AN ACT concerning crimes and punishment; relating to distribution of
controlled substances causing death or great bodily harm.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Distribution of a controlled substance causing great
bodily harm is distributing a controlled substance in violation of K.S.A.
2012 Supp. 21-5705, and amendments thereto, when the
great bodily harm results from the use of such controlled substance
distributed causes or contributes to an effect on the body resulting in great bodily harm to a
user of such controlled substance.

(b) Distribution of a controlled substance causing death is distributing
a controlled substance in violation of K.S.A. 2012 Supp. 21-5705, and
amendments thereto, when the death results from the use of such controlled substance
distributed causes or contributes to an effect on the body resulting in the death of a user of such controlled substance.

(c) (1) Distribution of a controlled substance causing great bodily
harm is a nondrug severity level 5, person felony.

(2) Distribution of a controlled substance causing death is a nondrug
severity level 1, person felony.

(d) It shall not be a defense that the user contributed to the user's own
great bodily harm or death by using the controlled substance or consenting
to the administration of the controlled substance by another.

(e) As used in this section:

(1) "Controlled substance" has the same meaning as defined in
K.S.A. 2012 Supp. 21-5701, and amendments thereto, and also includes
"controlled substance analog" as defined in K.S.A. 2012 Supp. 21-5701,
and amendment thereto;

(2) "distribute" has the same meaning as defined in K.S.A. 2012
Supp. 21-5701, and amendments thereto; and

(3) "use" means injection, inhalation, ingestion or other introduction
into the body.

(f) This section shall be part of and supplemental to the Kansas
criminal code.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.