

SENATE BILL NO. 78

BY SENATOR MYERS AND REPRESENTATIVE CHASSION

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

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 dangerous substance**  
13 **or chemical compound that can cause physical harm or death, provided that the**  
14 **testing equipment is not used to facilitate the manufacture or distribution of any**  
15 **controlled substance in violation of R.S. 40:961 et seq.**

16 \* \* \*

17 Section 2. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_