

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3909

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3909 (1R).

This bill requires the Attorney General to maintain a program to monitor drug activity in this State and surrounding regions. The program is to provide for multi-jurisdictional sharing of drug incident information among law enforcement agencies. Information related to drug seizures, overdoses, criminal behavior, and health care-related services is to be collected and analyzed to assist in facilitating the development of enhanced policies and practices to prevent drug abuse and misuse and to mitigate the harmful drugs inflict on communities.

The program is to monitor and analyze trends related to the presence and content of fentanyl in illegal substances seized by law enforcement throughout the State. To identify these trends, the Attorney General is to require controlled dangerous substances seized by law enforcement officers in the State to be tested for the presence of fentanyl in accordance with protocols established by the Division of State Police.

The substances are to be tested in accordance with protocols established by the Division of State Police to determine whether fentanyl or other potentially lethal substances are present in the seized substance. The testing is to be performed using appropriate forensic laboratory analysis techniques. Available information related to the presence and content of fentanyl in the substance is to be reported to the Attorney General in a timely manner.

The Attorney General is to compile this information into a database that is accessible to all law enforcement agencies throughout the State. The information is to be continuously updated to reflect the most current information available.

As reported by the committee, Senate Bill No. 3909 (1R) is identical to Assembly Bill No. 5445 (1R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill will cause indeterminate annual expenditure increases to the Department of Law and Public Safety (LPS) to maintain the program to test for and

monitor the presence and content of fentanyl in illegal substances seized by law enforcement agencies in the State.

The Division of State Police and local law enforcement officers would be required to test all seized controlled dangerous substances for the presence of fentanyl using forensic laboratory analysis. The bill does not specify whether the State or local law enforcement agencies would be responsible for the cost of conducting the fentanyl testing analysis or for any requisite training by the officers.

The bill requires the Attorney General to maintain a database that contains pertinent information on the presence and content of fentanyl in seized drugs that is accessible by all law enforcement agencies in the State. This requirement may add additional costs to the LPS to develop the database and may necessitate additional expenditures by the LPS and local law enforcement agencies to continuously update the database as new information becomes available.