

By Senator Polsky

30-00067B-23

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1 A bill to be entitled
2 An act relating to controlled substance testing;
3 amending s. 893.145, F.S.; revising the definition of
4 the term "drug paraphernalia" to exclude certain
5 narcotic-drug-testing products; providing an effective
6 date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (4) of section 893.145, Florida
11 Statutes, is amended to read:

12 893.145 "Drug paraphernalia" defined.—The term "drug
13 paraphernalia" means all equipment, products, and materials of
14 any kind which are used, intended for use, or designed for use
15 in planting, propagating, cultivating, growing, harvesting,
16 manufacturing, compounding, converting, producing, processing,
17 preparing, testing, analyzing, packaging, repackaging, storing,
18 containing, concealing, transporting, injecting, ingesting,
19 inhaling, or otherwise introducing into the human body a
20 controlled substance in violation of this chapter or s. 877.111.
21 Drug paraphernalia is deemed to be contraband which shall be
22 subject to civil forfeiture. The term includes, but is not
23 limited to:

24 (4) Testing equipment used, intended for use, or designed
25 for use in identifying, or in analyzing the strength,
26 effectiveness, or purity of, controlled substances, excluding
27 narcotic-drug-testing products that are used to determine
28 whether a controlled substance contains fentanyl as described in
29 s. 893.03(2)(b)9. or a controlled substance analog, as defined

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30 in s. 893.0356, of fentanyl.

31 Section 2. This act shall take effect July 1, 2023.