

118TH CONGRESS
1ST SESSION

H. R. 4795

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

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2023

Mr. LAWLER (for himself, Mr. VALADAO, and Mr. BAIRD) introduced the following bill; which was referred to the Committee on the Judiciary

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 by adding at the end the following:

9 “(d) Any individual who has been found to have traf-
10 ficked fentanyl shall be deemed to have attempted to per-

1 petrate murder under subsection (a) and shall be subject
2 to the penalty pursuant to subsection (b).

3 “(e) In this section, the term ‘trafficked fentanyl’
4 means—

5 “(1) any illicit activity—

6 “(A) to produce, manufacture, distribute,
7 sell, or knowingly finance or transport—

8 “(i) illicit fentanyl, including any con-
9 trolled substance that is a synthetic opioid
10 and any listed chemical (as defined in sec-
11 tion 102 of the Controlled Substances Act
12 (21 U.S.C. 802)) that is a synthetic opioid
13 utilized for fentanyl production; or

14 “(ii) active pharmaceutical ingredients
15 or chemicals that are used in the produc-
16 tion of fentanyl;

17 “(B) to attempt to carry out an activity
18 described in subparagraph (A); or

19 “(C) to assist, abet, conspire, or collude
20 with any other person to carry out an activity
21 described in subparagraph (A);

22 “(2) a violation of section 401(a)(1) of the Con-
23 trolled Substances Act (21 U.S.C. 841(a)(1)) involv-
24 ing manufacturing, distributing, or dispensing, or
25 possessing with intent to manufacture, distribute, or

1 dispense, fentanyl or a fentanyl-related substance in
2 or into the United States;

3 “(3) an attempt or conspiracy to commit a vio-
4 lation described in paragraph (2);

5 “(4) having manufactured, distributed, or dis-
6 pensed, or possessed with intent to manufacture,
7 distribute, or dispense, fentanyl or a fentanyl-related
8 substance outside the United States with the inten-
9 tion of such fentanyl or fentanyl-related substance
10 being distributed or dispensed in or into the United
11 States in violation of section 401(a)(1) or 406 of the
12 Controlled Substances Act (21 U.S.C. 841(a)(1),
13 846); or

14 “(5) having produced or manufactured, distrib-
15 uted, or dispensed, or possessed with intent to man-
16 ufacture, distribute, or dispense, a substance that is
17 a precursor to fentanyl or a fentanyl-related sub-
18 stance with the intention of such precursor, fentanyl,
19 or fentanyl-related substance being distributed or
20 dispensed in or into the United States in violation
21 of section 401(a)(1) or 406 of the Controlled Sub-
22 stances Act (21 U.S.C. 841(a)(1), 846).”.

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