

2025 Regular Session

SENATE BILL NO. 78

BY SENATOR MYERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CONTROL DANGER SUBSTANCE. Provides relative to drug paraphernalia. (gov sig)

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AN ACT

To amend and reenact R.S. 40:1021(B), relative to drug paraphernalia; to provide for exemptions from the definition of drug paraphernalia; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1021(B) is hereby amended and reenacted to read as follows:

§1021. Definitions

* * *

B.(1) Notwithstanding any provision of law to the contrary, the term "drug paraphernalia" shall not include rapid fentanyl test strips (~~FTS~~) or any testing equipment or devices solely used, intended for use, or designed to determine if a substance contains ~~fentanyl or its analogues~~. **any controlled dangerous substance or chemical compound that can cause physical harm or death. Testing equipment may include, but is not limited to, the following:**

(a) Rapid fentanyl test strips.

(b) Portable drug testing kits certified by the FDA or the National

Institute of Justice.

2. Provide that an exempted device will be deemed drug paraphernalia if it is used to facilitate either the manufacture or distribution of controlled dangerous substances.