

[First Reprint]

ASSEMBLY, No. 5445

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED MAY 23, 2019

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SYNOPSIS

Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on November 18, 2019, with amendments.

(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT concerning the testing of illegal substances seized by law
2 enforcement and supplementing Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. The Attorney General ¹[, in consultation with the
8 Commissioner of Health,]¹ shall ¹[~~establish~~] maintain¹ a program
9 to monitor ¹drug activity in this State and surrounding regions. The
10 program shall provide for multi-jurisdictional sharing of drug
11 incident information among law enforcement agencies. Information
12 related to drug seizures, overdoses, criminal behavior, and health
13 care-related services shall be collected and analyzed for the purpose
14 of:

15 (1) assisting in facilitating the development of enhanced policies
16 and practices to prevent drug abuse and misuse; and

17 (2) mitigating the harm drugs inflict on communities .

18 The program shall monitor and analyze¹trends related to the
19 presence and content of fentanyl in illegal substances seized by law
20 enforcement throughout the State. In order to identify these trends,
21 the Attorney General shall require ¹[all]¹ controlled dangerous
22 substances seized by law enforcement officers in the State to be
23 tested for the presence of fentanyl ¹in accordance with protocols
24 established by the Division of State Police¹.

25 b. The seized substances shall be tested ¹in accordance with
26 protocols established by the Division of State Police¹ to determine
27 whether fentanyl ¹[is] or other potentially lethal substances are¹
28 present in the substance and, if so, any available information related
29 to the presence and content of fentanyl in the substance shall be
30 reported to the Attorney General in a timely manner.

31 c. The testing shall be performed using ¹[the most current drug
32 testing] forensic laboratory analysis¹ techniques ¹[available
33 including, but not limited to, fentanyl testing strips, in order] the
34 Division of State Police determines to be appropriate¹ to evaluate
35 whether a substance contains fentanyl.

36 d. The information received pursuant to subsection b. of this
37 section shall be compiled into a database that is accessible by all
38 law enforcement agencies throughout the State. The information
39 shall be continuously updated to reflect the most current
40 information available concerning the presence of fentanyl in illegal
41 substances in the State.

42
43 2. This act shall take effect ¹[on the first day of the fourth
44 month next following the date of enactment] immediately¹.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted November 18, 2019.