

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

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bradley H. Jones, Jr.***

*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 removing state funded counsel for sex offender classification hearings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/13/2025</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/14/2025</i>

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

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1678 OF 2021-2022.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act removing state funded counsel for sex offender classification hearings.

*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. Section 178L of chapter 6 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking in paragraph (a), in lines 26 through 28,  
3 inclusive, the words, “his right to retain counsel to represent him at such hearing and his right to  
4 have counsel appointed for him if he is found to be indigent as determined by the board using the  
5 standards under chapter 211D; provided, however, that such indigent offender may also apply for  
6 and the board may grant payment of fees for an expert witness in any case where the board in its  
7 classification proceeding intends to rely on the testimony or report of an expert witness prepared  
8 specifically for the purposes of the classification proceeding.”, and inserting in place thereof the  
9 words: “and his right to retain counsel to represent him at such hearing.”

10           SECTION 2. Section 178L of chapter 6 of the General Laws, as so appearing, is hereby  
11 amended by striking in paragraph (c), in lines 65 through 73, inclusive, the words, “his right to

12 retain counsel to represent him at such hearing and his right to have counsel appointed for him if  
13 he is found to be indigent as determined by the board using the standards under chapter 211D;  
14 provided, however, that such indigent offender may also apply for and the board may grant  
15 payment of fees for an expert witness in any case where the board in its classification proceeding  
16 intends to rely on the testimony or report of an expert witness prepared specifically for the  
17 purposes of the classification proceeding.”, and inserting in place thereof the words:- “and his  
18 right to retain counsel to represent him at such hearing.”

19 SECTION 3. Section 178L of chapter 6 of the General Laws, as so appearing, is hereby  
20 amended by striking in subsection (2), in lines 84 through 87, inclusive, the sentence “The board  
21 shall inform offenders requesting a hearing under the provisions of subsection (1) of their right to  
22 have counsel appointed if a sex offender is deemed to be indigent as determined by the board  
23 using the standards under chapter 211D.”

24 SECTION 4. Section 178M of chapter 6, as so appearing in the 2022 Official Edition, is  
25 hereby amended by striking the following, “The court shall, if requested, appoint counsel to  
26 represent the sex offender in the proceedings if such sex offender is deemed indigent in  
27 accordance with section 2 of chapter 211D.”