

**HOUSE COMMITTEE AMENDMENTS**

2021 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 69 by Senator Mizell

1 AMENDMENT NO. 1

2 On page 2, delete lines 9 through 13 in their entirety and insert the following:

3 **"B.(1) Whoever commits the crime of aggravated distribution of a**  
 4 **controlled dangerous substance as provided in Subsection A(1) or (2) of this**  
 5 **Section shall be imprisoned at hard labor for not more than twenty years and**  
 6 **in addition may be fined not more than fifty thousand dollars.**

7 **(2) Whoever commits the crime of aggravated distribution of a**  
 8 **controlled dangerous substance as provided in Subsection A(1) or (2) of this**  
 9 **Section when the offender distributes or dispenses fentanyl or a mixture or**  
 10 **substance containing a detectable amount of fentanyl or its analogues, or**  
 11 **carfentanil or a mixture or substance containing a detectable amount of**  
 12 **carfentanil or its analogues, shall be imprisoned at hard labor for not less than**  
 13 **five years nor more than forty years and in addition may be fined not more than**  
 14 **fifty thousand dollars.**

15 **(3) Whoever commits the crime of aggravated distribution of a**  
 16 **controlled dangerous substance as provided in Subsection A(3) of this Section**  
 17 **shall be imprisoned at hard labor for not less than five years nor more than**  
 18 **forty years and in addition may be fined not more than fifty thousand dollars."**

19 AMENDMENT NO. 2

20 On page 2, between lines 17 and 18 insert the following:

21 **"D. Notwithstanding any other provision of law to the contrary, a person**  
 22 **acting in good faith who seeks medical assistance for an individual experiencing**  
 23 **a drug-related overdose may not be charged, prosecuted, or penalized for**  
 24 **aggravated distribution of a controlled dangerous substance if the evidence for**  
 25 **aggravated distribution of a controlled dangerous substance was obtained as a**  
 26 **result of the person's seeking medical assistance. Protection in this Subsection**  
 27 **from prosecution for aggravated distribution of a controlled dangerous**  
 28 **substance may not be grounds for suppression of evidence in other criminal**  
 29 **prosecutions."**