

HOUSE No. xxxxx

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

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 social networking and employment..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Geraldine M. Creedon</i>	<i>11th Plymouth</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>

Tom Sannicandro
Benjamin Swan

7th Middlesex
11th Hampden

HOUSE No. XXXXX

By Ms. Coakley-Rivera of Springfield, a petition (subject to Joint Rule 12) of Cheryl A. Coakley-Rivera and others relative to privacy policies as relates to social networking and employment. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to social networking and employment..

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 149 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 189 (a). It shall be unlawful for any employer to ask any employee or prospective
4 employee to provide any password or other related account information in order to gain access to
5 the employee's or prospective employee's account or profile on a social networking website or
6 electronic mail. No employee or prospective employee shall be required to provide access to an
7 employer for a social networking site.

8 For the purposes of this section, "Social networking site" means an internet-based service that
9 allows individuals to: (1) construct a public or semi-public profile within a bounded system
10 created by the service; (2) create a list of other users with whom they share a connection within

11 the system; and (3) view and navigate their list of connections and those made by others within
12 the system.

13 (b) This section shall not apply to any employer who obtains information about a prospective
14 employee or an employee that is in the public domain or obtained in compliance with this
15 section.

16 (c) This section shall not limit an employer's right to promulgate and maintain lawful workplace
17 policies governing the use of the employer's electronic equipment, including policies regarding
18 internet use, social networking site use, and electronic mail use.