

House Bill 932

By: Representatives Mathis of the 149<sup>th</sup>, Gunter of the 8<sup>th</sup>, Gullett of the 19<sup>th</sup>, Vance of the 133<sup>rd</sup>, Lott of the 131<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 16-5-1 of the Official Code of Georgia Annotated, relating to  
2 murder, malice murder, felony murder, and murder in the second degree, so as to provide for  
3 the offense of drug-induced homicide; to provide for related matters; to repeal conflicting  
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 16-5-1 of the Official Code of Georgia Annotated, relating to murder, malice  
8 murder, felony murder, and murder in the second degree, is amended by revising subsections  
9 (d) and (e) and adding a new subsection to read as follows:

10 "(d) A person commits the offense of murder when, in the commission of a violation of  
11 subsection (b) or (c) of Code Section 16-13-30, he or she causes the death of another  
12 human being irrespective of malice, by manufacturing or distributing the Schedule II  
13 controlled substance fentanyl or any controlled substance containing fentanyl or any  
14 derivative thereof.

15 (e) A person commits the offense of murder in the second degree when, in the commission  
16 of cruelty to children in the second degree, he or she causes the death of another human  
17 being irrespective of malice.

18 ~~(e)(1)~~(f)(1) A person convicted of the offense of murder shall be punished by death, by  
19 imprisonment for life without parole, or by imprisonment for life.

20 (2) A person convicted of the offense of murder in the second degree shall be punished  
21 by imprisonment for not less than ten nor more than 30 years."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.