

The Commonwealth of Massachusetts



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE . BOSTON 02133

July 20, 1982

EDWARD J. KING
GOVERNOR

To the Honorable Senate and House of Representatives:

In accordance with the provisions of Article LVI of the Amendments to the Constitution, I am returning herewith House Bill No. 5575 entitled, "AN ACT RELATIVE TO THE PENALTIES FOR ENGAGING IN SEXUAL CONDUCT FOR A FEE."

In 1979 we enacted tough new mandatory sentences for those involved in child prostitution. And in 1980, we enacted mandatory sentences for all pimps and purveyors. In doing so we took aggressive action against those who would prey on young men and women; against those who would deprave children for a few pieces of silver.

The legislation proposed here recognizes that prostitution is more than a moral issue. It acknowledges the threat to neighborhood and community public safety and stability caused by that illicit trade. This bill seeks to deter prostitution by doubling the penalties for those engaged in the practice.

I fully support this legislative intent. I do feel, however, that there are necessarily two parties to each transaction--seller and purchaser. To truly deter prostitution, penalties must be established that deter demand as well as supply.

Accordingly, I support the tenets of House Bill No. 5575, but I feel that the following amendment would better serve its goals by including penalties for those who pay equal to the penalties for those who are paid.

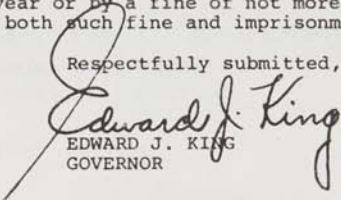
Therefore, I recommend that House Bill No. 5575 be amended by striking out Section 2 and inserting in place thereof the following section:-

SECTION 2. Said chapter 272 is hereby further amended by inserting after section 53 the following two sections:-

Section 53A. Any person who engages, or agrees to engage, or offers to engage in sexual conduct with another person in return for a fee may be punished by imprisonment in a jail or house of correction for not more than one year, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment.

Section 53B. Any person who pays, or agrees to pay, or offers to pay another person in return for sexual intercourse or for an offer or agreement to engage in sexual intercourse may be punished by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than five hundred dollars, or by both such fine and imprisonment.

Respectfully submitted,


EDWARD J. KING
GOVERNOR