

[~118H4795]

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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend title 18, United States Code, with respect to attempted murder
and the trafficking of fentanyl.

IN THE HOUSE OF REPRESENTATIVES

Mr. LAWLER introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 18, United States Code, with respect to
attempted murder and the trafficking of fentanyl.

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 “Fentanyl Kills Act”.

5 **SEC. 2. ATTEMPTED MURDER AND TRAFFICKING OF**
6 **FENTANYL.**

7 Section 1111 of title 18, United States Code, is
8 amended—

9 (1) in subsection (c)—

1 (A) in paragraph (5), by striking “; and”
2 and inserting a semicolon;

3 (B) in paragraph (6), by striking the pe-
4 riod at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(7) the term ‘trafficked fentanyl’ means—

7 “(A) any illicit activity—

8 “(i) to produce, manufacture, dis-
9 tribute, sell, or knowingly finance or trans-
10 port—

11 “(I) illicit fentanyl, including any
12 controlled substance that is a syn-
13 thetic opioid and any listed chemical
14 (as defined in section 102 of the Con-
15 trolled Substances Act (21 U.S.C.
16 802)) that is a synthetic opioid uti-
17 lized for fentanyl production; or

18 “(II) active pharmaceutical ingre-
19 dients or chemicals that are used in
20 the production of fentanyl;

21 “(ii) to attempt to carry out an activ-
22 ity described in subparagraph (A); or

23 “(iii) to assist, abet, conspire, or
24 collude with any other person to carry out
25 an activity described in subparagraph (A);

1 “(B) a violation of section 401(a)(1) of the
2 Controlled Substances Act (21 U.S.C.
3 841(a)(1)) involving manufacturing, distrib-
4 uting, or dispensing, or possessing with intent
5 to manufacture, distribute, or dispense, fentanyl
6 or a fentanyl-related substance in or into the
7 United States;

8 “(C) an attempt or conspiracy to commit
9 a violation described in paragraph (2);

10 “(D) having manufactured, distributed, or
11 dispensed, or possessed with intent to manufac-
12 ture, distribute, or dispense, fentanyl or a
13 fentanyl-related substance outside the United
14 States with the intention of such fentanyl or
15 fentanyl-related substance being distributed or
16 dispensed in or into the United States in viola-
17 tion of section 401(a)(1) or 406 of the Con-
18 trolled Substances Act (21 U.S.C. 841(a)(1),
19 846); or

20 “(E) having produced or manufactured,
21 distributed, or dispensed, or possessed with in-
22 tent to manufacture, distribute, or dispense, a
23 substance that is a precursor to fentanyl or a
24 fentanyl-related substance with the intention of
25 such precursor, fentanyl, or fentanyl-related

1 substance being distributed or dispensed in or
2 into the United States in violation of section
3 401(a)(1) or 406 of the Controlled Substances
4 Act (21 U.S.C. 841(a)(1), 846).”; and
5 (2) by adding at the end the following:
6 “(d) Any individual who has been found to have traf-
7 ficked fentanyl shall be deemed to have attempted to per-
8 petrate murder under subsection (a) and shall be subject
9 to the penalty pursuant to subsection (b).”.