

SENATE No. 881

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 updating the definition of fentanyl trafficking.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/26/2017</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>	<i>2/3/2017</i>

SENATE No. 881

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 881) of John F. Keenan, Timothy R. Whelan and Carlos Gonzalez for legislation to update the definition of fentanyl trafficking. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act updating the definition of fentanyl trafficking.

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 32E of chapter 94C of the General Laws is hereby amended by
2 striking subsection (c¹/₂), as inserted by chapter 136 of the acts of 2015, and inserting in place
3 thereof the following subsection:-

4 (c¹/₂) Any person who trafficks in fentanyl or any derivative of fentanyl by knowingly or
5 intentionally manufacturing, distributing, dispensing or possessing with intent to manufacture,
6 distribute, or dispense or by bringing into the commonwealth a net weight of 10 grams or more
7 but less than 18 grams of fentanyl or any derivative of fentanyl, or a net weight of 10 grams or
8 more but less than 18 grams of any mixture containing fentanyl or any derivative of fentanyl,
9 shall be punished by a term of imprisonment in state prison for not more than 20 years.

10 SECTION 2. Section 32E of chapter 94C of the General Laws, as appearing in the 2014
11 Official Edition, is hereby further amended by inserting after the phrase “heroin or any salt

- 12 thereof,” each time said phrase appears in lines 80, 85, 87 and 89, the words:- “fentanyl or any
13 derivative thereof,”