

ENROLLED

CS/HB 477

2026 Legislature

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An act relating to drug paraphernalia; amending s. 893.145, F.S.; revising the definition of "drug paraphernalia" to exclude certain narcotic-drug-testing products; providing an effective date.

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

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

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

(4) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of, controlled substances, excluding

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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.  
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.