

**JOINT COMMITTEE ON THE JUDICIARY  
BILL SUMMARY**

**BILL NO.** H1858

**TITLE:** An Act relative to removing criminal penalties for limited psilocybin possession.

**SPONSOR:** Rep. Marc T. Lombardo (BY REQUEST of Timothy Morris)

**COSPONSOR(S):** None

**HEARING DATE:** July 15, 2025

**PRIOR HISTORY:** None

**SENATE BILL:** S1113 (Friedman)

**REPORTING DEADLINE:** September 13, 2025 (subject extensions, in accordance with House Rule 27)

**CURRENT LAW:** Section 31 of Chapter 94C of the General Law designates the classes and types of prohibited drugs under the Controlled Substances Act. Class A primarily includes opioids and derivatives of opioids. Class B includes methamphetamines, opium poppy and poppy straw. Class C includes Psilocybin, Clonazepam, and Diazepam. Class D includes Marijuana. Class E includes all prescription drugs not otherwise listed in the classes.

Section 32B of Chapter 94C punishes the knowing manufacture or distribution of or the intent to manufacture or distribute Class C controlled substances with up to 5 years in state prison or up to 2.5 years in a house of correction or a fine of \$500 to \$5,000, or both fine and incarceration.

Section 32M of Chapter 94C requires juvenile offenders complete drug awareness programs in addition to civil penalties for possession of 2 ounces or less of marijuana. Failure to complete may result in a finding of delinquency.

Section 32N of Chapter 94C directs police departments to enforce the civil penalties for possession of one ounce or less of marijuana in the same manner as a noncriminal disposition of a violation under Section 21D of Chapter 40.

Section 34 of Chapter 94C punishes the knowing possession of a controlled substance with up to 1 year in a house of correction or a fine of not more than \$1,000, or both unless the possession is pursuant to a valid prescription.

**BILL SUMMARY:**

Section 1 – The Act is the “Psilocybin Possession Decriminalization and Community Support Act of 2025”

Section 2 – Adds a new Section 32O to Chapter 94C prohibiting any form of criminal or civil punishment or disqualification the imposition of for the possession of one gram or less of psilocybin and psilocin except for a civil penalty of \$100 and forfeiture of the substance. Exempt from this civil penalty and forfeiture are: (i) military veterans; (ii) first responders; (iii) individuals with documented mental health, physical conditions, terminal illness, life-threatening conditions or end-of-life psychological distress; (iv) individuals participating in clinical research on psilocybin or psilocin; (v) indigenous persons using psilocybin or psilocin for traditional or ceremonial purposes; (vi) individuals providing end-of-life care or support for a person with terminal illness; (vii) healthcare professionals researching or working with psychedelic medicine and individuals who use is connected to such research; (viii) individuals authorized by future legislation for medical or therapeutic use; and (ix) any individual who demonstrates to a court by a preponderance of the evidence that their use of psilocybin or psilocin is for therapeutic, spiritual or personal growth purposes.

Sections 3 and 4 – Update Section 32M of Chapter 94C to add one gram or less of psilocybin and psilocin and a reference to the new Section 32O to the drug education requirements.

Section 5 – Updates Section 32N of Chapter 94C to add this Act to its title.

Section 6 – The Act will take effect 90 days after passage.