

**HOUSE . . . . . No. 1250**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark J. Cusack***

*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 protecting incapacitated persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/15/2015</i>
<i>Ruth B. Balseer</i>	<i>12th Middlesex</i>	<i>9/16/2019</i>

**HOUSE . . . . . No. 1250**

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By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 1250) of Mark J. Cusack and Ruth B. Balsler relative to persons incapacitated by the use of drugs with the exception of the administration of breathalyzer tests. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act protecting incapacitated persons.

*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 8 of chapter 11B of the General Laws is hereby amended by  
2 inserting the following sentence at the end thereof: --

3 The provisions of this section will apply to a person that is incapacitated by the use of  
4 drugs with the exception of the administration of a breathalyzer test. Unless and until the  
5 Commonwealth adopts a blood drug content limit as it has in blood alcohol matters, a police  
6 officer will administer the Standard Field Sobriety Test approved by the US National Highway  
7 and Traffic Safety Administration to determine whether a person is incapacitated as a result of  
8 drug use.