

**HOUSE . . . . . No. 1538**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David F. DeCoste***

*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 relative to protecting law enforcement officers from fentanyl exposure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/12/2021</i>
<i>Boston Police Patrolmen's Association</i>	<i>295 Freeport Street Boston, MA 02122</i>	<i>2/19/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/19/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/24/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/24/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/25/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/25/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/25/2021</i>

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By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 1538) of David F. DeCoste and others relative to the destruction and disposal of fentanyl. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act relative to protecting law enforcement officers from fentanyl exposure.

*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 47A of chapter 94C of the General Laws, as so appearing in the 2018 Official  
2 Edition, is hereby amended by adding the following paragraph:-

3           Notwithstanding any general or special law to the contrary, any controlled substance  
4 confirmed as fentanyl after the required chemical analysis has been performed, in accordance  
5 with this section, shall be delivered to the department of state police to be destroyed or disposed  
6 of in any way not prohibited by law. Such analysis shall be performed by a chemist of the  
7 department of state police or by a chemist at the University of Massachusetts medical school  
8 who shall issue a signed certificate, on oath, of the results of the analysis confirming said seized  
9 controlled substance as fentanyl. Such certificate shall be sworn to before a justice of the peace  
10 or a notary public and shall be prima facie evidence of the composition and quality of such  
11 fentanyl when introduced as evidence before a grand jury or any court proceeding in the  
12 commonwealth.