

ASSEMBLY, No. 2093

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Co-Sponsored by:

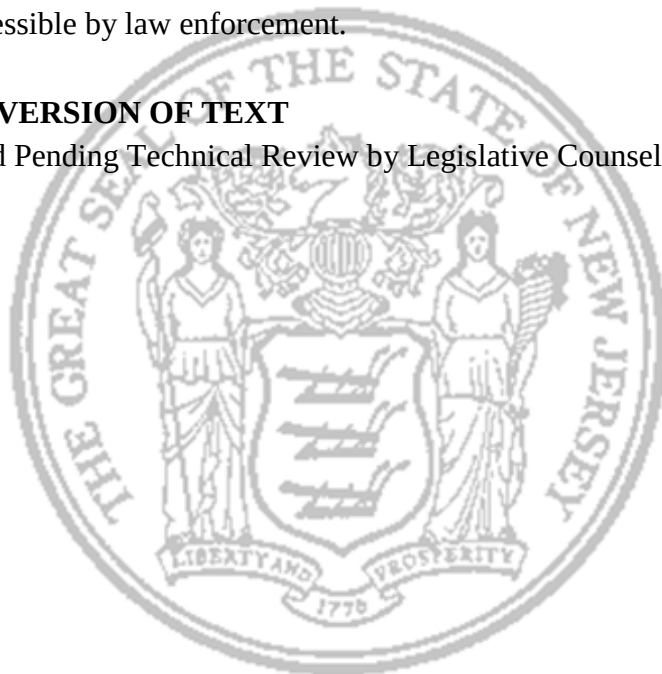
**Assemblywoman Vainieri Huttie, Assemblyman Houghtaling,
Assemblywomen Downey, Lopez, Assemblymen Space, Wirths and
Verrelli**

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

Introduced Pending Technical Review by Legislative Counsel.



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

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

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

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

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

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

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

29 c. The testing shall be performed using forensic laboratory
30 analysis techniques the Division of State Police determines to be
31 appropriate to evaluate whether a substance contains fentanyl.

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

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39 2. This act shall take effect immediately.

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STATEMENT

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44 This bill requires the Attorney General to maintain a program to
45 monitor drug activity in this State and surrounding regions. The
46 program is to provide for multi-jurisdictional sharing of drug
47 incident information among law enforcement agencies. Information
48 related to drug seizures, overdoses, criminal behavior, and health

1 care-related services is to be collected and analyzed to assist in
2 facilitating the development of enhanced policies and practices to
3 prevent drug abuse and misuse and to mitigate the harm drugs
4 inflict on communities.

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

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

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