

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 235 Session of  
2023

INTRODUCED BY MASTRIANO, LANGERHOLC, STEFANO, DUSH AND VOGEL,  
JANUARY 31, 2023

REFERRED TO JUDICIARY, JANUARY 31, 2023

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal homicide, providing for  
3 the offense of fentanyl delivery resulting in death.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 2506.1. Fentanyl delivery resulting in death.

9 (a) Legislative intent.--

10 (1) The General Assembly's intent of this section is to  
11 assist in prosecuting a person who sells or otherwise profits  
12 from the sale of unlawful fentanyl that causes the death of  
13 another person.

14 (2) This section may be referred to as "Tyler's Law."

15 (b) Offense defined.--A person commits a felony of the first  
16 degree if the person intentionally sells or engages in a  
17 monetary transaction to distribute fentanyl and the distribution  
18 results in the death of another person due to the use of the

1 fentanyl.

2 (c) Mandatory minimum penalty.--A person convicted of a  
3 violation of subsection (b) shall be sentenced to a minimum  
4 sentence of at least 25 years of total confinement,  
5 notwithstanding any other provision of this title or any other  
6 statute to the contrary. In no case shall the sentence exceed a  
7 maximum sentence of 50 years of total confinement.

8 (d) Drug overdose response immunity.--The immunity provided  
9 for under section 13.7 of the act of April 14, 1972 (P.L.233,  
10 No.64), known as The Controlled Substance, Drug, Device and  
11 Cosmetic Act, shall apply to this section.

12 (e) Construction.--The provisions of this section shall not  
13 be construed to limit, restrict or otherwise prohibit an  
14 indictment or conviction for another crime that may be related  
15 to a violation of this section.

16 Section 2. This act shall take effect in 60 days.