

# HOUSE . . . . . No. 4411

By Mr. Donovan of Chelsea, petition of Chester A. Rand that law enforcement officers be authorized to make arrests and institute a search of persons believed to be selling narcotic drugs. The Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

### AN ACT AUTHORIZING SEARCHES IN CASES OF SELLING NARCOTIC DRUGS.

*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 217 of chapter 94 of the General  
2 Laws, as most recently amended by section 3 of chapter 204  
3 of the acts of 1960, is hereby further amended by adding at  
4 the end the following paragraph: —

5 Any police officer or other law enforcement officer who has  
6 authority to make arrests and who has probable cause to  
7 believe that a person is committing a violation of this section  
8 may institute a search of such person, seize any drugs or other  
9 articles and implements unlawfully possessed, and securely keep  
10 the same, provided that such officer shall, within twenty-four  
11 hours of such seizure, Sundays and legal holidays excepted,  
12 apply to a court for the issuance of a complaint.

1 SECTION 2. Section 217 of chapter 94 of the General  
2 Laws, as appearing in section 3 of chapter 204 of the acts of  
3 1960, is hereby further amended by striking out, in lines 7 and  
4 8, the words "except in the case of the first offense".

