

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Steven Owens*

*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 decriminalizing psilocybin as a treatment for PTSD and certain other conditions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/15/2025</i>

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

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act decriminalizing psilocybin as a treatment for PTSD and certain other conditions.

*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. The General Laws are hereby amended by inserting after chapter 94I the  
2 following chapter:-

3 CHAPTER 94J. REMOVING CERTAIN CRIMINAL PENALTIES RELATED TO  
4 PSILOCYBIN NOT MEDICALLY PRESCRIBED

5 SECTION 1. The following words, unless a different meaning is required by the context,  
6 or is specifically described, shall have the following meanings:—

7 “Qualifying condition” means a medical condition for which at least two and a majority  
8 of relevant clinical studies suggest psilocybin therapy in a clinical environment is safe and  
9 tolerable and which is not a disqualifying condition.

10 “Disqualifying condition” means a bipolar disorder, a schizophrenia spectrum disorder, a  
11 Cluster A personality disorder, a Cluster B personality disorder, or a medical condition for which

12 at least two and a majority of relevant clinical studies suggest psilocybin therapy in a clinical  
13 environment is not safe.

14 “Relevant clinical study” means a clinical study relevant to determining if a medical  
15 condition is a qualifying condition or a disqualifying condition. To be relevant to determining  
16 whether a medical condition is a qualifying condition or a disqualifying condition, a clinical  
17 study must examine psilocybin therapy specifically for that medical condition. For example, a  
18 phase 2 study of psilocybin therapy for post-traumatic stress disorder (PTSD) is relevant to  
19 determining whether PTSD is a qualifying condition because the clinical trial is of psilocybin  
20 therapy for PTSD. On the other hand, a pilot study of psilocybin therapy for AIDS survivors that  
21 associates psilocybin therapy with reductions in PTSD symptoms is not relevant to determine  
22 whether PTSD is a qualifying condition because the clinical trial is of psilocybin therapy for  
23 AIDS survivors rather than for individuals diagnosed with PTSD.

24 “Relevant clinical studies” means clinical studies relevant to determining if a medical  
25 condition is a qualifying condition or a disqualifying condition. To be relevant to determining  
26 whether a medical condition is a qualifying condition or a disqualifying condition, a clinical  
27 study must be a relevant clinical study as defined in this act.

## 28 SECTION 2. Limitations.

29 (a) Medical use of psilocybin and psilocin. This chapter shall not be construed to  
30 authorize, recognize, or endorse the medical use of psilocybin or psilocyn. This chapter shall not  
31 be construed to authorize, recognize, or endorse psilocybin or psilocyn as treatments for any  
32 medical condition.

33 (b) Operating under the influence. This chapter does not amend existing penalties for  
34 operating, navigating or being in actual physical control of any motor vehicle, train, aircraft,  
35 motorboat or other motorized form of transport or machinery while impaired by psilocybin or  
36 psilocyn or for consuming psilocybin or psilocin while operating, navigating or being in actual  
37 physical control of any motor vehicle, train, aircraft, motorboat or other motorized form of  
38 transport or machinery.

39 (c) Sale of psilocybin and psilocyn. This chapter shall not be construed to permit the sale  
40 of psilocybin or psilocin under any circumstances.

41 SECTION 4. Public education.

42 The Department of Public Health must publish and maintain a publicly accessible  
43 explanation of this act and the risks of personal psilocybin use on its website within 90 days of  
44 this chapter becoming law. The explanation must include a list of qualifying conditions and a list  
45 of disqualifying conditions that cite relevant clinical studies. The explanation must clearly state  
46 that the state of Massachusetts does not authorize, recognize, or endorse psilocybin or psilocyn  
47 as treatments for any medical condition. The Department of Public Health must subsequently  
48 update this explanation on an annual basis, incorporating relevant new evidence.

49 SECTION 5. Removing certain criminal penalties for veterans, law enforcement officers,  
50 and individuals with qualifying conditions and without disqualifying conditions

51 Notwithstanding any general or special law to the contrary, all of the following shall be  
52 lawful for a person 21 years of age or older who is not professionally, medically diagnosed with  
53 a disqualifying condition and who is a US veteran, current or former US law enforcement  
54 officer, or someone professionally, medically diagnosed with a qualifying condition: the

55 possession, ingestion, obtaining, growing, and transportation of no more than two grams of  
56 psilocybin and psilocyn, excluding the weight of any material such as water, plant, and fungi  
57 material of which the substance is a part or to which the substance is added, dissolved, held in  
58 solution, or suspended.

59           Notwithstanding any general or special law to the contrary, all of the following shall be  
60 lawful for a person 21 years of age or older who is not professionally, medically diagnosed with  
61 a disqualifying condition and who is a US veteran, current or former US law enforcement  
62 officer, or someone professionally, medically diagnosed with a qualifying condition: giving  
63 away or otherwise transferring without remuneration not more than 50 grams of dried psilocybin  
64 mushrooms or half a gram of psilocybin and psilocyn, excluding the weight of any material such  
65 as water, plant, and fungi material of which the substance is a part or to which the substance is  
66 added, dissolved, held in solution, or suspended, to a person 21 years of age or older who is not  
67 professionally, medically diagnosed with a disqualifying condition and who is a US veteran,  
68 current or former US law enforcement officer, or someone professionally, medically diagnosed  
69 with a qualifying condition.

70           SECTION 6. Conditional repeal. 30 days after psilocybin becomes a Schedule II drug,  
71 the above section 5 of this chapter will no longer be in effect.