

HOUSE No. 3963

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 banning hostile architecture targeting unhoused individuals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/12/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>3/13/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>4/7/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>7/19/2021</i>

HOUSE No. 3963

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3963) of Mike Connolly, Nika C. Elugardo and Michelle M. DuBois for legislation to prohibit the construction of publicly accessible buildings or structures designed or intended to prevent unhoused individuals from sitting or lying on the building or structure at street level. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act banning hostile architecture targeting unhoused individuals.

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 40 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 70. (a) For purposes of this section, the term “Hostile architecture” shall, unless
4 the context clearly requires otherwise, mean any building or structure that is designed or
5 intended to prevent unhoused individuals from sitting or lying on the building or structure at
6 street level; provided, that hostile architecture shall not include design elements intended to
7 prevent individuals from skateboarding or rollerblading or to prevent vehicles from entering
8 certain areas.

9 (b) A municipality shall not install or construct hostile architecture in any publicly
10 accessible building or on publicly accessible real property owned by or under the control of the
11 municipality.

12 SECTION 2. Chapter 7C of the General Laws is hereby amended by adding the
13 following section:-

14 Section 73. (a) For purposes of this section, the term “Hostile architecture” shall, unless
15 the context clearly requires otherwise, mean any building or structure that is designed or
16 intended to prevent unhoused individuals from sitting or lying on the building or structure at
17 street level; provided, that hostile architecture shall not include design elements intended to
18 prevent individuals from skateboarding or rollerblading or to prevent vehicles from entering
19 certain areas.

20 (b) The commissioner shall not install or construct hostile architecture in any publicly
21 accessible capital facility or on publicly accessible real property under the commissioner’s
22 control or supervision.

23 SECTION 3. Chapter 161A of the General Laws is hereby amended by adding the
24 following section:-

25 Section 53. (a) For purposes of this section, the term “Hostile architecture” shall, unless
26 the context clearly requires otherwise, mean any building or structure that is designed or
27 intended to prevent unhoused individuals from sitting or lying on the building or structure at
28 street level; provided, that hostile architecture shall not include design elements intended to
29 prevent individuals from skateboarding or rollerblading or to prevent vehicles from entering
30 certain areas.

31 (b) The authority shall not install or construct hostile architecture in any publicly
32 accessible mass transportation facilities under the authority’s control or supervision.

33 SECTION 4. Chapter 265 of the General Laws is hereby amended by adding the
34 following section:-

35 Section 73. (a) For purposes of this section, the term “Hostile architecture” shall, unless
36 the context clearly requires otherwise, mean any building or structure that is designed or
37 intended to prevent unhoused individuals from sitting or lying on the building or structure at
38 street level; provided, that hostile architecture shall not include design elements intended to
39 prevent individuals from skateboarding or rollerblading or to prevent vehicles from entering
40 certain areas.

41 (b) Whoever installs or constructs hostile architecture on any publicly accessible real
42 property shall be punished by a fine of not more than \$500 for each day in violation of this
43 section.