

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Patrick M. O'Connor***

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*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 relative to level-three sex offender residency restrictions.

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PETITION OF:

NAME:

*Patrick M. O'Connor*

DISTRICT/ADDRESS:

*First Plymouth and Norfolk*

SENATE . . . . . No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to level-three sex offender residency restrictions.

*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. Definitions. For the purpose of this section, the following terms shall have  
2 the respective meanings ascribed to them:

3 “Adult criminal level 3 sex offender”. a person convicted of a criminal sex offense and  
4 designated as a Level 3 sex offender by the Massachusetts Sex Offender Registry Board. The  
5 Board has determined that these individuals have a high risk to reoffend and that the degree of  
6 dangerousness posed to the public is such that a substantial public safety interest is served by  
7 active community notification.

8 “GIS”. geographic information system.

9 “School”. a licensed or accredited public or private school or church school that offers  
10 instruction in pre-school, including a licensed day care or other business permitted as a school, or  
11 any of grades Kindergarten through Grade 12. This definition shall not include private residences  
12 in which students are taught by parents or tutors.

13 SECTION 2. A city or town which accepts this section in the manner provided in section  
14 4 of chapter 4 may impose a local zoning restriction on the residency of level 3-sex offenders in  
15 the following manner:

16 (a) Any community that, by majority vote of the city council or town meeting, shall make  
17 it unlawful for any adult criminal Level 3 sex offender to establish a residence or any other living  
18 accommodations within 1500 feet of the property on which any school, day-care center, park,  
19 beach, or recreational facility open to the public is located. The fifteen-hundred-foot restriction  
20 shall be measured in a straight line from the nearest property line upon which the house,  
21 apartment complex, condominium complex, motel, hotel or other residence is located to the  
22 property line of the nearest school, day-care center, park, or recreational facility. Distances will  
23 be taken from the state's GIS system, and GIS services to the state shall be presumed accurate  
24 and shall be evidence of a violation.

25 (b) Changes to property resulting in a school, day-care center, park, beach or recreational  
26 facility within 500 feet of an adult criminal Level 3 sex offender's registered address which occur  
27 after an adult criminal Level 3 sex offender establishes residency shall not form the basis for  
28 finding that a criminal sex offender is in violation of this section.

29 (c) Level 3 registered sex offenders who reside on a permanent or temporary basis within  
30 500 feet of any school, day-care center, park, beach or recreational facility following passage of  
31 this section shall be in violation of this section and shall, within 30 days of receipt of written  
32 notice of the registered sex offender's noncompliance with this section, move from said location  
33 to a new location, but said new location may not be within 1500 feet of any school, day-care  
34 center, park, beach, or recreational facility. The first day following the thirty-day written notice

35 shall be considered the first violation. Following the first violation, every day that the registered  
36 sex offender continues to reside within 1500 feet of any school, day-care center, park, or  
37 recreational facility shall be considered a separate violation.