



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 5, 2024

SB 1075 – Criminal Law – Distribution of Heroin or Fentanyl Causing Serious Bodily Injury or Death (Victoria and Scottie’s Law)

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

This bill seeks to create a new crime for the distribution of heroin or fentanyl which results in the death or serious bodily injury of another, which carries a maximum sentence of 20 years in imprisonment. In the bill, “distribute” does NOT include the sharing of heroin or fentanyl without remuneration or the exchange of goods or services. This bill is strictly targeting drug dealers who sell heroin or fentanyl to others.

Under current law, in most cases, outside of charging a drug dealer with “distributing a controlled dangerous substance,” it is almost impossible for State’s Attorneys to hold a drug dealer accountable for selling a lethal product.

Additionally, this bill includes a good Samaritan provision. A person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after using heroin or fentanyl is immune from criminal prosecution under the bill if evidence for the criminal prosecution was obtained solely as a result of medical assistance being conducted.

This bipartisan, common-sense legislation is a much needed change to allow prosecutors to hold those accountable who knowingly sell poison to the public, resulting in the death of around 200 people across the United States every day. Over 30 states including California have already passed similar legislation that holds drug dealers accountable when they sell a lethal product that kills someone.

I respectfully request a favorable report on Senate Bill 1075.