

HOUSE No. 3955

By Mr. Feeney of Boston, petition of Michael Paul Feeney for legislation to regulate eavesdropping and wiretapping. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT TO REGULATE EAVESDROPPING AND WIRETAPPING.

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 102 the following new sec-
3 tion:—

4 *Section 102A.* Unless authorized in accordance with sec-
5 tions thirty-nine through one hundred and two inclusive of
6 chapter two hundred and seventy-two of the General Laws, no
7 person shall use or possess any eavesdropping and/or wire-
8 tapping device unless such device is registered with the com-
9 missioner of public safety in the manner prescribed by him. As
10 used in this section, the terms “wiretapping and/or eaves-
11 dropping device” and “device” shall include every device, in-
12 strument, apparatus, or equipment, which is designed or es-
13 pecially redesigned to be adapted or actually adapted for the
14 purpose of (1) secretly overhearing or reporting any part of the
15 conversation or words spoken to or by any person in private
16 conversation without the knowledge or consent, expressed or
17 implied, of that person, (2) intercepting or obtaining or attempt-
18 ing to obtain the whole or any part of a telephonic or telegraphic
19 communication without the knowledge or consent of the partici-
20 pants thereto. Whoever violates this section shall be pun-
21 ished by a fine of not more than five hundred dollars or im-
22 prisonment for not more than one year or both.

1 SECTION 2. This act shall take effect January first, nineteen
2 hundred and sixty-eight.