

115TH CONGRESS
1ST SESSION

S. 2008

To combat the opioid epidemic and drug sample backlogs.

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2017

Mrs. SHAHEEN (for herself and Ms. HASSAN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To combat the opioid epidemic and drug sample backlogs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Combating the Opioid
5 Epidemic Through Forensic Drug Testing Act of 2017”.

6 **SEC. 2. CONFRONTING THE USE OF HEROIN AND ASSOCI-**
7 **ATED DRUGS.**

8 Title I of the Omnibus Crime Control and Safe
9 Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended
10 by adding at the end the following:

1 **“PART LL—CONFRONTING THE USE OF HEROIN**
2 **AND ASSOCIATED DRUGS**
3 **“SEC. 3021. AUTHORITY TO MAKE GRANTS TO ADDRESS**
4 **PUBLIC SAFETY AND HEROIN DISTRIBUTION,**
5 **SALE, AND USE.**

6 “(a) PURPOSE.—The purpose of this section is to as-
7 sist States and Indian tribes to—

8 “(1) carry out programs to address the dis-
9 tribution, sale, and use of heroin, fentanyl, and asso-
10 ciated synthetic drugs; and

11 “(2) improve the ability of State, tribal, and
12 local government institutions to carry out such pro-
13 grams.

14 “(b) GRANT AUTHORIZATION.—The Attorney Gen-
15 eral, through the Bureau of Justice Assistance, may make
16 grants to States to address the distribution, sale, and use
17 of heroin, fentanyl, and associated synthetic drugs to en-
18 hance public safety.

19 “(c) GRANT PROJECTS TO ADDRESS DISTRIBUTION,
20 SALE, AND USE OF HEROIN, FENTANYL, AND ASSOCI-
21 ATED SYNTHETIC DRUGS.—Grants made under sub-
22 section (b) may be used for programs, projects, and other
23 activities to—

24 “(1) reimburse State, local, or other forensic
25 science laboratories and medical examiner and cor-
26 oner offices to—

1 “(A) help address backlogs of untested
2 samples of heroin, fentanyl, and associated syn-
3 thetic drugs; and

4 “(B) conduct autopsies and toxicology test-
5 ing related to drug overdose deaths from sus-
6 pected heroin, fentanyl, and associated syn-
7 thetic drugs;

8 “(2) reimburse State, local, or other forensic
9 science laboratories and medical examiner and cor-
10 oner offices for procuring equipment, technology, or
11 other support systems if the applicant for the grant
12 demonstrates to the satisfaction of the Attorney
13 General that expenditures for such purposes would
14 result in improved efficiency of laboratory testing
15 and help prevent future backlogs;

16 “(3) reimburse State, tribal, and local law en-
17 forcement agencies for procuring field-testing equip-
18 ment for use in the identification or detection of her-
19 oin, fentanyl, and associated synthetic drugs;

20 “(4) investigate, arrest, and prosecute individ-
21 uals violating laws related to the distribution or sale
22 of heroin, fentanyl, and associated synthetic drugs;
23 and

1 “(5) support State, tribal, and local health de-
2 partment services deployed to address the use of
3 heroin, fentanyl, and associated synthetic drugs.

4 “(d) LIMITATION.—Not less than 60 percent of the
5 amounts made available to carry out this section shall be
6 awarded for the purposes under paragraph (1) or (2) of
7 subsection (c).

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 \$10,000,000 for each of fiscal years 2018, 2019, and
11 2020.

12 “(f) ALLOCATION.—

13 “(1) POPULATION ALLOCATION.—Seventy-five
14 percent of the amount made available to carry out
15 this section in a fiscal year shall be allocated to each
16 State that meets the requirements of section 2802
17 so that each State shall receive an amount that
18 bears the same ratio to the 75 percent of the total
19 amount made available to carry out this section for
20 that fiscal year as the population of the State bears
21 to the population of all States.

22 “(2) DISCRETIONARY ALLOCATION.—

23 “(A) IN GENERAL.—Twenty-five percent of
24 the amount made available to carry out this
25 section in a fiscal year shall be allocated pursu-

1 ant to the discretion of the Attorney General
2 for competitive grants to States with high rates
3 of primary treatment admissions for heroin and
4 other opioids, for use by State law enforcement
5 agencies.

6 “(B) CONSIDERATIONS.—In making
7 grants under subparagraph (A), the Attorney
8 General shall consider—

9 “(i) the average annual number of
10 part 1 violent crimes reported by each
11 State to the Federal Bureau of Investiga-
12 tion for the 3 most recent calendar years
13 for which data is available; and

14 “(ii) the existing resources and cur-
15 rent needs of the potential grant recipient.

16 “(3) MINIMUM REQUIREMENT.—Each State
17 shall receive not less than 0.6 percent of the amount
18 made available to carry out this section in each fis-
19 cal year.

20 “(4) CERTAIN TERRITORIES.—

21 “(A) IN GENERAL.—For purposes of the
22 allocation under this section, American Samoa
23 and the Commonwealth of the Northern Mar-
24 iana Islands shall be considered as 1 State.

1 “(B) ALLOCATION AMONGST CERTAIN TER-
2 RITORIES.—For purposes of subparagraph (A),
3 67 percent of the amount allocated shall be al-
4 located to American Samoa and 33 percent
5 shall be allocated to the Commonwealth of the
6 Northern Mariana Islands.”.

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