

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

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**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>1/9/2025</i>

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

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1795 OF 2023-2024.]

**The Commonwealth of Massachusetts**

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

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 adding the  
2 following  
3 section:

4 Section 73. (a) For the purposes of this section, the term “correctional facility” shall have  
5 the  
6 same meaning as provided in section 1 of chapter 125.

7 (b) Notwithstanding any general or special law to the contrary, a state agency or public  
8 agency

9 shall not:

10 (i) study, plan, design, acquire, lease, search for sites, or construct new correctional  
11 facilities or

12 detention centers;

13 (ii) expand the capacity of an existing correctional facility or detention center beyond its  
14 current

15 design or rated capacity;

16 (iii) convert any part of an existing or dormant correctional facility or detention center  
17 for the

18 purpose of detention or incarceration, including to change or expand the populations  
19 incarcerated

20 in that facility or center;

21 (iv) renovate an existing or dormant correctional facility or detention center beyond  
22 performing

23 routine maintenance and improvements limited only to ensuring compliance with federal  
24 and

25 state law including building, health, and fire codes; installing plumbing fixtures such as  
26 toilets,

27 showers, sinks, doors, or locks; improving food service or health services or medical  
28 service  
29 units; improving heating and cooling systems; removing restrictive housing units or  
30 other  
31 security infrastructure; improving spaces for programming and education; provided that  
32 such  
33 improvements shall not increase a facility's bed capacity and must result in improved  
34 living  
35 conditions for incarcerated people;  
36 (v) repair an existing or dormant correctional facility or detention center for the purposes  
37 of  
38 expanding the facility or center, or increasing its bed capacity.

39 SECTION 2. (a) For purposes of this section, the term "county jail and regional lockup  
40 facility"  
41 shall mean a facility operated by a county sheriff that, as of the effective date of this act,  
42 is used  
43 for all of the following: (i) the detention of convicted offenders; (ii) as a jail, as that term  
44 is  
45 described in section 4 of chapter 126 of the General Laws; and (iii) as a regional lockup  
46 facility

47 utilized by more than 1 municipal law enforcement agency for the detention of arrestees.

48 (b) Notwithstanding clause (iii) of subsection (b) of section 73 of chapter 7C of the

49 General

50 Laws, in the event that a county jail and regional lockup facility is closed due to the  
51 closure of a

52 county jail, the county sheriff may transfer no more than 30 beds from the closed facility  
53 to an

54 existing county correctional facility, as that term is defined in section 1 of chapter 125 of  
55 the

56 General Laws, within the same county.

57 SECTION 3. Section 73 of chapter 7C of the General Laws is hereby repealed.

58 SECTION 4. Section 2 of this act is hereby repealed.

59 SECTION 5. Sections 3 and 4 shall take effect 5 years after the effective date of this act.