

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)

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

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

7 §1021. Definitions

8 * * *

9 B. Notwithstanding any provision of law to the contrary, the term "drug
10 paraphernalia" shall not include rapid fentanyl test strips (FTS) or any testing
11 equipment or devices solely used, intended for use, or designed to determine whether
12 a substance contains ~~fentanyl or its analogues~~ **any controlled substance or**
13 **chemical compound that can cause physical harm or death.**

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 78 Engrossed

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Myers

Present law defines "drug paraphernalia" and exempts rapid fentanyl test strips or any testing equipment or devices solely used, intended for use, or designed to determine whether a substance contains fentanyl or its analogues from the definition.

Proposed law expands the definition to include any testing equipment or devices solely used, intended for use, or designed to determine whether a substance contains any controlled substance or chemical compound that can cause physical harm or death.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1021(B))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Make a technical change from "chemical or compound" to "chemical compound".