

Public Law 116–31  
116th Congress

An Act

July 25, 2019  
[S. 744]

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

Effective  
Prosecution of  
Possession of  
Biological Toxins  
and Agents Act  
of 2019.  
18 USC 1 note.

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

**SECTION 1. 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

“(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:”.

Approved July 25, 2019.

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LEGISLATIVE HISTORY—S. 744 (H.R. 1986):

HOUSE REPORTS: No. 116–141 (Comm. on the Judiciary) accompanying H.R. 1986.  
CONGRESSIONAL RECORD, Vol. 165 (2019):

May 16, considered and passed Senate.  
July 10, considered and passed House.