

Massachusetts House of Representatives Bill Summary

Bill #: H.2261

Title: An Act ending the criminalization of homelessness

Sponsor: Rep. Carol Doherty, Rep. James Hawkins

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Current Law: Section 21D of MGL Chapter 40 concerns the noncriminal disposition of ordinance, by-law, rule or regulation violations. The law states, in part, any city or town may by ordinance or by-law not inconsistent with this section provide for non-criminal disposition of violations of any ordinance or by-law or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty.

Summary: This legislation would insert new language at the end of Section 21D which would prevent a city or town from adopting or enforcing any ordinance, by-law, rule, or regulation that imposes a financial penalty or other sanction on homeless individuals solely for the act of trespassing, sleeping or camping on public property.

The bill defines the term "homeless individual" as someone who has no fixed, regular and adequate place to spend the night. It also defines "camping" as sleeping in a tent, under a tarp or canopy, in a motor vehicle, or in any other temporary outdoor shelter.