

**HOUSE . . . . . No. 3005**

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**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>1/13/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/18/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/20/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/23/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/4/2023</i>

**HOUSE . . . . . No. 3005**

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By Representative Connolly of Cambridge, a petition (accompanied by bill, House, No. 3005) of Mike Connolly and others 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.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3963 OF 2021-2022.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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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.