

1 A bill to be entitled
2 An act relating to unlawful distribution of controlled
3 substances resulting in death; amending s. 782.04,
4 F.S.; defining the terms "dangerous fentanyl or
5 fentanyl analogs" and "distribute"; creating an
6 offense of murder in the third degree; providing
7 penalties; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 **Section 1. Subsection (5) of section 782.04, Florida**
12 **Statutes, is renumbered as subsection (6), and a new subsection**
13 **(5) is added to that section to read:**

14 782.04 Murder.—

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

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

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

19 (b) The unlawful killing of a human being, when
20 perpetrated without any design to effect death, which resulted
21 from the unlawful distribution by a person less than 18 years of
22 age of any substance or mixture that he or she knew or
23 reasonably should have known contained dangerous fentanyl or
24 fentanyl analogs when such substance or mixture is proven to
25 have caused, or is proven to have been a substantial factor in

26 producing, the death of the user, is murder in the third degree
27 and constitutes a felony of the second degree, punishable as
28 provided in s. 775.082, s. 775.083, or s. 775.084.

29 **Section 2.** This act shall take effect July 1, 2025.