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**HOUSE FLOOR AMENDMENTS**

2023 Regular Session

Amendments proposed by Representative Marino to Engrossed House Bill No. 90 by Representative Stefanski

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before "relative to" change "R.S. 40:967(B)(4)(a) and  
3 (E)(1)," to "R.S. 40:967(B)(4)(a) and (b)(i), (C)(4)(introductory paragraph) and (E)(1),"

4 AMENDMENT NO. 2

5 On page 1, line 6, after "more;" and before "to provide" insert "to provide relative to  
6 possession of fentanyl; to provide relative to fentanyl or fentanyl base or carfentanil or  
7 carfentanil base;"

8 AMENDMENT NO. 3

9 On page 1, line 9, after "Section 1." and before "are" change "R.S. 40:967(B)(4)(a) and  
10 (E)(1)" to "R.S. 40:967(B)(4)(a) and (b)(i), (C)(4)(introductory paragraph) and (E)(1)"

11 AMENDMENT NO. 4

12 On page 1, line 16, after "(4)(a)" delete the remainder of the line and delete lines 17 and 18  
13 in their entirety and insert the following:

14 "Fentanyl or fentanyl base or a mixture or substance containing a ~~detectable amount~~  
15 ~~of~~ fentanyl or its analogues, or carfentanil or carfentanil base or a mixture or  
16 substance containing a ~~detectable amount~~ of carfentanil or its analogues, upon  
17 conviction for any an amount;"

18 AMENDMENT NO. 5

19 On page 2, between lines 7 and 8 insert the following:

20 " (b)(i) If the offender unlawfully distributes or dispenses fentanyl or fentanyl  
21 base or a mixture or substance containing a ~~detectable amount~~ of fentanyl or its  
22 analogues, or carfentanil or carfentanil base or a mixture or substance containing a  
23 ~~detectable amount~~ of carfentanil or its analogues, which is the direct cause of serious  
24 bodily injury to the person who ingested or consumed the substance, the offense shall  
25 be classified as a crime of violence, and the offender shall be imprisoned at hard  
26 labor for not less than five years nor more than forty years. At least five years of the  
27 sentence of imprisonment shall be imposed without benefit of probation, parole, or  
28 suspension of sentence. In addition, the offender may be required to pay a fine of not  
29 more than fifty thousand dollars.

\* \* \*

31 C. Possession. It is unlawful for any person knowingly or intentionally to  
32 possess a controlled dangerous substance as classified in Schedule II unless such  
33 substance was obtained directly or pursuant to a valid prescription or order from a  
34 practitioner, as provided in R.S. 40:978 while acting in the course of his professional  
35 practice, or except as otherwise authorized by this Part. Any person who violates  
36 this Subsection with respect to:

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2  
3  
4  
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\* \* \*

(4) Fentanyl or fentanyl base or a mixture or substance containing a  
~~detectable amount~~ of fentanyl or its analogues, or carfentanil or carfentanil base or  
a mixture or substance containing a ~~detectable amount~~ of carfentanil or its analogues,  
upon conviction for an amount of:"