Codebook for Drug Paraphernalia Laws and Access to Drug Checking Equipment

Prepared by the Center for Public Health Law Research

November 2023

DRUG PARAPHERNALIA LAWS AND ACCESS TO DRUG CHECKING EQUIPMENT
November 2023

Codebook

This codebook describes the variables in a dataset that examines variation in state laws and regulations regarding drug paraphernalia, particularly focusing on laws that expand access to drug checking equipment (e.g. fentanyl test strips) in all 50 states and the District of Columbia. This dataset is cross-sectional and is valid through November 1, 2023. The jurisdictions selected for measurements are the 50 states and the District of Columbia.

There are three standard variables in every PDAPS dataset. They are:

JURISDICTION:
This is a dropdown selection in each coding form. It includes the jurisdictions coded in the dataset.

EFFECTIVE DATE:
This date (MM/DD/YYYY) is the most recent effective date of the legal text captured for this place. The effective date represents the date the policy coded was put into effect.

VALID THROUGH DATE:
This date (MM/DD/YYYY) is the last date the policy was in effect as reflected by the legal text captured to code this policy.

An important note about the Statistical data page:
This codebook should be used in conjunction with the statistical data extract that can be downloaded from the dataset homepage by clicking on the Data button. The value labels defined below will correspond with the coded responses you will see on the Statistical data page. Coding questions that are not answered will show as a period (".") in the Excel cell. Coding questions can be intentionally not answered, such as when a state does not have a law and the coder therefore leaves the remaining coding answers as unanswered.

An important note about the Effective Date:
This dataset captures only those laws in the included jurisdictions in effect on November 1, 2023. The effective date represents the date on which the most recent amendment among the laws contained within that record as of November 1, 2023 (the data collection date), came into effect as the law of the jurisdiction. For example, a law included in this dataset may have gone into effect on January 1, 2022, and since it was the most recent law in effect as of November 1, 2023, it would be included in these data. That does not make this dataset longitudinal. This dataset does not purport to measure the law as it existed prior to the data collection date (in this case, November 1, 2023), or provide the original date the law was signed by the executive.

Questions	
Question 1:	**What acts are prohibited in relationship to drug paraphernalia?**
Question Type:	Categorical - check all that apply
Variable Name 1(A):	**drug_para_prohibit_Possession**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(B):	**drug_para_prohibit_Distribution**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(C):	**drug_para_prohibit_Sale**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(D):	**drug_para_prohibit_Advertisement**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(E):	**drug_para_prohibit_Manufacture**
Variable Values:	0, 1
Value Label:	0 = No

Value Label:	1 = Yes
Variable Name 1(F):	**drug_para_prohibit_Selling to a minor**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(G):	**drug_para_prohibit_Distributing to a minor**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1(H):	**drug_para_prohibit_No acts are prohibited**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 1.1:	**What is the nature of the penalty for violation of the prohibition related to drug paraphernalia?**
Question Type:	Categorical - check all that apply
Variable Name 1.1(A):	**drug_para_penalty_Criminal**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 1.1(B):	**drug_para_penalty_Civil**
Variable Values:	0, 1
Value Label:	0 = No

Value Label:	1 = Yes
Question 2:	**Does the definition of drug paraphernalia explicitly refer to syringes or injection equipment?**
Question Type:	Categorical - check all that apply
Variable Name 2(A):	**drug_para_syringe_Yes, needles, syringes, or hypodermic devices are included in the definition**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 2(B):	**drug_para_syringe_Yes, equipment for injection or injecting are included in the definition**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 2(C):	**drug_para_syringe_No**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 2(D):	**drug_para_syringe_No, syringes, needles, hypodermic devices, or objects used for injecting are not included in the definition because they are explicitly exempted**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 2.1:	**Does the definition of drug paraphernalia explicitly exclude syringes, needles, hypodermic devices, or objects used for injecting drugs?**

Question Type:	Binary - mutually exclusive
Variable Name 2.1:	**drug_para_exclude_syringe**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 3:	**Does the definition of drug paraphernalia explicitly refer to drug checking, analyzing, or testing equipment?**
Question Type:	Categorical - mutually exclusive
Variable Name 3:	**drug_paraphernalia_checking**
Variable Values:	0, 1, 2, 3
Value Label:	0 = Yes
Value Label:	1 = No
Value Label:	2 = No, drug checking, analyzing, or testing are not included in the definition because they are explicitly exempted
Value Label:	3 = No, drug checking, analyzing, or testing are not included in the definition but are explicitly exempted in a separate statute(s)
Question 3.1:	**Does state law explicitly exempt drug testing equipment from the definition of drug paraphernalia?**
Question Type:	Binary - mutually exclusive
Variable Name 3.1:	**drug_para_exempt_testing**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Question 3.1.1:	**What drug testing equipment is exempt?**
Question Type:	Categorical - check all that apply

Variable Name 3.1.1(A):	**drug_para_testing_exempt_Fentanyl test strips**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 3.1.1(B):	**drug_para_testing_exempt_Single-use drug test strips**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 3.1.1(C):	**drug_para_testing_exempt_Drug testing equipment**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 3.1.1(D):	**drug_para_testing_exempt_Any drug testing equipment meant to determine the presence of fentanyl or fentanyl analog**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes
Variable Name 3.1.1(E):	**drug_para_testing_exempt_Any drug testing equipment meant to test for a synthetic opioid**
Variable Values:	0, 1
Value Label:	0 = No
Value Label:	1 = Yes