

2025612e1

A bill to be entitled
An act relating to unlawful distribution of controlled
substances resulting in death; amending s. 782.04,
F.S.; defining the terms "dangerous fentanyl or
fentanyl analogs" and "distribute"; creating an
offense of murder in the third degree; providing
penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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

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