

JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY

BILL NO. H1955

TITLE: An Act relative to fentanyl test strips.

SPONSOR: Rep. David M. Rogers and Rep. Greg Schwartz

COSPONSOR(S): Rep. Christopher Hendricks
Rep. Patrick J. Kearney

HEARING DATE: May 6, 2025

PRIOR HISTORY: None

RELATED BILL: S1057 (Creem)

CURRENT LAW: Section 31 of Chapter 94C of the General Laws designates the classes and types of controlled drugs in the commonwealth. Class A primarily includes opioids and derivatives of opioids and fentanyl. 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 32I of Chapter 94C prohibits the sale, manufacture and possession of drug paraphernalia which is defined in Section 1 as all equipment, products, devices and materials of any kind primarily used or designed for use with a controlled substance.

Section 34A½ permits a person acting in good faith and within the scope of their role providing or assisting in the provision of harm reduction services to provide or assist in providing fentanyl test strips without civil or criminal liability or professional disciplinary action.

BILL SUMMARY: Section 1 – Updates the definition of drug paraphernalia in Section 1 of Chapter 94C to include an exception for fentanyl test strips or any testing equipment or device solely used, intended for use or

designed to be used to determine whether a substance contains fentanyl or its analogues.

Section 2 – Adds a new section to Chapter 94C further exempting from criminal or civil liability or professional discipline the use of any testing equipment or device solely used, intended for use or designed to be used to determine whether a substance contains fentanyl or its analogues.