

2023164er

1
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 used for a specified
6 purpose; providing applicability; providing an
7 effective date.

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

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

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

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

2023164er

30 s. 893.03(2)(b)9. or any other controlled substance specified in
31 s. 893.135(1)(c)4.a. This exclusion does not apply to a
32 narcotic-drug-testing product that can measure or determine the
33 quantity, weight, or potency of a controlled substance.

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