

**AMENDMENT TO H.R. 467, AS REPORTED
OFFERED BY MR. TONY GONZALES OF TEXAS**

Add at the end of the bill the following:

**1 SEC. 7. FENTANYL DISTRIBUTION RESULTING IN DEATH
2 PUNISHED AS FELONY MURDER.**

3 Section 1111 of title 18, United States Code, is
4 amended—

5 (1) in subsection (a), by inserting “, distrib-
6 uting fentanyl” after “child abuse”;

7 (2) in subsection (b)—

8 (A) by striking “(b) Within” and inserting
9 “(b)(1) Within”; and

10 (B) by adding at the end the following:

11 “(2) Whoever is guilty of murder in the first degree
12 by distributing fentanyl shall be punished by death or by
13 imprisonment for life.”; and

14 (3) in subsection (c)—

15 (A) by redesignating paragraphs (4)
16 through (6) as paragraphs (6) through (8), re-
17 spectively; and

18 (B) by inserting after paragraph (3) the
19 following:

1 “(4) the terms ‘controlled substance’, ‘dis-
2 tribute’, and ‘distributor’ have the meanings given
3 the terms in section 102 of the Controlled Sub-
4 stances Act (21 U.S.C. 802);

5 “(5) ‘distributing fentanyl’ means to distribute
6 a controlled substance—

7 “(A) involving 2 grams or more of a mix-
8 ture or substance containing a detectable
9 amount of N-phenyl-N-[1-(2-phenylethyl)-4-
10 piperidinyl] propanamide or .5 grams or more
11 of a mixture or substance containing a detect-
12 able amount of any analogue of N-phenyl-N-[1-
13 (2-phenylethyl)-4-piperidinyl] propanamide;

14 “(B) that results in death from the use of
15 such mixture or substance; and

16 “(C) knowing or having reason to know
17 contains a detectable amount of such mixture
18 or substance.”.

