

SENATE No. 990

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 protections for good samaritans.

PETITION OF:

NAME:

Julian Cyr

DISTRICT/ADDRESS:

Cape and Islands

SENATE No. 990

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 990) of Julian Cyr for legislation relative to protections for good samaritans. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 904 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to protections for good samaritans.

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 34A of chapter 94C of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by adding, after subsection (e), the following new
3 subsection:-

4 (f) A person acting in good faith may provide, administer, or utilize a controlled
5 substance testing product to assist another person in determining whether a controlled substance
6 contains chemicals, toxic substances, or hazardous compounds. A person who, in good faith,
7 provides, administers, or utilizes a controlled substance testing product to assist another person
8 in determining whether a controlled substance contains chemicals, toxic substances, or hazardous
9 compounds shall not be charged or prosecuted for possession of a controlled substance under
10 section 34 if the evidence for the charge of possession of a controlled substance was gained as a

11 result of providing, administering, or utilizing a controlled substance testing product to provide
12 assistance to another person. Controlled substance testing products shall include, but not be
13 limited to, fentanyl test strips.

14 SECTION 2. Section 32I of said chapter 94C is hereby amended by adding, after
15 subsection (d), the following new subsection:-

16 (e) This section shall not apply to supplies obtained at public health programs and
17 deemed necessary by the department.