

Effective Prosecution of Possession of Biological Toxins and Agents Act of 2019

[Public Law 116–31]

[This law has not been amended]

[Currency: This publication is a compilation of the text of Public Law 116–31. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>]

[Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

AN ACT To amend section 175b of title 18, United States Code, to correct a scrivener’s error.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [18 U.S.C. 1 note] SHORT TITLE.

This Act may be cited as the “Effective Prosecution of Possession of Biological Toxins and Agents Act of 2019”.

SEC. 2. PROHIBITION ON THE POSSESSION OF BIOLOGICAL TOXINS AND AGENTS.

Section 175b of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “(a)(1) No restricted” and all that follows through the end of paragraph (1) and inserting the following:

“(a) OFFENSE.—

“(1) IN GENERAL.—It shall be unlawful for a restricted person to—

“(A) ship, transport, or possess in or affecting interstate or foreign commerce any biological agent or toxin described in paragraph (2); or

“(B) receive any biological agent or toxin described in paragraph (2) that has been shipped or transported in interstate or foreign commerce.

“(2) AGENTS AND TOXINS COVERED.—A biological agent or toxin described in this paragraph is a biological agent or toxin that—

“(A) is listed as a non-overlap or overlap select biological agent or toxin under part 73 of title 42, Code of Federal Regulations, pursuant to section 351A of the Public Health Service Act (42 U.S.C. 262a); and

Sec. 2 **Effective Prosecution of Possession of Biological...** **2**

“(B) is not excluded or exempted under part 73 of title 42, Code of Federal Regulations.”; and
(B) by striking “(2) Whoever” and inserting “(3) Penalty.—Whoever” and adjusting the margin accordingly; and
(2) in subsection (d), in the matter preceding paragraph (1), by inserting “Definitions.—” before “In this section.”.