

**SENATE . . . . . No. 1585**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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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  
4 child, 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:- Section  
9 178R. (a) No sex offender designated as a level 2(a) or level 3 offender convicted of a sex  
10 offense involving a child shall knowingly establish a home address or intended home address or  
11 any other living accommodation within 1000 feet of the property on which any public or private  
12 school, licensed day care center, or any other child care facility is located. Nor shall any level  
13 2(a) or level 3 sex offender knowingly establish a home address or intended home address or any  
14 other living accommodation within 1000 feet of the property on which the offender's former

15 victim or victims, or said victim's immediate family members reside, nor shall such offender  
16 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.