

SENATE No. 926

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 relative to fentanyl test strips.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

Norfolk and Middlesex

SENATE No. 926

By Ms. Creem, a petition (accompanied by bill, Senate, No. 926) of Cynthia Stone Creem for legislation relative to fentanyl test strips. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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 is hereby amended by inserting at the end of the
2 definition of "Drug paraphernalia" the following sentence:-

3 The term “drug paraphernalia” shall not include fentanyl test strips or any testing
4 equipment or devices solely used, intended for use, or designed to be used to determine whether
5 a substance contains fentanyl or its analogues.

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

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