

HOUSE No. 1795

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>1/17/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/14/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>2/14/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/14/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/14/2023</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/14/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/14/2023</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/14/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/14/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/14/2023</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>2/14/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/14/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/14/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/14/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/14/2023</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/14/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/14/2023</i>
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>2/21/2023</i>

<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/21/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/21/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/21/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>4/4/2023</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/4/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>4/4/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>4/4/2023</i>
<i>Brandy Fluker Oakley</i>	<i>12th Suffolk</i>	<i>4/4/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/4/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>4/4/2023</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>4/4/2023</i>

HOUSE No. 1795

By Representative Tyler of Boston, a petition (accompanied by bill, House, No. 1795) of Chynah Tyler and others relative to establishing a jail and prison construction moratorium. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1905 OF 2021-2022.]

The Commonwealth of Massachusetts

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

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 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. (a) For the purposes of this section, the term “correctional facility” shall have
4 the same meaning as provided in section 1 of chapter 125.

5 (b) Notwithstanding any general or special law to the contrary, a state agency or public
6 agency shall not:

7 (i) study, plan, design, acquire, lease, search for sites, or construct new correctional
8 facilities or detention centers;

9 (ii) expand the capacity of an existing correctional facility or detention center beyond its
10 current design or rated capacity;

11 (iii) convert any part of an existing or dormant correctional facility or detention center for
12 the purpose of detention or incarceration, including to change or expand the populations
13 incarcerated in that facility or center;

14 (iv) renovate an existing or dormant correctional facility or detention center beyond
15 requirements for maintenance or to comply with building code requirements; or

16 (v) repair an existing or dormant correctional facility or detention center for the purposes
17 of expanding the facility or center, or increasing its bed capacity.

18

19 SECTION 2. Section 73 of chapter 7C of the General Laws is hereby repealed.

20

21 SECTION 3. Section 2 shall take effect 5 years after the effective date of this act.