

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 178

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO HOMICIDE; PROVIDING LEGISLATIVE INTENT; AND AMENDING CHAPTER  
2 40, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-4018, IDAHO  
3 CODE, TO PROVIDE THAT A PERSON WHO COMMITS CERTAIN ACTIONS INVOLVING  
4 HEROIN SHALL BE GUILTY OF SECOND DEGREE MURDER.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. LEGISLATIVE INTENT. The Legislature finds that heroin is an  
8 inherently dangerous substance. It is highly addictive, often results in a  
9 loss of judgment, and its use has resulted in the death of many users. These  
10 dangerous attributes are generally known by Idahoans, and any person who  
11 sells heroin for ultimate use is hereby given notice of the drug's dangerous  
12 characteristics and the possible deadly consequences of its use.

13 SECTION 2. That Chapter 40, Title 18, Idaho Code, be, and the same is  
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
15 ignated as Section 18-4018, Idaho Code, and to read as follows:

16 18-4018. HEROIN-INDUCED HOMICIDE. Whoever, without intent to cause  
17 death, proximately causes the death of a human being by, directly or indi-  
18 rectly, unlawfully selling, bartering, exchanging or distributing heroin,  
19 as classified in section 37-2705(c) (11), Idaho Code, for sale or resale, is  
20 guilty of second degree murder in accordance with section 18-4003, Idaho  
21 Code.