

118TH CONGRESS
1ST SESSION

H. R. 6671

To authorize the court to make an advisory statement under certain circumstances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2023

Mr. ISSA (for himself, Mr. CALVERT, Mr. KILEY, Mr. LAMALFA, and Mr. OBERNOLTE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the court to make an advisory statement under certain circumstances, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Alexandra’s Law Act
5 of 2023”.

1 **SEC. 2. CONTROLLED SUBSTANCES ADVISORY STATEMENT.**

2 Section 401 of the Controlled Substances Act (21
3 U.S.C. 841) is amended by adding at the end the fol-
4 lowing:

5 “(i) **ADVISORY STATEMENT.**—

6 “(1) **CONVICTION.**—Any person who is con-
7 victed of, or enters a plea of guilty or no contest, to
8 an offense under this section with respect to which
9 death occurred, may be charged with homicide.

10 “(2) **COURT ADVISING.**—A court shall advise
11 any person who is convicted of, or enters a plea of
12 guilty or no contest to, an offense under this section
13 involving N-phenyl-N-[1-(2-phenylethyl)-4-
14 piperidinyl] propanamide, or an analogue thereof,
15 exchanged for anything of value, with respect to
16 which death occurred, of the following:

17 ““You are hereby advised that all illicit drugs and counter-
18 feit pills are dangerous to human life and become even
19 deadlier when they are, sometimes unknowingly, mixed
20 with substances such as fentanyl and analogues of
21 fentanyl. People can and have died from these substances,
22 even in very small doses. It is extremely dangerous and
23 deadly to human life to sell or administer drugs, in any
24 form, when not lawfully authorized to do so. If you do
25 so in the future and a person dies as a result of that ac-
26 tion, and you knew or should have known that the sub-

1 stance you provided contained fentanyl or a fentanyl ana-
2 logue, you may be charged with an offense under section
3 1111 or 1112 of title 18, United States Code. This convic-
4 tion will be considered by a judge or jury as to whether
5 you knew or should have known that the substance you
6 provided to the decedent contained fentanyl.’.

7 “(3) EVIDENCE.—

8 “(A) IN GENERAL.—Except as provided in
9 paragraph (4), in the case of a defendant who
10 is charged with an offense under section 1111
11 of 1112 of title 18, United States Code, with
12 respect to a death involving N-phenyl-N-[1-(2-
13 phenylethyl)-4-piperidinyl] propanamide or an
14 analogue thereof, exchanged for anything of
15 value, a previous conviction for, or a plea of
16 guilty or no contest to, an offense under this
17 section involving N-phenyl-N-[1-(2-
18 phenylethyl)-4-piperidinyl] propanamide, or an
19 analogue thereof, in exchange for anything of
20 value, with respect to which death occurred,
21 may be used as evidence that the defendant had
22 knowledge that the substance provided to the
23 decedent contained N-phenyl-N-[1-(2-
24 phenylethyl)-4-piperidinyl] propanamide or an
25 analogue thereof.

1 “(B) ADMISSION OF STATE COURT AC-
2 KNOWLEDGMENT.—Any sworn statement used
3 in State court that is substantially similar to
4 the statement in paragraph (2) shall be admis-
5 sible in a Federal court.

6 “(C) ADMISSION OF FEDERAL COURT AC-
7 KNOWLEDGMENT.—Any sworn statement in
8 paragraph (2) may be admissible in a State
9 court.

10 “(4) EXCEPTION.—Paragraph (3) shall not
11 apply to the prosecution of an individual who was a
12 minor at the time at which the individual committed
13 the offense.”.

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