

2025 Regular Session

HOUSE BILL NO. 156

BY REPRESENTATIVES MACK AND COATES

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

DRUGS/ILLEGAL: Provides relative to the safe handling of fentanyl following an arrest

1 AN ACT

2 To enact Code of Evidence Article 906 and R.S. 15:285, relative to the admission of  
3 fentanyl into evidence; to provide for the exclusion of fentanyl from courthouses; to  
4 provide for exceptions; to provide for safe handling procedures; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Evidence Article 906 is hereby enacted to read as follows:

8 Art. 906. Authentication of fentanyl

9 A. For the purposes of this Section, "fentanyl" shall mean a mixture or  
10 substance containing a detectable amount of fentanyl or its analogs, or carfentanil or  
11 a mixture or substance containing a detectable amount of carfentanil or its analogs.

12 B.(1) A substance containing fentanyl shall be banned from entry into a  
13 courthouse, including substances that have been collected as evidence and which  
14 would otherwise be entered into evidence at a hearing or trial.

15 (2) A party wishing to establish the presence of fentanyl through evidence  
16 shall be permitted to do so by providing an authenticated photograph of the fentanyl  
17 and a certificate of analysis from a criminalistics laboratory operated by a law  
18 enforcement agency which verifies the presence of fentanyl in the photographed  
19 substance.

1           (3) Any controlled substance listed in R.S. 40:964 or otherwise prohibited  
2           by law that a party wishes to enter into evidence shall only be permitted inside a  
3           courthouse with a certificate of analysis from a criminalistics laboratory operated by  
4           a law enforcement agency verifying the substance contains no fentanyl.

5           (4) Persons who have a valid prescription for a medication containing  
6           fentanyl shall be permitted to bring their medication into a courthouse upon  
7           providing court security with a copy of the prescription before entry.

8           Section 2. R.S. 15:285 is hereby enacted to read as follows:

9           §285. Fentanyl prohibited in courthouses; exceptions

10           A. A judge presiding over a trial in which fentanyl is used as evidence may  
11           allow the substance containing fentanyl to be brought into the courthouse if he deems  
12           it necessary for the purposes of the trial. If a judge determines it necessary that a  
13           party be permitted to bring a substance containing fentanyl into a courthouse, the  
14           substance shall be packaged and handled only by law enforcement officers who have  
15           been trained to handle controlled dangerous substances.

16           B. If a substance containing fentanyl is allowed to be brought into a  
17           courthouse, the law enforcement agency which has custody of the substance shall  
18           notify court security not less than one day before the substance is brought into the  
19           courthouse. The notification shall specify the case in which the substance serves as  
20           evidence.

21           C. Under no circumstances shall a substance or package containing fentanyl  
22           be handled or accepted for safekeeping by a clerk of court or any officer of the court  
23           who is not a law enforcement officer who has been trained to handle controlled  
24           dangerous substances. Following the presentation of evidence containing fentanyl,  
25           the substance shall be returned to the officer or agent of the law enforcement agency  
26           that has custody of the substance, and the officer or agent shall notify court security  
27           when he leaves the courthouse with the substance.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

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HB 156 Original

2025 Regular Session

Mack

**Abstract:** Prohibits the physical presence of fentanyl in courthouses and provides for evidence procedures and exceptions.

Present law permits fentanyl to be brought into courthouses as evidence during trials.

Proposed law prohibits bringing fentanyl into courthouses when it is used as evidence.

Proposed law provides for methods of introducing fentanyl into evidence without bringing the substance into a courthouse.

Proposed law provides judges with discretion to allow fentanyl in the courthouse when necessary for the purposes of trial.

Proposed law provides that the law enforcement agency shall notify court security when fentanyl is brought into the courthouse as evidence.

Proposed law provides that only a law enforcement officer who has been trained to handle controlled dangerous substances shall handle fentanyl when being used as evidence during the trial.

(Adds C.E. Art. 906 and R.S. 15:285)