

SENATE No. 968

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 concerning crimes relating to distribution of controlled substances causing death or great bodily harm.

PETITION OF:

NAME:

Bruce E. Tarr

DISTRICT/ADDRESS:

First Essex and Middlesex

SENATE No. 968

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 968) of Bruce E. Tarr for legislation relative to crimes relating to distribution of controlled substances causing death or great bodily harm. The Judiciary.

The Commonwealth of Massachusetts

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

An Act concerning crimes relating to distribution of controlled substances causing death or great bodily harm.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 94C of the General Laws is hereby amended by inserting after section 32N the
2 following new section:-

3 SECTION 32O, Controlled Substances Causing Death or Great Bodily Harm

4 (a) Any person who knowingly or intentionally manufactures, distributes, dispenses,
5 delivers, gives away, barter, administers or provides any amount of a controlled substance or
6 counterfeit substance which results in death shall be punished as murder in the second degree as
7 defined by section 1 of chapter 26..

8 (b) Any person who knowingly causes, induces, abets or provides a person with a
9 controlled substance or counterfeit substance which after being injected, inhaled, ingested or
10 otherwise introduced into the body causes unconsciousness, extreme physical pain, protracted
11 and obvious disfigurement, or protracted loss or impairment of the function of a bodily member,

12 organ, or mental faculty shall have caused great bodily harm and shall be punished by
13 imprisonment in the state prison for not less than ten years.

14 (c) Lack of knowledge of any previous health conditions shall not be a defense to any
15 person who violates the provisions of this section.