

[First Reprint]

**SENATE, No. 3909**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED JUNE 10, 2019

**Sponsored by:**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Morris, Somerset and Union)**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Co-Sponsored by:**

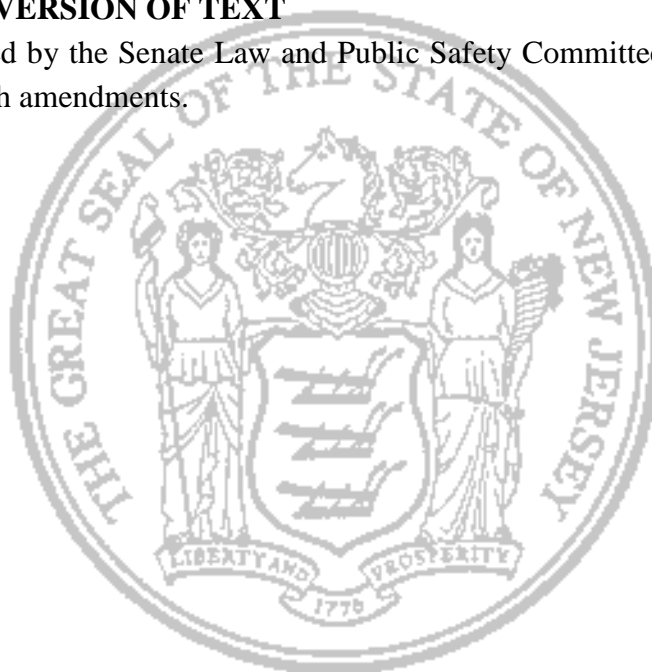
**Senators A.R.Bucco, O'Scanlon and Madden**

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

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

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

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

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

30 c. The testing shall be performed using <sup>1</sup>[~~the most current drug~~  
31 ~~testing~~] forensic laboratory analysis<sup>1</sup> techniques <sup>1</sup>[~~available~~  
32 including, but not limited to, fentanyl testing strips, in order] the  
33 Division of State Police determines to be appropriate<sup>1</sup> to evaluate  
34 whether a substance contains fentanyl.

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

40  
41 2. This act shall take effect <sup>1</sup>[~~on the first day of the fourth~~  
42 ~~month next following the date of enactment~~] immediately<sup>1</sup>.

**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:

<sup>1</sup>Senate SLP committee amendments adopted November 18, 2019.