

HOUSE No. 1538

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> |

HOUSE No. 1538

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.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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.