

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

Committee/Subcommittee hearing bill: Criminal Justice
Subcommittee

Representative Koster offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

**Section 1. Subsection (5) of section 782.04, Florida
Statutes, is renumbered as subsection (6), and a new subsection
(5) is added to that section to read:**

782.04 Murder.—

(5) (a) As used in this subsection, the term:

1. "Dangerous fentanyl or fentanyl analogs" means any
controlled substance described in s. 893.135(1)(c)4.a.(I)–(VII).

2. "Distribute" has the same meaning as in s. 893.02.

(b) The unlawful killing of a human being, when
perpetrated without any design to effect death, which resulted

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17 from the unlawful distribution by a person less than 18 years of
18 age of any substance or mixture that he or she knew or
19 reasonably should have known contained dangerous fentanyl or
20 fentanyl analogs when such substance or mixture is proven to
21 have caused, or is proven to have been a substantial factor in
22 producing, the death of the user, is murder in the third degree
23 and constitutes a felony of the second degree, punishable as
24 provided in s. 775.082, s. 775.083, or s. 775.084.

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27 **T I T L E A M E N D M E N T**

28 Remove everything before the enacting clause and insert:
29 An act relating to unlawful distribution of controlled
30 substances resulting in death; amending s. 782.04,
31 F.S.; defining the terms "dangerous fentanyl or
32 fentanyl analogs" and "distribute"; creating an
33 offense of third degree murder; providing penalties;
34 providing an effective date.