

By the Committee on Fiscal Policy; and Senator Gaetz

594-03159-26

2026646c1

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

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9           Section 1. Subsection (4) of section 893.145, Florida  
10          Statutes, is amended to read:

11           893.145 "Drug paraphernalia" defined.—The term "drug  
12          paraphernalia" means all equipment, products, and materials of  
13          any kind which are used, intended for use, or designed for use  
14          in planting, propagating, cultivating, growing, harvesting,  
15          manufacturing, compounding, converting, producing, processing,  
16          preparing, testing, analyzing, packaging, repackaging, storing,  
17          containing, concealing, transporting, injecting, ingesting,  
18          inhaling, or otherwise introducing into the human body a  
19          controlled substance in violation of this chapter or s. 877.111.  
20          Drug paraphernalia is deemed to be contraband which shall be  
21          subject to civil forfeiture. The term includes, but is not  
22          limited to:

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

594-03159-26

2026646c1

30 893.135(1)(c)4.a., or xylazine as described in s.  
31 893.03(1)(c)37. This exclusion does not apply to a narcotic-  
32 drug-testing product that can measure or determine the quantity,  
33 weight, or potency of a controlled substance.

34 Section 2. This act shall take effect July 1, 2026.