

HOUSE No. 3583

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Heroux

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 youthful offenders and juveniles from the definition of sex offender.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>

HOUSE No. 3583

By Mr. Heroux of Attleboro, a petition (accompanied by bill, House, No. 3583) of Paul R. Heroux, Leonard Mirra and Mary S. Keefe for legislation to remove youthful offenders and juveniles from the definition of sex offender. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act removing youthful offenders and juveniles from the definition of sex offender.

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 178C of chapter 6 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out the definition of “sex offender” and inserting
3 in place thereof the following definition:-

4 “Sex offender”, a person who resides, has secondary addresses, works or attends an
5 institution of higher learning in the commonwealth and who has been convicted of a sex offense
6 or a person released from incarceration or parole or probation supervision for such a conviction
7 or a person who has been adjudicated a sexually dangerous person under section 14 of chapter
8 123A, as in force at the time of adjudication, or a person released from civil commitment
9 pursuant to section 9 of said chapter 123A, whichever last occurs, on or after August 1, 1981.

10 SECTION 2. Said section 178C of said chapter 6, as so appearing, is hereby further
11 amended by striking out the definition of “sexually violent predator” and inserting in place
12 thereof the following definition:-

13 “Sexually violent predator”, a person who has been convicted of a sexually violent
14 offense, or a person released from incarceration, parole, probation supervision or commitment
15 under chapter 123A for such a conviction or, whichever last occurs, on or after August 1, 1981,
16 and who suffers from a mental abnormality or personality disorder that makes such person likely
17 to engage in predatory sexually violent offenses.

18 SECTION 3. Section 178E of said chapter 6, as so appearing, is hereby amended by
19 striking out, in lines 90 to 92, inclusive, and in lines 151 and 152, the words “or adjudication as a
20 youthful offender or as a delinquent juvenile by reason of a sex offense”.

21 SECTION 4. Said section 178E of said chapter 6, as so appearing, is hereby amended by
22 striking out, in lines 134 and 135, the words “or adjudication of delinquent or as a youthful
23 offender”.

24 SECTION 5. Section 178K of said chapter 6, as so appearing, is hereby amended by
25 striking out, in lines 255 and 256, the words “or adjudicated as a delinquent juvenile or as a
26 youthful offender”.