

**SENATE . . . . . No. 926**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Cynthia Stone Creem*

*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 fentanyl test strips.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia Stone Creem</i>	<i>Norfolk and Middlesex</i>	
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>3/15/2023</i>

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 926) of Cynthia Stone Creem for legislation relative to fentanyl test strips. The Judiciary.

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**The Commonwealth of Massachusetts**

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

An Act relative to fentanyl test strips.

*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 1 of chapter 94C is hereby amended by inserting at the end of the  
2 definition of "Drug paraphernalia" the following sentence:-

3           The term “drug paraphernalia” shall not include fentanyl test strips or any testing  
4 equipment or devices solely used, intended for use, or designed to be used to determine whether  
5 a substance contains fentanyl or its analogues.

6           SECTION 2. Said chapter 94 is hereby further amended by inserting after section 19D  
7 the following section:-

8           Section 19E. Any person who, in good faith provides, administers or utilizes fentanyl test  
9 strips or any testing equipment or devices solely used, intended for use, or designed to be used to  
10 determine whether a substance contains fentanyl or its analogues shall not, as a result of the  
11 person’s acts or omissions, be subject to any criminal or civil liability or any professional

- 12 disciplinary action; provided, however, that this section shall not apply to acts of gross
- 13 negligence or willful or wanton misconduct.