of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by striking the fourth sentence in subsection (a) and inserting in place thereof
3 the following sentence:-

4 “No court shall make an order providing visitation rights to a parent who was convicted
5 of rape, under sections 22 to 23B, inclusive, of chapter 265 or section 2, 3, or 4 of chapter 272,
6 and is seeking to obtain visitation with the child who was conceived during the commission of
7 that rape; provided, that in the absence of a conviction a court shall not make an order providing
8 said visitation rights whenever clear and convincing evidence of the commission of rape can be
9 established”.