

1 A bill to be entitled
 2 An act relating to controlled substance testing;
 3 amending s. 893.145, F.S.; revising the definition of
 4 the term "drug paraphernalia" to exclude certain
 5 narcotic-drug-testing products; providing an effective
 6 date.

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsection (4) of section 893.145, Florida
 10 Statutes, is amended to read:

11 893.145 "Drug paraphernalia" defined.—The term "drug
 12 paraphernalia" means all equipment, products, and materials of
 13 any kind which are used, intended for use, or designed for use
 14 in planting, propagating, cultivating, growing, harvesting,
 15 manufacturing, compounding, converting, producing, processing,
 16 preparing, testing, analyzing, packaging, repackaging, storing,
 17 containing, concealing, transporting, injecting, ingesting,
 18 inhaling, or otherwise introducing into the human body a
 19 controlled substance in violation of this chapter or s. 877.111.
 20 Drug paraphernalia is deemed to be contraband which shall be
 21 subject to civil forfeiture. The term includes, but is not
 22 limited to:

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

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26 narcotic-drug-testing products that are used to determine
27 whether a controlled substance contains fentanyl as described in
28 s. 893.03(2)(b)9. or a controlled substance analog, as defined
29 in s. 893.0356(2), of fentanyl.

30 Section 2. This act shall take effect July 1, 2023.