

SENATE FILE NO. SF0009

Fentanyl to minors-enhanced penalty.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to controlled substances; providing for an  
2 enhanced penalty for controlled substance offenses related  
3 to the distribution or delivery of fentanyl to minors;  
4 making conforming amendments; providing definitions; and  
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9       **Section 1.** W.S. 35-7-1036(a) and by creating a new  
10 subsection (c) is amended to read:

11

12       **35-7-1036. Distribution to person under 18; drug free**  
13 **school zones.**

14

15       (a) Any person eighteen (18) years of age or over who  
16 violates W.S. 35-7-1031(a) by distributing methamphetamine

1 or a controlled substance listed in Schedules I or II which  
2 is a narcotic drug to a person under eighteen (18) years of  
3 age who is at least three (3) years his junior is  
4 punishable by the fine authorized by W.S. 35-7-1031(a)(i),  
5 by a term of imprisonment of up to twice that authorized by  
6 W.S. 35-7-1031(a)(i), or both. Except as provided in  
7 subsection (c) of this section, any person eighteen (18)  
8 years of age or over who violates W.S. 35-7-1031(a) by  
9 distributing any other controlled substance listed in  
10 Schedules I, II, III, to a person under eighteen (18) years  
11 of age who is at least three (3) years his junior is  
12 punishable by the fine authorized by W.S. 35-7-1031(a)(ii),  
13 by a term of imprisonment up to twice that authorized by  
14 W.S. 35-7-1031(a)(ii), or both. Any person eighteen (18)  
15 years of age or over who violates W.S. 35-7-1031(a) by  
16 distributing any controlled substance listed in Schedule IV  
17 to a person under eighteen (18) years of age who is at  
18 least three (3) years his junior is punishable by the fine  
19 authorized by W.S. 35-7-1031(a)(iii), by a term of  
20 imprisonment up to twice that authorized by W.S.  
21 35-7-1031(a)(iii), or both. Any person eighteen (18) years  
22 of age or over who violates W.S. 35-7-1031(a) by  
23 distributing any controlled substance listed in Schedule V

1 to a person under eighteen (18) years of age who is at  
2 least three (3) years his junior is punishable by the fine  
3 authorized by W.S. 35-7-1031(a)(iv), by a term of  
4 imprisonment up to twice that authorized by W.S.  
5 35-7-1031(a)(iv), or both.

6  
7 (c) Any person who is at least eighteen (18) years of  
8 age who violates W.S. 35-7-1031(a) by distributing fentanyl  
9 to a person under eighteen (18) years of age is guilty of a  
10 felony punishable by the fine authorized by W.S.  
11 35-7-1031(a)(ii), by a term of imprisonment up to twice  
12 that authorized by W.S. 35-7-1031(a)(ii), or both. As used  
13 in this subsection, "fentanyl" includes fentanyl and any  
14 isomer, ester, ether, salt and salt of isomers, esters and  
15 ethers of fentanyl, whenever the existence of these  
16 isomers, esters, ethers and salts is possible within the  
17 specific chemical designation of fentanyl.

18  
19 **Section 2.** This act is effective July 1, 2026.

20  
21 (END)