

HOUSE No. 211

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 relative to leased office equipment and protection of privacy.

PETITION OF:

NAME:

Louis L. Kafka

DISTRICT/ADDRESS:

8th Norfolk

HOUSE No. 211

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 211) of Louis L. Kafka relative to leased office equipment and destruction of hard drive devices. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to leased office equipment and protection of privacy.

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: Section 1 of Chapter 93I of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by inserting, before the definition of “Person”, the new
3 definitions:-

4 “hard drive”, a data storage device used for storing and retrieving digital information.

5 “lessee”, a person who leases office equipment containing hard drives.

6 “lessor”, any person leasing office equipment containing hard drives.

7 “office equipment”, objects containing a hard drive including, but not be limited to
8 copiers, printers, fax machines, and central processing units (CPUs).

9 Section 2: Chapter 93I of the General Laws, as appearing in the 2012 Official Edition, is
10 hereby amended by inserting after section 2 the following sections:-

11 Section 2A. Private Sector Leased Office Equipment

12 When leasing office equipment to the private sector, the lessor, at the end of the lease,
13 must allow the lessee to purchase and keep the hard drives contained in said office equipment.
14 The lessor may charge the lessee up to the cost of the replacement hard drives for the office
15 equipment including, but not limited to removal of existing hard drives, purchase of comparable
16 hard drives, and installation of said hard drives.

17 Section 2B. Public Sector Leased Office Equipment

18 When leasing office equipment to the public sector the lessor, at the end of the lease,
19 must allow the lessee to purchase and keep the hard drives contained in said office equipment.
20 The lessor may charge the lessee up to the cost of the replacement hard drives for the office
21 equipment including, but not limited to removal of existing hard drives, purchase of comparable
22 hard drives, and installation of said hard drives. The lessee must purchase said hard drives and is
23 responsible for safe storage of the information contained on the hard drives or the destruction of
24 said hard drives.