

FOODS, DRUGS, OILS, AND COMPOUNDS

CHAPTER 646

SENATE BILL NO. 2396

(Legislative Management)

AN ACT to amend and reenact subsection 2 of section 19-03.1-22.6 of the North Dakota Century Code, relating to a special penalty for death or injury through distribution of illegal drugs; to provide a penalty; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 19-03.1-22.6 of the North Dakota Century Code is amended and reenacted as follows:

2. An individual is guilty of causing death or injury by distributing a controlled substance if the individual willfully ~~supplies another to deliver a controlled substance to an individual who consumes the controlled substance and that delivers a controlled substance, or supplies another to deliver or consume a controlled substance, and an~~ individual dies or is injured from overdosing after consuming a portion of ~~the~~that controlled substance.
 - a. A violation of this section is a class A felony.
 - b. This section does not limit a conviction under chapter 12.1-16, but an individual may not be found guilty of this section and an offense under chapter 12.1-16 if the conduct arises out of the same course of conduct.

SECTION 2. EFFECTIVE DATE. This Act becomes effective immediately upon its filing with the secretary of state.

Approved October 25, 2023

Filed October 25, 2023