

115TH CONGRESS
1ST SESSION

H. R. 3883

To provide for enhanced penalties for certain offenses relating to controlled substances containing fentanyl, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2017

Mr. REED (for himself and Mr. CHABOT) 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 provide for enhanced penalties for certain offenses relating to controlled substances containing fentanyl, 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 “Help Ensure Lives
5 are Protected Act of 2017” or the “HELP Act of 2017”.

1 **SEC. 2. ENHANCED PENALTIES FOR CERTAIN OFFENSES**
2 **RELATING TO CONTROLLED SUBSTANCES**
3 **CONTAINING FENTANYL.**

4 (a) CONTROLLED SUBSTANCES ACT AMEND-
5 MENTS.—Section 401(b) of the Controlled Substances Act
6 (21 U.S.C. 841(b)) is amended by adding at the end the
7 following:

8 “(8) In the case of a violation of subsection (a)
9 involving a mixture or substance in an amount of
10 100 grams or more, if the mixture or substance con-
11 taining a detectable amount of heroin also contains
12 a detectable amount of N-phenyl-N-[1-(2-
13 phenylethyl)-4-piperidinyl] propanamide or any ana-
14 logue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
15 propanamide, and if death or serious bodily injury
16 results from the use of such substance, such person
17 shall be sentenced to life imprisonment or death.

18 “(9) In the case of a violation of subsection (a)
19 involving a mixture or substance in an amount of
20 100 grams or more, if the mixture or substance con-
21 taining a detectable amount of N-phenyl-N-[1-(2-
22 phenylethyl)-4-piperidinyl] propanamide or any ana-
23 logue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
24 propanamide was represented to be or sold as her-
25 oin, and if death or serious bodily injury results

1 from the use of such substance, such person shall be
2 sentenced to life imprisonment or death.”.

3 (b) CONTROLLED SUBSTANCES IMPORT AND EXPORT
4 ACT AMENDMENTS.—Section 1010(b) of the Controlled
5 Substances Import and Export Act (21 U.S.C. 960(b)) is
6 amended by adding at the end the following:

7 “(8) In the case of a violation of subsection (a)
8 involving a mixture or substance in an amount of
9 100 grams or more, if the mixture or substance con-
10 taining a detectable amount of heroin also contains
11 a detectable amount of N-phenyl-N-[1-(2-
12 phenylethyl)-4-piperidinyl] propanamide or any ana-
13 logue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
14 propanamide, and if death or serious bodily injury
15 results from the use of such substance, such person
16 shall be sentenced to life imprisonment or death.

17 “(9) In the case of a violation of subsection (a)
18 involving a mixture or substance in an amount of
19 100 grams or more, if the mixture or substance con-
20 taining a detectable amount of N-phenyl-N-[1-(2-
21 phenylethyl)-4-piperidinyl] propanamide or any ana-
22 logue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
23 propanamide was represented to be or sold as her-
24 oin, and if death or serious bodily injury results

- 1 from the use of such substance, such person shall be
- 2 sentenced to life imprisonment or death.”.

