

HOUSE No. 988

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan and Paul Tucker

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 update the definition of fentanyl.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>

<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>

HOUSE No. 988

By Messrs. Whelan of Brewster and Tucker of Salem, a petition (accompanied by bill, House, No. 988) of Timothy R. Whelan and others relative to the definition of fentanyl. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to update the definition of fentanyl.

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 32E of chapter 94C of the General Laws is hereby amended by
2 striking subsection (c^{1/2}), as inserted by chapter 136 of the acts of 2015, and inserting in place
3 thereof the following subsection:-

4 (c^{1/2}) Any person who trafficks in fentanyl or any derivative of fentanyl by knowingly or
5 intentionally manufacturing, distributing, dispensing or possessing with intent to manufacture,
6 distribute, or dispense or by bringing into the commonwealth a net weight of 10 grams or more
7 but less than 18 grams of fentanyl or any derivative of fentanyl, or a net weight of 10 grams or
8 more but less than 18 grams of any mixture containing fentanyl or any derivative of fentanyl,
9 shall be punished by a term of imprisonment in state prison for not more than 20 years.

10 SECTION 2. Section 32E of chapter 94C of the General Laws, as appearing in the 2014
11 Official Edition, is hereby further amended by inserting after the phrase “heroin or any salt

12 thereof,” each time said phrase appears in lines 80, 85, 87 and 89, the words:- “fentanyl or any
13 derivative thereof,”