

1 SENATE BILL 255

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Jay C. Block

10 AN ACT

11 RELATING TO CONTROLLED SUBSTANCES; PROVIDING THAT A PERSON WHO
12 TRAFFICKS FENTANYL RESULTING IN DEATH IS GUILTY OF FIRST DEGREE
13 MURDER AND SHALL SERVE A MANDATORY THIRTY-YEAR SENTENCE.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the Controlled Substances Act
17 is enacted to read:

18 "[NEW MATERIAL] TRAFFICKING OF FENTANYL RESULTING IN
19 DEATH.--

20 A. Trafficking of fentanyl resulting in death
21 consists of the intentional and unlawful trafficking or
22 distribution of any amount of fentanyl to another person that
23 results in the death of that person by cause of injecting,
24 inhaling, absorbing or ingesting the fentanyl. Whoever commits
25 trafficking of fentanyl resulting in death is guilty of first

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1 degree murder and shall serve a mandatory thirty-year sentence.

2 B. In any prosecution for trafficking of fentanyl
3 resulting in death, it is no defense that the deceased
4 purposefully, knowingly, recklessly or negligently injected,
5 inhaled, absorbed or ingested any amount of fentanyl."

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