

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brown, Scott (SEN)

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 the sex offender registry board

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brown, Scott (SEN)	Norfolk, Bristol and Middlesex
Mr. Hedlund	Plymouth and Norfolk
Mr. Knapik	Second Hampden and Hampshire
Mr. Tarr	First Essex and Middlesex
Mr. Tisei	Middlesex and Essex
Todd M. Smola	1st Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00815 OF.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE SEX OFFENDER REGISTRY BOARD.

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. Paragraph (b) of subsection (2) of section 178K of chapter 6 of the General
2 Laws, is hereby further amended by inserting after the first sentence the following:-

3 If an offender designated as a level 2 offender was convicted of a sex offense involving a child,
4 such offender shall be given a level 2(a) designation and shall be subject to the level 3
5 community notification requirements. If an offender designated as a level 2 offender committed
6 any offense other than a sex offense involving a child, such offender shall be given a level 2(b)
7 designation and shall be subject to the requirements of a level 2 offender.

8 SECTION 2. Said chapter 6 is hereby amended by adding the following section:-

9 Section 178R. (a) No sex offender designated as a level 2(a) or level 3 offender convicted of a
10 sex offense involving a child shall knowingly establish a home address or intended home address
11 or any other living accommodation within 1000 feet of the property on which any public or

12 private school, licensed day care center, or any other child care facility is located. Nor shall any
13 level 2(a) or level 3 sex offender knowingly establish a home address or intended home address
14 or any other living accommodation within 1000 feet of the property on which the offender's
15 former victim or victims, or said victim's immediate family members reside, nor shall such
16 offender knowingly and willfully come within 100 feet of any of the offender's former victims.
17 Violations of this paragraph shall be punished in accordance with a violation of the conditions of
18 probation or parole.

19 (b) No sex offender designated as a level 2(a) or level 3 offender convicted of a sex
20 offense involving a child shall knowingly accept employment within 1000 feet of the property on
21 which any public or private school, licensed day care center or any other child care facility is
22 located. No sex offender designated as a level 2(a) or level 3 sex offender shall knowingly
23 accept employment within 1000 feet of the property on which the offender's former victim or
24 victims, or the victim's immediate family members reside. Violations of the provisions of this
25 paragraph shall be punished in accordance with a violation of the conditions of probation or
26 parole.

27 (c) No sex offender designated as a level 2(a) or level 3 offender convicted of a sex
28 offense involving a child shall establish living conditions within, be placed in, or be transferred
29 to any state-owned, operated or funded housing or any facility contracted with the state within 1
30 ½ miles of the property on which any public or private school, licensed day care center, or any
31 other child care facility is located, or any residence occupied by at least one minor.