HOUSE DOCKET, NO. 1881 FILED ON: 1/19/2017

HOUSE . . . . . No. 727

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

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 to fight opioid abuse.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Antonio F. D. Cabral	*13th Bristol*	*1/19/2017*
William L. Crocker, Jr.	*2nd Barnstable*	*1/19/2017*
James R. Miceli	*19th Middlesex*	*1/19/2017*
Robert M. Koczera	*11th Bristol*	*1/19/2017*
Joseph W. McGonagle, Jr.	*28th Middlesex*	*1/19/2017*
Mike Connolly	*26th Middlesex*	*1/19/2017*
Mary S. Keefe	*15th Worcester*	*1/19/2017*
Brian Murray	*10th Worcester*	*1/19/2017*
Michelle M. DuBois	*10th Plymouth*	*1/19/2017*

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HOUSE . . . . . No. 727

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 727) of Antonio F. D. Cabral and others relative to opioid abuse. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to fight opioid abuse.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (d) of section 47 of chapter 94C of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 121-127, inclusive, the second paragraph and inserting in place thereof the following paragraph:-

"The final order of the court shall provide that said monies and the proceeds of any such sale shall be distributed in the following manner: 34 per cent shall be distributed to the Substance Abuse Services Fund established in section 2I of chapter 111 , 33 per cent to the prosecuting district attorney or attorney general, and 33 per cent to the city, town, state, or metropolitan district police department involved in the seizure, provided, however, that more than one department was substantially involved in the seizure, the court having jurisdiction of the forfeiture proceeds shall equitably distribute said proceeds among those departments.".

SECTION 2. Said subsection (d), as so appearing, is hereby further amended by adding the following sentence:-

"Said department shall expend up to 10 per cent of monies and proceeds for drug rehabilitation, drug education, and other anti-drug or neighborhood crime watch programs that further law enforcement purposes.".

SECTION 3. State Reporting.

(a) Amendments. Subsection (d) of section 47 of chapter 94C of the General Laws, as so appearing, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentences:—

"On February fifteenth of each year, each district attorney, the attorney general and the secretary of the Executive Office of Public Safety and Security shall post a report on-line detailing the total amounts collected pursuant to subsection (d) of section 47 of chapter 94C and report containing each expenditure made from such amounts. Reports filed with said committees annually on February fifteenth shall detail said deposit and expenditure of all monies for the preceding fiscal year and the current fiscal year through December thirty-first.".

(b) Effective Date. The district attorney, the attorney general and the secretary of the Massachusetts Executive Office of Public Safety and Security shall post the report described in subsection (a) of this section within 90 days of the close of the fiscal year in which this bill is enacted, or the fifteenth of February, whichever is first.

SECTION 4. Local Reporting.

(a) Subsection (d) of section 47 of chapter 94C of the General Laws, as so appearing, is hereby further amended by adding the following paragraph:-

"On February fifteenth of each year, each chief of police of such city or town shall file a detailed report with the division of local services of the department of revenue containing the total amounts collected pursuant to subsection d of section 47 of chapter 94C and each expenditure made from such amounts. The division shall post said reports on line within 60 days of said deadlines. Reports filed with said department annually in February fifteenth shall detail such deposits and expenditures of all monies for the preceding fiscal year and the current fiscal year through December thirty-first.".

(b) Effective Date. The chief of police or such city or town shall file the report described in subsection (a) of this section within 90 days of the close of the fiscal year in which this bill is enacted, or the fifteen of February, whichever is first.