

SECOND REGULAR SESSION

HOUSE BILL NO. 2358

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BYRNES.

3952H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 579.022, RSMo, and to enact in lieu thereof one new section relating to the offense of delivery of a controlled substance causing death, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 579.022, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 579.022, to read as follows:

579.022. 1. A person commits the offense of delivery of a controlled substance causing death if a person delivers or distributes a controlled substance under section 579.020, **or delivers or distributes a controlled substance under section 579.020** knowing **that** such substance is mixed with another controlled substance, and a death results from the use of such controlled substance.

2. It shall not be a defense that the user contributed to the user's own death by using the controlled substance or consenting to the administration of the controlled substance by another.

3. The offense of delivery of a controlled substance causing death is a class A felony.

4. For purposes of this section, "controlled substance" means a Schedule I or Schedule II controlled substance, as defined in section 195.017.

5. The provisions of this section shall apply to any person who commits any offense in another jurisdiction that if committed in this state would be the offense of delivery of a controlled substance causing death.

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EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.