

**HOUSE . . . . . No. 2136**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Garrett J. Bradley***

*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 Level 3 sex offenders residing near schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>	<i>1/20/2011</i>
<i>Robert L. Hedlund</i>		<i>2/4/2011</i>

**HOUSE . . . . . No. 2136**

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2136) of Garrett J. Bradley and Robert L. Hedlund relative to Level 3 sex offenders residing near schools. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1291 OF 2009-2010.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Eleven**

An Act relative to Level 3 sex offenders residing near schools.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Subsection (2) of section 178 K of chapter 6 of the General Laws, as amended by section  
2 6 of chapter 303 of the acts of 2008, is hereby further amended by adding the following  
3 paragraph:-

4 (f) No sex offender classified as a level 3 offender shall establish a residence within 1,000  
5 feet of any elementary or high school. Any sex offender who violates this paragraph shall, for a  
6 first conviction, be punished by imprisonment for not more than 30 days in a jail or house of  
7 correction; for a second conviction, be punished by imprisonment for not more than 2 ½ years in  
8 a jail or house of correction nor more than 5 years in a state prison or by a fine of not more than  
9 \$1,000, or by both such fine and imprisonment; and for a third and subsequent conviction, be  
10 punished by imprisonment in a state prison for not less than 5 years; provided, however, that the

11 sentence imposed for such third or subsequent conviction shall not be reduced to less than 5  
12 years, nor suspended, nor shall any person sentenced herein be eligible for probation, parole,  
13 work release or furlough, or receive any deduction from his sentence for good conduct until he  
14 shall have served 5 years. Prosecutions commenced hereunder shall neither be continued  
15 without a finding nor placed on file.