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**HOUSE COMMITTEE AMENDMENTS**

2023 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 586 by Representative Stefanski

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**1** AMENDMENT NO. 1**2** On page 1, between lines 9 and 10, insert the following:**3**        "§2800.77. Liability for fentanyl ingestion"**4** AMENDMENT NO. 2**5** On page 1, line 10, after "facilitating" and before "fentanyl" delete "any illegal" and insert  
**6** "illicit"**7** AMENDMENT NO. 3**8** On page 1, line 11, after "activity" and before "shall" delete "directly or through an agent"**9** AMENDMENT NO. 4**10** On page 1, line 12, after "damages" and before "resulting" insert "for serious bodily injury  
**11** or death"**12** AMENDMENT NO. 5**13** On page 1, line 12, after "of" delete the remainder of the line and delete line 13 in its entirety  
**14** and insert the following:**15**        "illicit fentanyl in this state if the person or foreign state was engaging in or  
**16**        facilitating illicit fentanyl trafficking or its related commercial activity at any time  
**17**        within six months of the ingestion resulting in the injury or death."**18** AMENDMENT NO. 6**19** On page 1, line 16, after "from" and before "fentanyl" change "illegal" to "illicit"**20** AMENDMENT NO. 7**21** On page 1, line 17, after "activity" and before "shall" delete the comma "," and delete  
**22** "directly or through an agent,"**23** AMENDMENT NO. 8**24** On page 1, at the end of line 18, change "illegal" to "illicit fentanyl"**25** AMENDMENT NO. 9**26** On page 1, line 20, after "of" and before "fentanyl" change "illegal" to "illicit"**27** AMENDMENT NO. 10**28** On page 1, line 19, after "agent," and before "of" insert "at any time within six months"

1 AMENDMENT NO. 11

2 On page 2, between lines 2 and 3 insert the following:

3 "(3) Credible information or statistical data from sources whose accuracy  
4 cannot reasonably be questioned including publications of information or statistical  
5 data provided by the United States government, its agencies, courts, or congress, or  
6 publications of information by this state, its agencies, courts, or legislature, of illicit  
7 fentanyl trafficking or its related commercial activity by a foreign state or person  
8 shall be sufficient evidence in order for the plaintiff to meet the burden of proof for  
9 the establishment of an action brought pursuant to this Section."

10 AMENDMENT NO. 12

11 On page 2, line 3, after "ingesting" and before "fentanyl" insert "illicit"

12 AMENDMENT NO. 13

13 On page 2, at the end of line 4, change "illegal" to "illicit"

14 AMENDMENT NO. 14

15 On page 2, at the end of line 7, change "illegal" to "illicit".

16 AMENDMENT NO. 15

17 On page 2, line 13, after "commerce" delete the remainder of the line and delete lines 14  
18 through 21 in their entirety and insert "relating to illicit fentanyl trafficking."

19 AMENDMENT NO. 16

20 On page 2, at the beginning of line 22, change "(d)" to "(b)"

21 AMENDMENT NO. 17

22 On page 2, delete lines 24 through 29 in their entirety

23 AMENDMENT NO. 18

24 On page 3, at the beginning of line 1, change "(3)" to "(2)"

25 AMENDMENT NO. 19

26 On page 3, between lines 1 and 2 insert the following:

27 "(3) "Illicit fentanyl" means any of the following:

28  
29 (a) A mixture or substance containing a detectable amount of fentanyl or its  
30 analogues, or carfentanil, or a mixture or substance containing a detectable amount  
31 of carfentanil, or a mixture or substance containing a detectable amount of  
32 carfentanil or its analogues, as provided by R.S. 40:967. It shall not include any  
33 substance obtained directly or pursuant to a valid prescription or order from a  
34 practitioner, as provided in R.S. 40:978, while acting in the course of the  
35 practitioner's professional practice.

36 (b) A mixture or substance containing a detectable amount of fentanyl  
37 precursor agents, licit or illicit, that can be used in the production of fentanyl."

1 AMENDMENT NO. 20

2 On page 3, line 2, after "the" and before "absorption" insert "taking,"

3 AMENDMENT NO. 21

4 On page 3, at the end of line 4 delete "foreign"

5 AMENDMENT NO. 22

6 On page 3, at the beginning of line 5, delete "government" and insert "association"

7 AMENDMENT NO. 23

8 On page 3, delete lines 11 and 12 in their entirety and insert the following:

9 "(7) "Trafficking" means any of the following:

10 (a) Any activity, directly or through an agent, to produce, manufacture,  
11 distribute, sell, knowingly finance, or transport illicit fentanyl or to cause or facilitate  
12 illicit fentanyl to be placed into the stream of commerce.

13 (b) Any activity, directly or through an agent to assist, conspire, or collude  
14 with any other person to carry out activity described in Subparagraph (a) of this  
15 Paragraph.

16 (c) Any activity by a foreign state, directly or through an agent, to facilitate  
17 or allow by silent acquiescence or otherwise the placement of licit or illicit fentanyl  
18 precursor agents into the stream of commerce under circumstances whereby the  
19 fentanyl precursor agents are likely to be manufactured into illicit fentanyl and  
20 transported into the United States or this state."

21 AMENDMENT NO. 24

22 On page 3, line 14, after "of" and before "fentanyl" change "illegal" to "illicit"

23 AMENDMENT NO. 25

24 On page 3, line 15, after "distribute" and before "fentanyl" insert "illicit"