

## Senate Amendments to House Bill No. 607

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6        SECTION 1. This act shall be known and may be cited as  
7 "Parker's Law."

8        SECTION 2. (1) A person who delivers or causes the delivery  
9 of fentanyl with knowledge of the fentanyl commits the crime of  
10 "fentanyl delivery resulting in death" when as a result of the  
11 unlawful delivery of fentanyl in exchange for anything of value to  
12 another person, death to a person results from the proximate cause  
13 of injection, oral ingestion or inhalation of the fentanyl. Upon  
14 conviction for violating the provisions of this section, the  
15 person shall be sentenced to imprisonment no less than twenty (20)  
16 years to a term of life in the custody of the Mississippi  
17 Department of Corrections.

18        (2) For purposes of this act only, any person, who, in good  
19 faith, without malice and in the absence of evidence of an intent  
20 to defraud, seeks medical assistance for someone experiencing a  
21 fentanyl overdose shall not be charged or prosecuted for a

22 violation of this section, if the evidence for the charge was  
23 gained as a result of the seeking of medical assistance.

24 (3) For purposes of this act:

25 (a) "Fentanyl" means fentanyl and any fentanyl-related  
26 substances, to include fentanyl analogs, as set forth in Article  
27 3, Chapter 29 of Title 41 of the Mississippi Code of 1972.

28 (b) "In exchange for anything of value" does not apply  
29 to the act of sharing fentanyl when the sharing results in the  
30 proximate cause of a person's death under this section.

31 (4) The legislative intent for this bill is to assist in  
32 prosecuting any person who sells or otherwise profits from the  
33 sale of unlawful fentanyl, which causes the death of another  
34 person. It is not the intent of this Legislature for the  
35 provisions of this section to be used to prosecute a drug user or  
36 drug addict who has shared fentanyl with a friend or associate and  
37 the friend or associate dies as a result of the sharing.

38 (5) The provisions of this section shall not be construed to  
39 limit, restrict or otherwise prohibit an indictment or conviction  
40 for any other crime that may be related to a violation of this  
41 section.

42 (6) The Joint Legislative Committee on Performance  
43 Evaluation and Expenditure Review shall create an annual report of  
44 the number of persons convicted under the provisions of this act;  
45 and shall provide the report to the House and Senate Judiciary B  
46 committees by January 5, of each year.

47           (7) This section shall stand repealed from and after July 1,  
48 2025.

49           **SECTION 3.** This act shall take effect and be in force from  
50 and after July 1, 2022, and shall stand repealed on June 30, 2022.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO CREATE "PARKER'S LAW"; TO CREATE THE CRIME OF  
2 "FENTANYL DELIVERY RESULTING IN DEATH"; TO PROVIDE THE PENALTY FOR  
3 SUCH CRIME; TO PROVIDE AN EXCEPTION FOR THOSE WHO SEEK MEDICAL  
4 ATTENTION; TO DEFINE CERTAIN TERMS; AND FOR RELATED PURPOSES.

SS08\HB607A.1J

Eugene S. Clarke  
Secretary of the Senate