

By Mr. Roche of Springfield, petition of Richard P. Roche, and other members of the House and another relative to child pornography. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO CHILD PORNOGRAPHY.

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 1. Chapter 272 of the General Laws is hereby
2 amended by inserting after section 28 the following three
3 sections:—

4 *Section 28¼.* Whoever knowingly hires, employs, uses or
5 permits a minor to pose, model or to participate, alone or with
6 others, in an act of sexual conduct for the purpose of preparing any
7 matter intended for commercial use shall be punished by
8 imprisonment in the state prison for not less than nine nor more
9 than eleven years, or by a fine of not less than ten thousand dollars
10 nor more than one hundred thousand dollars, or by both such fine
11 and imprisonment.

12 *Section 28½.* Whoever with knowledge that a person is a
13 minor, or who while in possession of such facts that he should
14 reasonably know that such person is a minor, solicits, entices, or
15 encourages any such person to engage in or cause another minor to
16 engage in an act of sexual conduct, alone or with others, for the
17 purpose of preparing any matter intended for commercial use shall
18 be punished by imprisonment in the state prison for not less than
19 nine nor more than eleven years, or by a fine of not less than ten
20 thousand dollars nor more than one hundred thousand dollars, or
21 by both such fine and imprisonment.

22 *Section 28¾.* Any person who manufactures, issues, sells,
23 mails, publishes, distributes, exhibits, advertises, or prints any
24 matter in any part of which any minor is depicted as being engaged
25 in sexual conduct shall be punished by imprisonment in the state

26 prison for not less than nine nor more than eleven years, or by a
27 fine of not less than ten thousand dollars nor more than one
28 hundred thousand dollars, or by both such fine and imprisonment.

1 SECTION 2. Section 31 of said chapter 272, as appearing in
2 section 12 of chapter 430 of the acts of 1974, is hereby amended by
3 inserting after the word "twenty-eight", in line 1, the words:—
4 twenty-eight and one-quarter, twenty-eight and one-half, twenty-
5 eight and three quarters.