

SENATE FILE NO. SF0181

Drug induced homicide.

Sponsored by: Senator(s) Schuler, Baldwin and Hutchings and
Representative(s) Berger

A BILL

for

1 AN ACT relating to crimes and offenses; amending the
2 offense of drug-induced homicide as specified; and
3 providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 6-2-108(a)(i), by amending and
8 renumbering (ii) as (B), by creating a new paragraph (ii),
9 (b) and by creating a new subsection (c) is amended to
10 read:

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12 **6-2-108. Drug induced homicide; penalty.**

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14 (a) A person is guilty of drug induced homicide if:

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1 (i) He:

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3 (A) Is an adult or is at least four (4)
4 years older than the victim; and

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6 ~~(ii)~~ (B) He Violates W.S. 35-7-1031(a)(i) or
7 (ii) or (b)(i) or (ii) by unlawfully delivering a
8 controlled substance to a minor and that minor dies as a
9 result of the injection, inhalation, ingestion or
10 administration by any other means of any amount of that
11 controlled substance.

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13 (ii) He violates W.S. 35-7-1031(a)(i) by
14 unlawfully delivering fentanyl, heroin or methamphetamine
15 to another person and that person dies as a result of the
16 injection, inhalation, ingestion or administration by any
17 other means of any amount of the fentanyl, heroin or
18 methamphetamine.

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20 (b) Except as provided in W.S. 6-2-109 and subject to
21 subsection (c) of this section, drug induced homicide is a
22 felony punishable by imprisonment in the penitentiary for
23 not more than twenty (20) years.

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2 (c) It shall be a mitigating circumstance at
3 sentencing for any person convicted under this section if
4 the person:

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6 (i) Contacted law enforcement or emergency
7 medical services to report the need for medical assistance
8 for the victim as a result of a drug-related overdose; or

9

10 (ii) Provided first aid or other medical
11 assistance to the victim if the victim experienced a
12 drug-related overdose.

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14 **Section 2.** This act is effective July 1, 2023.

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(END)