HOUSE DOCKET, NO. 2741 FILED ON: 1/19/2023

HOUSE . . . . . No. 2002

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño and Mike Connolly

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 harm reduction and racial justice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Samantha Montaño	*15th Suffolk*	*1/19/2023*
Mike Connolly	*26th Middlesex*	*1/27/2023*
Christine P. Barber	*34th Middlesex*	*1/27/2023*
Jack Patrick Lewis	*7th Middlesex*	*1/31/2023*
Vanna Howard	*17th Middlesex*	*2/2/2023*
Natalie M. Higgins	*4th Worcester*	*3/16/2023*
James B. Eldridge	*Middlesex and Worcester*	*3/16/2023*

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HOUSE . . . . . No. 2002

By Representatives Montaño of Boston and Connolly of Cambridge, a petition (accompanied by bill, House, No. 2002) of Samantha Montaño, Mike Connolly and others relative to the possession of controlled substances. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to harm reduction and racial justice.

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

Chapter 94C of the General Laws is hereby amended by striking out section 34, as so appearing, and inserting in place thereof the following section:-

Section 34. No person knowingly or intentionally shall possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter. Except as provided in Section 32L of this Chapter, any person who violates this section shall be subjected to participating in a needs screening to identify health and other service needs, including but not limited to services that may address any substance use disorder and mental health conditions, lack of employment, housing, or food, and any need for civil legal services. The screening should prioritize the individual's self-identified needs for referral to appropriate services. The screening shall be conducted by individuals trained in the use of evidence-based, culturally and gender-competent trauma-informed practices. Upon

verification that the person has completed the screening within forty-five days of when the needs screening was imposed, the citation will be dismissed. Completion of the screening shall not be deemed an admission of any kind and no legal findings shall be made based on the issued citation.