

Regular Session, 2010

ACT No. 361

HOUSE BILL NO. 271

BY REPRESENTATIVE MILLS

1 AN ACT

2 To enact R.S. 14:102.24, relative to offenses affecting the public generally; to create the
3 crime of unlawfully supplying any product for the purpose of falsifying a screening
4 test; to provide for penalties; to create certain presumptions; to provide for
5 definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:102.24 is hereby enacted to read as follows:

8 §102.24. Unlawfully supplying any product for the purpose of falsifying a screening
9 test

10 A. Unlawfully supplying any product for the purpose of falsifying or altering
11 a drug, urine, or alcohol screening test is committed when a person intentionally:

12 (1) Sells, trades, furnishes, supplies, gives, distributes, or markets human or
13 synthetic urine in this state or transports human or synthetic urine into this state with
14 the intent of using the urine to falsify or alter results in a urine, drug, or alcohol
15 screening test.

16 (2) Advertises for sale any product designed to falsify or alter a urine, drug,
17 or alcohol screening test.

18 (3) Adulterates a urine or other bodily fluid sample with the intent to falsify
19 or alter results in a urine, drug, or alcohol screening test.

20 (4) Possesses adulterants which are intended to be used to adulterate a urine
21 or other bodily fluid sample for the purpose of falsifying or altering results in a urine,
22 drug, or alcohol screening test.

1 (5) Sells, trades, furnishes, supplies, gives, distributes, or markets an
 2 adulterant with the intent by the seller or marketer that the product be used to
 3 adulterate a urine or other bodily fluid sample for the purpose of falsifying or
 4 altering results in a urine, drug, or alcohol screening test.

5 B. The intent to falsify or alter results in a urine, drug, or alcohol screening
 6 test shall be presumed if either of the following occur:

7 (1) A heating element or any other device used to thwart a drug screening
 8 test accompanies the sale, trading, furnishing, supplying, giving, distribution, or
 9 marketing of urine or adulterants.

10 (2) Instructions that provide a method for thwarting a drug screening test
 11 accompany the sale, giving, distribution, or marketing of urine or adulterants.

12 C. As used in this Section, "adulterant" means a substance that is not
 13 expected to be in human urine or a substance expected to be present in human urine
 14 but that is at a concentration so high that it is not consistent with human urine,
 15 including, but not limited to:

16 (1) Bleach.

17 (2) Chromium.

18 (3) Creatinine.

19 (4) Detergent.

20 (5) Glutaraldehyde.

21 (6) Hydrochloric acid.

22 (7) Hydroiodic acid.

23 (8) Iodine.

24 (9) Nitrite.

25 (10) Peroxidase.

26 (11) Potassium dichromate.

27 (12) Potassium nitrite.

28 (13) Pyridinium chlorochromate.

29 (14) Sodium nitrite.

1 D. Whoever commits the crime of unlawfully supplying any product for the
2 purpose of falsifying or altering a drug, urine, or alcohol screening test shall be fined
3 not more than five hundred dollars, or imprisoned for not more than six months, or
4 both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____