

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michelle M. DuBois

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 to limit criminalization of the homeless.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act to limit criminalization of the homeless.

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. Subclause (ii) of clause (3) of subsection (a) of section 172 of chapter 6 of
2 the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the
3 following words:- ; provided, that the department shall not disclose to a requestor evaluating
4 applicants for rental or lease of housing any conviction or pending criminal offender record
5 information related solely to homeless camping, as defined in section 37 of chapter 23B.

6 SECTION 2. Clause (7) of said subsection (a) of said section 172 of said chapter 6, as so
7 appearing, is hereby amended by inserting after the word “authorities” the following words:- ;
8 provided, that the department shall not disclose any conviction or pending criminal offender
9 record information related solely to homeless camping, as defined in section 37 of chapter 23B.

10 SECTION 3. Chapter 23B of the General Laws is hereby amended by adding the
11 following section:-

12 Section 37. The term “homeless camping” shall mean pitching, setting up, erecting or
13 occupying a temporary structure on public property for the purposes of maintaining a temporary

14 place to live out of financial necessity by a person who is undomiciled and unable to secure
15 permanent and stable housing.

16 SECTION 4. Section 21 of chapter 40 of the General Laws, as appearing in the 2022
17 Official Edition, is hereby amended by adding the following paragraph:-

18 No city or town shall pass a bylaw or ordinance that affixes a fine on a person for
19 homeless camping, as defined in section 37 of chapter 23B; provided, that a city or town may
20 pass a bylaw or ordinance that authorizes the removal of a person refusing to comply with a
21 lawful notice to vacate public property. No city or town shall require notification to the United
22 States Immigration and Customs Enforcement when a person is issued a citation, arrested or
23 removed for homeless camping.

24 SECTION 5. Section 123 of chapter 266 of the General Laws, as so appearing, is hereby
25 amended by inserting after the word “months”, in line 13, the following words:- ; provided, that
26 a person engaging in homeless camping, as defined in section 37 of chapter 23B, shall not be
27 punished by any fine.

28 SECTION 6. No city or town shall report a person’s late payment or nonpayment of fines
29 for homeless camping, as defined in section 37 of chapter 23B of the General Laws, to a credit
30 information bureau or other financial institution.