
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

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 19, after "agent," and before "of" insert "at any time within six months"**27** AMENDMENT NO. 10**28** On page 1, line 20, after "of" and before "fentanyl" change "illegal" to "illicit"

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

35 (b) A mixture or substance containing a detectable amount of fentanyl
36 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"