

HOUSE No. 1905

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

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 establishing a jail and prison construction moratorium.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|-----------------------|------------------|
| <i>Chynah Tyler</i> | <i>7th Suffolk</i> | <i>2/19/2021</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>2/20/2021</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>2/22/2021</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>2/22/2021</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/23/2021</i> |
| <i>Orlando Ramos</i> | <i>9th Hampden</i> | <i>2/24/2021</i> |
| <i>Erika Uytterhoeven</i> | <i>27th Middlesex</i> | <i>2/26/2021</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> | <i>2/26/2021</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>3/16/2021</i> |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | <i>3/18/2021</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>3/18/2021</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>3/19/2021</i> |
| <i>Tommy Vitolo</i> | <i>15th Norfolk</i> | <i>3/23/2021</i> |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> | <i>3/26/2021</i> |
| <i>Patricia A. Duffy</i> | <i>5th Hampden</i> | <i>3/26/2021</i> |
| <i>Jay D. Livingstone</i> | <i>8th Suffolk</i> | <i>3/29/2021</i> |
| <i>Steven C. Owens</i> | <i>29th Middlesex</i> | <i>3/31/2021</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>4/1/2021</i> |

| | | |
|---------------------------------|--|-------------------|
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>4/22/2021</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>4/26/2021</i> |
| <i>Joseph A. Boncore</i> | <i>First Suffolk and Middlesex</i> | <i>4/26/2021</i> |
| <i>Danillo A. Sena</i> | <i>37th Middlesex</i> | <i>5/7/2021</i> |
| <i>Mindy Domb</i> | <i>3rd Hampshire</i> | <i>5/7/2021</i> |
| <i>Brandy Fluker Oakley</i> | <i>12th Suffolk</i> | <i>5/11/2021</i> |
| <i>Paul W. Mark</i> | <i>2nd Berkshire</i> | <i>6/23/2021</i> |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>7/20/2021</i> |
| <i>Kevin G. Honan</i> | <i>17th Suffolk</i> | <i>7/21/2021</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>7/22/2021</i> |
| <i>Diana DiZoglio</i> | <i>First Essex</i> | <i>9/20/2021</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>9/27/2021</i> |
| <i>Liz Miranda</i> | <i>5th Suffolk</i> | <i>9/27/2021</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>10/4/2021</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>10/5/2021</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Bristol and Middlesex</i> | <i>10/21/2021</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>11/5/2021</i> |
| <i>Nika C. Elugardo</i> | <i>15th Suffolk</i> | <i>2/15/2022</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>5/11/2022</i> |

HOUSE No. 1905

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 1905) of Chynah Tyler and others relative to establishing a jail and prison construction moratorium. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing a jail and prison construction moratorium.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith to establish an immediate prison and jail moratorium, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

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 7C of the General Laws is hereby amended by inserting after
2 section 72 the following section:-

3 Section 73. Notwithstanding any general or special law or rule or regulation to the
4 contrary, a state agency or public agency shall not:

5 (1) study, plan, design, acquire, lease, search for sites, or construct new correctional
6 facilities as defined in section 1 of chapter 125;

7 (2) expand the capacity of an existing correctional facility beyond its current design or
8 rated capacity;

9 (3) convert any part of an existing or dormant correctional facility for the purpose of
10 detention or incarceration, including to change or expand the populations incarcerated in that
11 facility

12 (4) renovate an existing or dormant correctional facility beyond requirements for
13 maintenance or to comply with building code requirements; or

14 (5) repair an existing or dormant correctional facility for the purposes of expanding the
15 facility or increasing its bed capacity.

16 SECTION 2. Section 73 of chapter 7C of the General Laws shall expire 5 years after the
17 effective date of this act.