

**HOUSE . . . . . No. 1604**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jessica Ann Giannino*

*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 to enact “Stephen’s Law”, relative to the distribution of fentanyl that results in death.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/10/2021</i>

**HOUSE . . . . . No. 1604**

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By Ms. Giannino of Revere, a petition (accompanied by bill, House, No. 1604) of Jessica Ann Giannino relative to the distribution of fentanyl that results in death. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3470 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act to enact “Stephen’s Law”, relative to the distribution of fentanyl that results in death.

*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 section:-

3 Section 32O. A person who unlawfully distributes fentanyl in violation of section 32A or  
4 32F, or trafficks in fentanyl in violation of section 32E, where a death results from the use of  
5 such fentanyl, shall be guilty of homicide by distribution of a controlled substance and shall be  
6 punished by imprisonment in the state prison for not less than 10 years and not more than 20  
7 years and by a fine of not more than \$25,000. For purposes of this section, a death is deemed to  
8 have resulted from the use of fentanyl when the death would not have occurred but for the  
9 injection, inhalation or ingestion of the fentanyl.