

**SENATE . . . . . No. 2543**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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SENATE, January 2, 2024.

The committee on Senate Ways and Means to whom was referred the Senate Bill relative to fentanyl test strips (Senate, No. 2458), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2543).

For the committee,  
Michael J. Rodrigues

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**In the One Hundred and Ninety-Third General Court  
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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 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by inserting after the word “substances”, in line 123, the  
3 following words:- ; provided, however, that said testing equipment shall not include fentanyl test  
4 strips or any testing equipment or device solely used, intended for use or designed to be used to  
5 determine whether a substance contains fentanyl or its analogues.

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

8           Section 19G. Any person who, in good faith, provides, administers or utilizes a fentanyl  
9 test strip or any testing equipment or device solely used, intended for use or designed to be used  
10 to 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.