- 1 S.58
- 2 An act relating to public safety
- 3 The Senate concurs in the House proposal of amendment with the following
- 4 proposals of amendment thereto:
- 5 <u>First</u>: In Sec. 14, 18 V.S.A. § 4233a, by striking out subsection (d) in its
- 6 entirety and inserting in lieu thereof the following:
- 7 (d) As used in this section, "knowingly" means actual knowledge that
- 8 one or more preparations, compounds, mixtures, or substances contain fentanyl
- 9 or consciously ignoring a substantial risk that one or more preparations,
- 10 <u>compounds, mixtures, or substances contain fentanyl.</u>
- 11 Second: In Sec. 15, 18 V.S.A. § 4234, by striking out subdivision (b)(4) in
- 12 its entirety and inserting in lieu thereof the following:
- 13 (4) As used in this section, "knowingly" means actual knowledge that
- 14 one or more preparations, compounds, mixtures, or substances contain the
- 15 regulated drug identified in this section or consciously ignoring a substantial
- 16 risk that one or more preparations, compounds, mixtures, or substances contain
- 17 the regulated drug identified in this section.
- 18 <u>Third</u>: In Sec. 16, 18 V.S.A. § 4233b, by adding a subsection (d) to read as
  19 follows:

- 1 (d) As used in this section, "knowingly" means actual knowledge that
- 2 one or more preparations, compounds, mixtures, or substances contain
- 3 xylazine or consciously ignoring a substantial risk that one or more
- 4 preparations, compounds, mixtures, or substances contain xylazine.
- 5 <u>Fourth</u>: By adding a new section to be Sec. 17a to read as follows:
- 6 Sec. 17a. VERMONT SENTENCING COMMISSION; PERMISSIVE
- 7 INFERENCE
- 8 Not later than October 15, 2024, the Vermont Sentencing Commission shall
- 9 make a recommendation to the General Assembly whether in 18 V.S.A.
- 10 § 4250, selling or dispensing with death resulting, there should be a permissive
- 11 inference that the proximate cause of death is the person's use of the regulated
- 12 drug if the regulated drug contains fentanyl.
- 13 Fifth: In Sec. 18, 18 V.S.A. § 4252a, after the first sentence, by inserting
- 14 the following:
- 15 Unless the person is held without bail for another offense, the State's Attorney
- 16 shall request conditions of release. The court may include as a condition of
- 17 release that the person is prohibited from coming within a fixed distance of the
- 18 <u>dwelling</u>.