



- 1 (3) Controlled substance testing accuracy.
- 2 (4) Identifying new or novel substances.
- 3 (5) Drug organization investigations.
- 4 (6) Cost-effectiveness.

5 **SECTION 2.** Program Requirements. – The pilot program required by this act shall  
6 do, at a minimum, all of the following:

- 7 (1) Provide participating law enforcement agencies with drug-detection devices  
8 meeting the requirements set forth in this subdivision to use in place of  
9 color-based field drug tests for detecting suspected controlled substances.  
10 Drug-detection devices provided under the pilot program shall meet all of the  
11 following requirements:
  - 12 a. Be portable or field-deployable.
  - 13 b. Does not use, depend on, or interpret any visible color change or  
14 visually observed chemical reaction as the primary basis for controlled  
15 substance identification, such as reagent pouches, spot tests, test strips,  
16 crystal or precipitate formation, and technology-assisted interpretation  
17 of a color reaction. Drug-detection device indicators such as indicator  
18 lights or interface colors are not disqualifying under this  
19 sub-subdivision.
  - 20 c. Shall generate and electronically retain a digital analytical signature of  
21 the sample sufficient for independent audit and program evaluation.
  - 22 d. Shall compare the analytical signature to an updatable electronic  
23 reference library to generate an objective identification result, and  
24 shall indicate "no match/unknown," or an equivalent indicator, when  
25 no acceptable match is found.
  - 26 e. Shall include a reference library that is capable of being updated on a  
27 recurring basis to incorporate new and emerging controlled  
28 substances.
  - 29 f. Shall record, at a minimum, the result, the associated analytical  
30 signature, the date and time, and a device identifier.
  - 31 g. Shall support evaluator access to test records and underlying  
32 signatures sufficient for independent audit and program evaluation.
- 33 (2) Use both quantitative and qualitative methods to address all of the following  
34 research questions related to use of a drug-detection device provided under  
35 the pilot program:
  - 36 a. Does access to a drug-detection device change drug enforcement and  
37 case processing outcomes, including arrests and charges, case time  
38 lines, dispositions, and sentences?
  - 39 b. Do "no controlled substance" (NCS) outcomes, such as lab-confirmed  
40 negatives, change after implementation?
  - 41 c. How does the technology affect officer workload, safety practices,  
42 evidentiary workflows, and the work of prosecutors and defense  
43 counsel?
  - 44 d. Do impacts differ by race or ethnicity, geography, or offense type?
  - 45 e. Any other questions determined relevant by the Collaboratory.
- 46 (3) Leverage available data from State agencies deemed relevant by the  
47 Collaboratory to track case-level outcomes across jurisdictions over time.
- 48 (4) Measure (i) drug enforcement and case processing outcomes, including arrest  
49 and charging activity, case resolution time lines, and case dispositions and (ii)  
50 forensic laboratory system impacts, including effects on submission volume,  
51 processing time lines, and confirmation outcomes.

1 (5) Employ appropriate quantitative methods to compare outcomes in pilot  
2 program jurisdictions to comparable non-pilot program jurisdictions before  
3 and after deployment of the drug-detection devices, using research designs  
4 adequate to support causal inference to the extent feasible given available  
5 data. The specific methods, including selection of comparison groups and  
6 outcome measures, shall be determined by the Collaboratory.

7 (6) Conduct qualitative inquiry in pilot program sites using methods appropriate  
8 to the research questions, which may include interviews, focus groups, and  
9 workflow observations. Participants may include law enforcement personnel,  
10 prosecutors, defense counsel, and other stakeholders the Collaboratory  
11 determines have relevant experience. The Collaboratory shall determine the  
12 specific qualitative design, participant selection, and inquiry domains.

13 **SECTION 3.** Use of Third Parties. – In establishing and implementing the pilot  
14 program required under Section 1 of this act, the Collaboratory shall consult with persons or  
15 entities the Collaboratory deems to be subject matter experts in drug detection, law enforcement,  
16 and public policy. Additionally, the Collaboratory may collaborate with any person or entity that  
17 the Collaboratory deems appropriate to assist in establishing and implementing the pilot program  
18 required by this act. Any person or entity utilized by the Collaboratory under the authority set  
19 forth in this section shall have the same access to data and cooperation provided to the  
20 Collaboratory under Section 4 of this act.

21 **SECTION 4.** Data Access and Cooperation. – State agencies that maintain data  
22 determined by the Collaboratory to be relevant to the pilot program required by this act, including  
23 the Administrative Office of the Courts and the North Carolina State Crime Laboratory, shall  
24 make available to the Collaboratory such data as the Collaboratory deems may be reasonably  
25 necessary to conduct the pilot program, to the extent permitted by applicable State and federal  
26 law and subject to appropriate privacy protections and data use agreements. A State agency that  
27 is requested to provide assistance to the Collaboratory in performing its duties shall assist the  
28 Collaboratory, to the extent the assistance provided by the State agency is consistent with its  
29 duties under the law. As a condition of participation in the pilot program, participating law  
30 enforcement agencies shall cooperate with the Collaboratory in the conduct of the pilot program,  
31 including by making relevant personnel available for interview and providing access to  
32 operational documents and records related to the pilot program. Nothing in this section shall  
33 require the disclosure of information that would compromise an ongoing investigation, reveal a  
34 confidential informant, or is otherwise confidential or privileged under State or federal law.

35 **SECTION 5.** Participating Law Enforcement Agencies. – The Collaboratory shall  
36 select the law enforcement agencies who will participate in the pilot program required by this  
37 act. The Collaboratory shall ensure that the law enforcement agencies it selects are representative  
38 of law enforcement throughout the State, including agencies from rural and urban areas of the  
39 State and agencies that would allow for analysis of data from the I-85 and I-95 drug-trafficking  
40 corridors.

41 **SECTION 6.** Reports. – The Collaboratory shall provide all of the following reports  
42 to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research  
43 Division:

44 (1) Beginning three months from the effective date of this act, and every three  
45 months thereafter, an interim report providing updates on the establishment  
46 and implementation of the pilot program required by this act.

47 (2) By no later than two years from the date the Collaboratory receives the funds  
48 appropriated in Section 7 of this act, a final report detailing the findings of the  
49 pilot program and any data deemed relevant by the Collaboratory.

50 **SECTION 7.** Appropriation. – There is appropriated from the General Fund to the  
51 Collaboratory the sum of one million seven hundred fifty thousand dollars (\$1,750,000) in

1 nonrecurring funds for the 2026-2027 fiscal year to be used for costs related to the development  
2 and implementation of the pilot program required by this act, including purchasing equipment  
3 and adding any additional staffing. Notwithstanding any provision of law to the contrary, any  
4 funds remaining unspent or unencumbered at the end of the 2026-2027 fiscal year shall not revert  
5 but shall remain available to spend until the pilot program expires.

6 **SECTION 8.** Definition and Construction. – For purposes of this act, the term  
7 "drug-detection device" means a device designed to detect the presence of controlled substances  
8 and not impairment of nor consumption by a person. Nothing in this act shall be construed as  
9 altering or otherwise affecting (i) the standard of proof required for arrest or conviction under  
10 current law or (ii) the types of drug tests currently admissible in a court of law.

11 **SECTION 9.** Effective Date and Expiration. – Section 7 of this act becomes effective  
12 July 1, 2026. The remainder of this act is effective when it becomes law. The pilot program  
13 required by this act shall expire on the earlier of the date the final report required under Section  
14 6 of this act is provided or December 1, 2028.