

50-State Comparison of Fentanyl-Related Offenses

State	Statutory references	Penalties different from other controlled substances?	Controlled substance Schedule of fentanyl and analogs	Criminal provision(s) related to fentanyl possession	Criminal provisions related to distribution of fentanyl	Provisions related to exposing others to fentanyl	Fentanyl-related offenses involving minors
This spreadsheet contains information on fentanyl-related offenses in all 50 states and under federal law.	Statutory citations.	Indicates whether the penalties for fentanyl differ from those for other controlled substances. States with distinct penalties for fentanyl are highlighted in green below.	Provides the controlled substance schedule for fentanyl and fentanyl-related substances. Most states follow controlled substance schedules similar to the federal schedules outlined in 21 U.S.C. § 812. For consistency, when substances such as alfentanil, carfentanil, sufentanil, or remifentanil are scheduled, typically under Schedule II, they are categorized as "fentanyl analogs." While states may adjust scheduling through rulemaking, this review did not include an analysis of all rules and regulations across the 50 states.	Provides the criminal provision(s) related to fentanyl possession.	Identifies the criminal provision(s) related to the distribution or delivery of fentanyl.	Outlines the provision(s) related to exposing others, including law enforcement personnel, first responders, or children, to fentanyl.	Describes fentanyl-related offenses involving minors, including unlawful distribution to minors and crimes related to selling fentanyl in packaging designed to appeal to children, such as candy-like wrappers.
Federal Offenses	21 U.S.C. §§ 841 (prohibited acts A), 859 (distribution to persons under age twenty-one), 860 (distribution or manufacturing in or near schools or colleges); 21 C.F.R. § 1308.11 (Schedules I and II).	Yes	Fentanyl is classified as a Schedule II controlled substance.  With the passage of the HALT Fentanyl Act, all fentanyl-related substances are now classified as Schedule I. .	All criminal provisions related to controlled substances apply to fentanyl and fentanyl-related substances.	It is unlawful to manufacture or distribute fentanyl; 1st offense (5-40 years, up to \$5 million); if death or serious injury results: (20 years-life); 100 grams or more: (10 years- life, up to \$10 million); enhanced penalties for repeat offenders (§ 841).	None	Fentanyl distribution by an adult to a person under 21 triggers double the max penalties and supervised release under §841(b) for a first offense (minimum 1-year prison); a second offense triggers triple the penalties and supervised release; (§ 859).  Fentanyl distribution, manufacture, or possession with intent within 1000 feet of schools, playgrounds, or similar areas results in double the penalties under 841(b); second offense requires minimum 3 years prison and up to triple penalties; using minors in such zones increases penalties up to triple; no parole or probation before minimum sentence served (§ 860).
Alabama	ALA. CODE §§ (manslaughter – fentanyl), 13A-6-30 (chemical endangerment of first responder), 13A-12-211 (unlawful distribution), 13A-12-212 (unlawful possession), 13A-12-231 (trafficking), 13A-12-215 (unlawful distribution to a minor) ,13A-12-250 (distribution of fentanyl to a minor; additional penalty), 20-2-23 (Schedule I), 20-2-25 (Schedule II).	Yes and no; some fentanyl penalties align with those for similar controlled substances like morphine and opium, while others, such as trafficking, are specific to fentanyl.	Fentanyl is classified as a Schedule II controlled substance.  "Synthetic fentanyl analogs" are classified as Schedule I controlled substances.	Possessing or fraudulently obtaining a Schedule I–V controlled substance is a Class D felony (up to 5 years imprisonment and up to a \$7,500 fine) (§ 13A-12-212).	Possession of 0.5 to less than 1 gram of fentanyl (pure) or 2 to less than 4 grams (in mixture) constitutes intent to distribute (Class B felony; 2 to 20 years, fine up to \$30,000).  Possession of 1 gram or more (pure) is trafficking (Class A felony; 10 years to life, mandatory minimums 3 years to life, fines \$50,000 to \$750,000).  Distribution resulting in death constitutes manslaughter (Class B felony; 2 to 20 years, fine up to \$30,000), whether or not the person knew the substance contained fentanyl (§§ 13A-12-211, 13A-12-231, 13A-6-3).	Intentionally, knowingly, or recklessly exposing a first responder, coroner, or deputy coroner to Schedule I substances or hazardous chemicals, including fentanyl or analogs, during duty is a Class C felony if injury occurs (1 to 10 years, fine up to \$15,000), Class B felony if serious injury occurs (2 to 20 years, fine up to \$30,000), and Class A felony if death results (10 years to life, fine up to \$60,000) (§ 13A-6-30).	Distribution of fentanyl to a minor is a Class A felony, punishable by 10 years to life without probation or suspension, and subject to a fine of up to \$60,000.  Additional 5-year enhancements if the offense occurs near a school or public housing. (§§ 13A-12-215 ,13A-12-250).
Alaska	ALASKA STAT. § 11.71.140 (Schedule IA).	No	Fentanyl and all fentanyl analogs are included in Schedule IA.	All criminal provisions applicable to Schedule IA substances apply to fentanyl.	Alaska does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	It is illegal to deliver any Schedule IA substance to a person under 19 when the offender is at least three years older, this offense is an unclassified felony which provides the court with discretion to impose a term of imprisonment depending on the circumstances (§ 11.71.010).
Arizona	ARIZ. REV. STAT. ANN. §§ 13-3408 (possession, use, administration, acquisition, sale, manufacture or transportation of narcotic drugs; classification), 13-3409 (involving or using minors in drug offenses), 13-3424 (sale of lethal fentanyl), 36-2513 (Schedule II).	Yes	Fentanyl and its analogs are classified as Schedule II controlled substances.	There is no major difference in statutory penalties for fentanyl possession versus other narcotic drugs.	Selling, transporting, or possessing 200 grams or more of fentanyl is a Class 2 felony (mandatory prison sentences ranging from 5 to 15 years for first offenses and 10 to 20 years for repeat offenses). No early release allowed and a minimum fine of \$2,000 or three times the drug value plus strict probation conditions if granted (§ 13-3408).	None	Using or selling drugs to a minor is a Class 2 felony with no probation or early release; if the minor is under 15, enhanced penalties apply; mandatory fines of at least \$2,000 or triple the value of the substance as determined by the court; sentence must be fully served; no suspension of fines allowed (§ 13-3409).

Arkansas	ARK. CODE ANN. §§ 5-4-501 (habitual offenders - sentencing for felony), 5-10-202 (aggravated death by delivery), 5-10-207 (consensual ingestion not a defense), 5-13-214 (knowingly exposing another to fentanyl), 5-64-101 (fentanyl includes analogs), 5-64-406 (delivery to minors, enhanced penalties), 5-64-421 (possession, intent to deliver, manufacture fentanyl, predatory marketing of fentanyl to minors), 5-64-440 (trafficking controlled substances), 5-64-443 (possession of paraphernalia); 5-64-444 (drug paraphernalia - delivery to a minor), 007.07.02 ARK. CODE R. (controlled substances list).	Yes	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	It is unlawful to possess fentanyl (a Class C felony - 3-10 years, up to \$10,000) except for authorized medical use. Possession with intent to deliver fentanyl - evidenced by packaging, drug records, firearms, multiple substances, or other indicators - is a Class A felony (6-30 years, up to \$15,000) (§ 5-64-421).  Possession or use of paraphernalia related to fentanyl is a Class D felony (not exceed 6 years, up to \$10,000) if a prior offense. Paraphernalia used in the production or manufacture of fentanyl is a Class B felony (5 to 20 years, up to \$15,000) (§ 5-64-443).	Delivering or manufacturing fentanyl is a Class Y felony (10-40 years) (§ 5-64-421). Trafficking 1 gram or more of fentanyl is an unclassified felony (25–60 years or life, \$1 million) (§ 5-64-440).  Causing death by fentanyl delivery is an unclassified felony (20-60 years or life) (§ 5-10-202). If the victim is a minor and the offender is 3 or more years older, the sentence is life. Consent to use is not a defense (§ 5-10-207).	Knowingly exposing another person to fentanyl causing serious physical injury is first-degree exposure (§ 5-13-214): Class Y felony (10-40 years) if the victim is a first responder or correctional employee, Class A felony (6-30 years, up to \$15,000) otherwise. Causing physical injury is second-degree exposure: Class A felony if the victim is a first responder or correctional employee.	Delivering or trafficking fentanyl to a minor at least 3 years younger by someone 18 or older results in enhanced penalties: fines up to double, imprisonment up to twice the usual term, or both. If no other enhancement applies, delivering to a minor adds 10 years imprisonment (§ 5-64-406).  Predatory marketing of fentanyl to minors using products that resemble candy, toys, or other items appealing to minors is an unclassified felony punishable by life imprisonment and a \$1 million fine (§ 5-64-421(A)).  An adult delivering drug paraphernalia to minor at least 3 years younger is a Class B felony (5 to 20 years, up to \$15,000 fine) if tied to felony drug crime; otherwise Class A misdemeanor (up to 1 year jail, up to \$2,500 fine) (§ 5-64-444).
California	CAL. HEALTH & SAFETY §§ 11350 (unlawful possession), 11351 (possession/sale), 11352 (distribution), 11353.1 (enhancement of sentence, distribution to a minor), 11055 (Schedule II), 11370.4 (fentanyl convictions), 11395 (multiple convictions/treatment alternatives).	Yes	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.	Possession of controlled substances without prescription is illegal. Fentanyl is defined as a hard drug (§ 11395). Multiple convictions for hard drug possession may allow treatment instead of prison unless the court denies. Fentanyl possession penalties are largely similar to other controlled substances in the same schedules (§11350).	California does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	It is a felony (punishable by 5, 8, or 11 years) for any person 18 or older who sells, furnishes, or gives fentanyl to a minor (§ 11353.1(c)).
Colorado	COLO. REV. STAT. ANN. §§ 18-1.3-401.5 (drug felony classifications), 18-1.3-410 (fentanyl education and treatment program), 18-18-203 (Schedule I), 18-18-204 (Schedule II), 18-18-403.5 (possession), 18-18-405 (distribution/manufacturing/sale), 44-1-105 (regulation of kratom).	Yes	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Possession of 1 to 4 grams fentanyl, carfentanil, benzimidazole opiate, or analog is a Level 4 drug felony (6 months-2 years, up to \$1 million); possession of analog only is a Level 1 misdemeanor (6 months-18 months, up to \$5,000), with fourth or subsequent offense a Level 4 felony. Possession of a mixture containing more than 60 % fentanyl or similar is a Level 2 felony (4-16 years, up to \$750,000). Mistake of fact may reduce charge to Level 1 misdemeanor. Possession of fentanyl in quantities over 50 grams is an aggravating factor. (§18-18-403.5).	It is unlawful to knowingly manufacture, dispense, sell, distribute, or possess with intent to do so a controlled substance. Violations involving over 50 grams of fentanyl, carfentanil, benzimidazole opiate, or analogs, or causing death, are Level 1 felonies (8-32 years, up to \$1 million) subject to mandatory sentencing. Violations involving more than 4 grams up to 50 grams are Level 2 felonies; 4 grams or less are Level 3 felonies (2-6 years, up to \$500,000). Aggravating factors apply (§ 118-18-405). Knowingly adulterating kratom with fentanyl or controlled substances is prohibited (§ 44-1-105).	None	An adult who is at least 2 years older commits a Level 1 drug felony if distributing any Schedule I or II controlled substance to a minor (§ 18-18-405).
Connecticut	CONN. GEN. STAT. ANN. § 21a-240 (definition of “narcotic substance”), 21a-278a (penalty for illegal manufacture, distribution, sale, prescription or administration); CONN. AGENCIES REGS. § 21a-243-8 (Schedule II).	No	Fentanyl is classified as a Schedule II controlled substance.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal provisions applicable to narcotic drugs apply equally to fentanyl and other controlled substances.	Connecticut does not have a separate statute specifically criminalizing fentanyl distribution.	None	An adult distributing fentanyl to a minor at least 2 years younger receives 2-year mandatory prison term, consecutive to other penalties; selling fentanyl near schools, housing projects, or child care centers adds 3 mandatory years; using a minor to commit fentanyl offenses adds 3 mandatory years (§ 21a-278a).
Delaware	DEL. CODE ANN. tit. 16, §§ 4714 (Schedule I), 4716 (Schedule II), 4752 (drug dealing or possession; class B felony). 4753 (drug dealing or possession; class C or E felony).	No	Fentanyl is classified as a Schedule II controlled substance.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal provisions pertaining to Schedules I and II apply to fentanyl and fentanyl-related substances.	Delaware does not have a separate statute specifically criminalizing fentanyl distribution.	None	Distributing fentanyl in a protected school zone or involving minors is an aggravating factor - resulting in enhanced penalties (§ 4751A).
Florida	FLA. STAT. ANN. §§ 782.04 (murder), 893.03 (Schedules), 893.13 (delivery, sale, and manufacture of fentanyl), 893.131 (overdose distribution), 893.132 (fentanyl exposure to first responders), 893.135 (trafficking), 893.147 (drug-related use, possession, and sale).	Yes, for trafficking and distribution resulting in death.	Fentanyl is classified as a Schedule II controlled substance.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Illegal possession of fentanyl is treated like other controlled substances unless the amount reaches 4 grams or more, at which point it is considered trafficking.	Unlawful distribution of fentanyl or related substances by persons 18 or older causing overdose or injury is a second-degree felony; repeat offenses are first-degree (§ 893.131). Trafficking 4 or more grams is a first-degree felony with mandatory minimums: 7 years and \$50,000 (4 to less than 14 grams), 20 years and \$100,000 (14 to less than 28 grams), 25 years and \$500,000 (28 grams or more) (§ 893.135). Distribution causing death is first-degree murder (§ 782.04).	Unlawful possession of dangerous fentanyl or analogs that recklessly exposes a first responder - defined as certain officers and emergency personnel - to overdose or serious injury is a second-degree felony (§ 893.132).	Selling 4 or more grams to minors of fentanyl in a candy-like or branded form carries 25 years to life and a \$1,00,000 fine (§ 893.135).

Georgia	GA. CODE ANN. §§ 16-13-25 (Schedule I), 16-13-26 (Schedule II), 16-5-3.1 (aggravated involuntary manslaughter), 16-13-32.4 (Manufacturing, distributing, dispensing, or possessing controlled substances in, on, or near public or private schools).	Yes, for aggravated involuntary manslaughter for fentanyl overdose death.	Fentanyl and carfentanil are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal provisions applicable to Schedules I and II extend to fentanyl, carfentanil, and related substances.	A person who causes a fentanyl overdose death by intentionally manufacturing or selling a substance represented as another controlled substance commits aggravated involuntary manslaughter, a felony punishable by no less than 10 years to 30 years or life. The offense is treated as a distinct and separate charge, and the state is not required to prove the defendant knew the chemical identity of the substance to secure a conviction (§ 16-5-3.1).	None	Distributing fentanyl within 1,000 feet of a school is a separate felony, punishable by up to 20 years (first offense) or 5–40 years (repeat), with no defense for school status or location; limited defense applies only for private, non-commercial use with no minors present (16-13-32.4).
Hawaii	HAW. REV. STAT. ANN. § 319-16 (Schedule II); 712-1249.7 (promoting a controlled substance through a minor).	No	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal provisions applicable to Schedule II substances apply to fentanyl and fentanyl-related substances.	Hawaii does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	An adult who knowingly involves a minor in drug distribution commits a Class B felony (up to 10 years, \$25,000), elevated to Class A (up to 20 years, \$50,000) if near a school, school vehicle, or public park.(§ 712-1249.7).
Idaho	IDAHO CODE §§ 37-2705 (Schedule I), 37-2707 (Schedule II), 37-2739B (fixed minimum sentences in drug cases), 37-2732D (fentanyl trafficking, mandatory sentences).	Yes and no; provisions related to possession of small quantities of fentanyl are treated the same as other substances.	Fentanyl and carfentanil are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	Possession of less than 4 grams of fentanyl is treated the same as possession of other controlled substances.	Trafficking in fentanyl (4 grams or more or 100 or more pills) is a felony with mandatory minimums: 3 years and \$10,000 (4 to under 14 grams or 100 to 249 pills), 5 years and \$15,000 (14 to under 28 grams or 250 to 499 pills), and 10 years and \$25,000 (28 grams or 500 or more pills). The maximum penalty is life and \$100,000. A second conviction doubles the mandatory terms. No parole, probation, or suspended sentences are allowed. Conspiracy or solicitation is punishable as if the act were completed. Weight or pill count represented by the seller is determinative if greater than the actual amount (§ 37-2732D).	None	Fixed minimum 5 years to life in Idaho for fentanyl distribution to minors, with no parole except for meritorious service; penalties are consecutive to other sentences and fines up to double the base amount (§ 37-2739B).
Illinois	720 ILL. COMP. STAT. ANN. §§ 570/204 (Schedule I), 570/206 (Schedule II), 570/401 (manufacture or delivery), 570/407 (delivery to person under 18), 5/5-5-3 (disposition).	Yes	Fentanyl and most fentanyl related substances (including derivatives) are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Possession of less than 5 grams of fentanyl is treated like other controlled substances, but possession of more than 5 grams carries enhanced penalties. Probation, periodic imprisonment, or conditional discharge is prohibited for fentanyl offenses involving over 5 grams (§ 5/5-5-3).	Knowingly manufacturing, delivering, or possessing with intent to do so fentanyl or analogs is a Class X felony with sentencing based on quantity: 6–30 years for 15 to under 100 grams; 9–40 years for 100 to under 400 grams; 12–50 years for 400 to under 900 grams; 15–60 years for 900 grams or more. Violations involving any fentanyl add 3 years to the sentence and increase the maximum term by 3 years. Possession or intent involving 1 to under 15 grams is a Class 1 felony with fines up to \$250,000. Violations involving amounts less than 1 gram are Class 2 felonies with fines up to \$200,000 (§ 570/401).	None	Distribution of fentanyl to a minor by a person 18 or older may result in up to 2 times the max prison term and fine; if within 500 feet of a school or park where minors are present or expected, the offense is a Class X, 1, or 2 felony with fines up to \$500,000 (§ 570/407).
Indiana	IND. CODE ANN. §§ 35-48-2-4 (Schedule I), 35-48-2-6 (Schedule II), 35-48-4-1 (dealing in cocaine or narcotics), 35-48-1-16.5 (enhancing circumstance).	Yes	Fentanyl and immediate precursors to fentanyl are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Fentanyl possession is treated like other controlled substances unless threshold amounts trigger charges for dealing or manufacturing.	Dealing or manufacturing fentanyl carries penalties by amount over 90 days: Level 4 felony (2-12 years, up to \$10,000) for 1 to under 3 grams; Level 3 felony (3-16 years, up to \$10,000) for 3 to under 7 grams or 1 to under 3 grams with enhancement; Level 2 felony (10-30 years, up to \$10,000) for 7 grams or more, or 3 to under 7 grams with enhancement (§ 35-48-4-1).	None	Enhancement applies if fentanyl is delivered or financed to a person under 18 who is at least 3 years younger, or if the offense occurs in the presence of a child under 18 knowing they can see or hear it (§ 35-48-1-16.5).
Iowa	IOWA CODE §§ 124.204 (Schedule I), 124.206 (Schedule II), 124.401 (manufacture, delivery, possession).	Yes, when the amount of fentanyl involved reaches a specified quantity.	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl-related substances including derivatives are classified as Schedule I controlled substances.	All criminal possession provisions concerning Schedules I and II apply to fentanyl.	Manufacturing, delivering, or possessing fentanyl with intent is unlawful. Violations involving over 50 grams are Class B felonies (up to 50 years, up to \$1 million); between 5 and 50 grams are Class B felonies (\$5,000-\$100,000); 5 grams or less are Class C felonies (\$1,000-\$50,000) (§ 124.401).	None	Distributing fentanyl to a minor by an adult is a Class B felony (5-year minimum); if within 1000 feet of school/park/bus (10-year minimum); conspiracy or recruiting minors for fentanyl delivery is a Class D felony (§124.406).

Kansas	KAN. STAT. ANN. §§ 21-5601 (child endangerment), 21-5703 (unlawful manufacturing), 21-5705 (cultivation/distribution), 21-6805 (drug crime sentencing), 65-4105 (Schedule I); 65-4107 (Schedule II).	Yes	<p>Fentanyl and its analogs are classified as Schedule II controlled substances.</p> <p>Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.</p>	All criminal possession provisions applicable to Schedules I and II extend to fentanyl.	Fentanyl distribution penalties by amount: less than 3.5 grams level 4 felony, 3.5 to under 100 grams level 3 felony, 100 grams to under 1 kilogram level 2 felony, 1 kilogram or more level 1 felony; penalties increase one level if near school; possession over 3.5 grams creates inference of intent to distribute. Manufacturing fentanyl or analogs is a level 1 felony with no probation, bail at least 50,000 dollars, and enhanced sentencing; prior manufacturing convictions increase penalties. Manufacturing fentanyl or analogs is a level 1 felony (§§ 21-5705, 21-5703).	None	Aggravated endangering a child includes causing or permitting such child to be in an environment where the person knows or reasonably should know that any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture any fentanyl-related controlled substance (§ 21-5601).
Kentucky	KY. REV. STAT. ANN. §§ 218A.1401 (selling controlled substances other than salvia to minor), 218A.1410 (importing fentanyl), 218A.1412 (trafficking); 218A.142 (aggravated trafficking), 218A.14141 (misrepresented substances), 507.030 (manslaughter first degree), 507.040 (manslaughter second degree), 520.050 (promoting contraband); 902 KAR 55:015 (controlled substance Schedules).	Yes, for trafficking and homicide statutes.	<p>Kentucky follows the federal controlled substance schedule and does not list individual substances separately (902 KY. ADMIN. REGS. 55:015).</p> <p>Fentanyl is classified as a Schedule II controlled substance under federal law (21 C.F.R. § 812, 2025).</p>	All criminal possession provisions related to Schedules I and II apply to fentanyl and carfentanil.	Unlawful distribution of fentanyl causing death is manslaughter: second degree if done without payment (§ 507.040), first degree if sold knowingly (§ 507.030). Importing fentanyl with intent to distribute (§ 218A.1410) is a Class C felony (5-10 years) with no early release before serving 85%. Trafficking (§ 218A.1412) is a Class C felony (first offense) or Class B (repeat - 10-20 years), with 50% of the sentence required before release. Aggravated trafficking (§ 218A.142), 28 grams of fentanyl or 10 grams of carfentanil, is a Class B felony with 85% mandatory minimum. Misrepresenting fentanyl as a legitimate drug (§ 218A.14141) is a Class D felony (1-5 years).	None	Selling fentanyl to a minor by an adult is a Class C felony for the first offense. It is a Class B felony for repeat offenses, or punished by a harsher trafficking penalty if applicable (§218A.1401).
Louisiana	LA. STAT. ANN. §§ 40:964 (controlled substance Schedules), 40:967 (Schedule II offenses and penalties), 40:967.1 (fentanyl distribution), 40:981 (distribution to persons under age eighteen), 40:981.2 (soliciting minors to produce, manufacture, distribute, or dispense controlled dangerous substances), 40:983 (clandestine lab offenses).	Yes	<p>Fentanyl and some fentanyl analogs are classified as Schedule II controlled substances.</p> <p>Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.</p>	Distributing under 28 grams of fentanyl (5-40 years hard labor, minimum 5 years without parole); 28 to under 250 grams (7-40 years; repeat offenses increase penalties up to 99 years or life); causing serious injury adds 5 years; possession under 2 grams (2-4 years), 2 to under 28 grams (2-10 years); court may order treatment if eligible. (§ 40:967(c)).	Distribution or production of fentanyl (5-40 years, up to a \$50,000, with enhanced penalties if serious injury occurs). Operating a clandestine lab (§ 983) is punishable by 10-99 years depending on offense history, with no parole and fines up to \$500,000.	None	<p>Distributing fentanyl in packaging appealing to minors carries 25-99 years without parole; prescription-lookalike packaging carries 10-40 years without parole (§ 967.1).</p> <p>If an offender is 25 or older and distributes fentanyl (Schedule II narcotic) to a minor, the penalty is 10-30 years hard labor; if offender is 18 or older and at least 3 years older than the minor, penalty is 5-30 years (§ 40:981).</p> <p>Adults who solicit a minor to distribute fentanyl face up to 1.5 times the max sentence under drug laws; if for fentanyl (as Schedule II like heroin or meth), penalty is 10 to 30 years hard labor, minimum 10 years without parole (§40:981.2).</p>
Maine	ME. REV. STAT. ANN. tit. 17-A, §§ 1102 (drug Schedules), 1103 (unlawful trafficking); 1105-A (aggravated trafficking), 1106 (unlawful furnishing), 1107-A (unlawful possession).	Yes	Fentanyl and all derivatives and analogs are classified as Schedule W controlled substances.	Possession of more than 200 milligrams of fentanyl powder (a Schedule W drug) is a Class C crime (up to 5 years, \$5,000) (§ 1107-A).	Trafficking 6 grams or 270 or more units of fentanyl powder is a Class A crime (up to 30 years, \$50,000); Class A also applies if trafficking involves a minor, occurs near a school, with prior felony drug convictions, or causes death. Unlawful furnishing of fentanyl powder is a Class C crime, with possession of 2 grams or more supporting inference of furnishing (§§ 1103, 1106).	None	See distribution offense.
Maryland	MD. CODE ANN. CRIM. LAW §§ 5-402 (Schedule I), 5-403 (Schedule II), 5-602 (distributing, possessing with intent to distribute, dispensing controlled dangerous substance), 5-608.1 (fentanyl/heroin penalties), 5-612 (manufacture, distribution, possession), 5-614 (importing controlled substances), 5-628 (use of a minor).	Yes	According to §§ 5-402 and 5-403, Maryland mirrors the federal controlled substance Schedule and does not independently list out each substance.	Unless legally authorized, bringing 4 grams or more of fentanyl or its analog into the state is unlawful. Violators face felony convictions punishable by up to 25 years imprisonment, a fine of up to \$50,000, or both. All other Schedule II possession laws also apply to fentanyl (§ 5-614).	Knowingly manufacturing, distributing, or possessing with intent to distribute heroin-fentanyl mixtures is a felony punishable by up to 10 years, served consecutively to other sentences (§ 5-608.1). Possessing 5 grams or more of fentanyl, or 28 grams or more of a fentanyl mixture, carries a mandatory minimum of 5 years and a fine up to \$100,000, with no suspension or parole eligibility during the minimum term, except as otherwise provided by law (§ 5-612).	None	<p>Maryland's statutes do not specifically mention minors related to distribution, distribution or dispensing fentanyl to anyone, including minors is prohibited (§ 5-602).</p> <p>No person may hire, solicit, or use a minor to manufacture, deliver, or distribute fentanyl or bring a minor into Maryland to do so; violation is a felony with up to 20 years imprisonment, \$20,000 fine, or both (§ 5-628).</p>

Massachusetts	MASS. ANN. LAWS ch. 94C §§ 31 (controlled substance classes and penalties), 32E (trafficking and parole eligibility), 32F (class A, B, or controlled substance unauthorized manufacture, distribution, dispensing or possession to minors), 32K (exploitation of minors in sale and distribution of controlled substances).	Yes, for trafficking offenses.	Fentanyl, carfentanil and other analogs and derivatives are classified as Class A controlled substances.	All other criminal provisions related to controlled substances apply to fentanyl and carfentanil.	Trafficking 10 grams or more of fentanyl or any derivative, whether pure or in a mixture, is punishable by 3.5 to 20 years in state prison, with a mandatory minimum of 3.5 years (§ 32E(c½)). Trafficking carfentanil or its derivatives, with knowledge of its presence, carries the same penalty and mandatory minimum (§ 32E(c¾)).	None	Distributing or possessing with intent to distribute a Class A substance (, fentanyl) to a minor is punishable by 5–15 years (mandatory minimum 5 years) and an optional fine of \$1,000–\$25,000 (§ 32F).  Knowingly causing or aiding a minor to distribute or possess fentanyl with intent to distribute is punishable by 5–15 years in state prison (mandatory minimum 5 years) and an optional fine of \$1,000–\$100,000 (§ 32K).
Michigan	MICH. COMP. LAWS § 333.7214 (Schedule II; substances included); 333.7410 (Violations by individual 18 years of age or over).	No	Fentanyl is classified as a Schedule II controlled substance.	All criminal provisions related to Schedule II substances apply to fentanyl.	Michigan does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	It is unlawful to deliver fentanyl to a minor at least 3 years younger (up to 40 years, up to \$50,000) (§ 333.7410).
Minnesota	MINN. STAT. §§ 152.02 (controlled substance Schedules), 152.021 (first-degree offense), 152.022 (second-degree offense), 152.023 (third-degree offense).	Yes and no; fentanyl and heroin are grouped together but carry a different penalty than other drugs.	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Sale or possession of 6 grams or 50 units of fentanyl is a second-degree offense. Penalty includes up to 25 years imprisonment and \$50,000 fine. Repeat offenses carry a minimum of 3 years and up to 40 years imprisonment. Distribution to minors or in drug-free zones also qualifies.(§ 152.022). Third-degree crimes include possessing 5 grams or 25 or more units of fentanyl within 90 days (§ 152.023).	First-degree controlled substance crime includes selling 10 grams or 40 or more units, or possessing 25 grams or 100 or more units of fentanyl or heroin within a 90-day period. Penalty up to 30 years and \$1 million (§ 152.021).	None	See possession offense.
Mississippi	MISS. CODE ANN. §§ 41-29-113 (Schedule I), 41-29-115 (Schedule II), 41-29-139.1 (fentanyl delivery resulting in death), 41-29-139 (distribution to persons under age twenty-one).	No	Fentanyl, immediate fentanyl precursors and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal statutes applicable to Schedule I and II controlled substances apply equally to fentanyl.	Knowingly delivering fentanyl that results in another person’s death is a felony punishable by 20 years to life, \$10,000 fine (§ 41-29-139.1).	None	A person age 21 or older who distributes fentanyl to someone under 21 may face a fine, imprisonment up to twice the usual term (§ 41-29-139).
Missouri	MO. REV. STAT. §§ 195.017 (controlled substance Schedules), 195.211 (distribution, delivery, manufacture or production of a controlled substance), 579.065 (first-degree trafficking penalties), 579.068 (second-degree trafficking penalties).	Yes, for trafficking offenses.	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal possession provisions related to Schedule II substances apply to fentanyl.	Knowingly distributing, delivering, or producing more than 10 milligrams of fentanyl or carfentanil is first-degree trafficking, a Class B felony (10-20 years); if 20 milligrams or more, it becomes a Class A felony (20 years, life, includes death penalty) (§ 579.065). Trafficking fentanyl is a felony: possession over 10 milligrams is a Class C felony (up to 10 years, \$10,000); 20 milligrams or more is a Class B felony; higher amounts or repeats increase severity (§ 579.068).	None	It is unlawful to distribute fentanyl (a controlled substance) to minors; violation is a Class B felony, with enhanced penalties if near schools or where children reside (§ 195.211).
Montana	MONT. CODE ANN. §§ 45-9-101 (distribution of dangerous drugs), 45-9-103 (possession with intent to distribute), 45-9-109 (criminal distribution of dangerous drugs on or near school property), 50-32-222 (Schedule I substances).	Yes	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	Possession of fentanyl with intent to distribute is punishable by 2 to 40 years in prison and a fine of up to \$50,000. The first 2 years are mandatory, with no suspension, deferral, or parole eligibility (§ 45-9-103).	Distributing fentanyl, carfentanil, sufentanil, alfentanil, or derivatives in amounts exceeding 100 pills or 10 grams (including mixtures) is punishable by 2 to 40 years in prison and up to a \$50,000 fine, includes minors. The first 2 years are mandatory with no suspension, deferral, or parole eligibility except as otherwise provided by law (§ 45-9-101).	None	See distribution penalty. Criminal distribution of fentanyl near school property (within 1,000 feet) is punishable by 3 years to life imprisonment and up to \$50,000 fine; no defense based on distance ignorance; defense allowed if done in private residence with no minors present (§ 45-9-109).
Nebraska	NEB. REV. STAT. ANN. §§ 28-405 (controlled substances; schedules; enumerated), 28-416 (penalties); 28-416(4)–(5) (distribution to minors).	No	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl-related substances including derivatives are classified as Schedule I controlled substances.	All criminal provisions applicable to Schedules I and II apply to fentanyl.	Nebraska does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	For fentanyl, adults who distribute near schools, playgrounds, or youth centers, or who use minors to distribute, face a penalty one class higher than standard. First offense: up to Class IC felony (5-50 years, mandatory minimum 5 years). Repeat offense: up to Class IB felony (20 years to life, mandatory minimum 20 years) (§ 28-416(4)–(5)).

Nevada	NEV. REV. STAT. ANN. §§ 453.3325. (unlawful to allow child to be present during commission of certain violations which involve controlled substances), 453.3345 (additional penalty for commission of certain violations at or near school,), 453.3355 (intentional misrepresentation of fentanyl products), 453.3387 (trafficking in fentanyl); NEV. ADMIN. CODE §§ 453.510 (Schedule I), 453.520 (Schedule II).	Yes, for trafficking offenses.	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal provisions applicable to Schedules I and II apply to fentanyl.	Knowingly selling, manufacturing, delivering, or possessing illicit fentanyl in Nevada is trafficking: 28 grams or more but less than 42 grams is a Category B felony punishable by 1 to 10 years in prison; 42 grams or more but less than 100 grams is high-level trafficking, Category B felony punishable by 2 to 15 years in prison (§ 453.3387).	None	Knowingly allowing a child under 18 where fentanyl is used, sold, or manufactured is a felony: use without serious harm is Category C (1-5 years, up to \$10,000); with harm Category B; death is murder (Category A - death or life imprisonment). Sale or manufacture without serious harm is Category B; with harm or death, Category A or murder. (§ 453.3325).  Additional consecutive prison time if drug crimes occur on/within 1,000 feet of schools, playgrounds, parks, pools, youth rec centers, video arcades, or near school bus stops during school hours; not a separate offense, just extra penalty (§ 453.3345).
New Hampshire	N.H. REV. STAT. ANN. § 318-B:26 (penalties), 318-B:2 (acts prohibited) ; N.H. CODE ADMIN. R. ANN. HE-C 501.03 (scheduling of substances).	No	Substances rescheduled or removed under 21 CFR 1308.11-15 are recognized as controlled by the Commissioner.  Fentanyl and its analogs are Schedule II, while many fentanyl-related substances are Schedule I.	All criminal possession statutes related to Schedules I and II apply to fentanyl.	Illegal to manufacture or deliver heroin, crack cocaine, or fentanyl-class drugs. Penalties based on amount: 5 grams or more (up to 30 years/\$500,000 fine (life for repeat)); 1–5 grams (up to 20 years/\$300,000 (40 years/\$500,000 repeat)); under 1 gram (up to 7 years/\$100,000 (15 years/\$200,000 repeat)) (318-B:26).	None	It is unlawful for an adult to knowingly use or employ a minor to manufacture, sell, or possess fentanyl or any controlled drug; mistaken belief about minor's age is not a defense (§ 318-B:2).
New Jersey	N.J. REV. STAT. § 24:21-6 (Schedule II), § 2C:35-8 (distribution to persons under age 18; enhanced punishment).	No	Fentanyl is classified as Schedule II controlled substance.	All criminal provisions applicable to Schedule II apply to fentanyl.	New Jersey does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	An adult convicted of distributing fentanyl to minors faces double imprisonment, fines, and parole ineligibility; mistaken belief about minor's age or pregnancy not a defense (§ 2C:35-8).
New Mexico	N.M. STAT. ANN. § 30-31-7 (Schedule II; 2025 N.M. Laws Ch. 4, § 17.	No	Fentanyl is classified as a Schedule II controlled substance.	All criminal provisions related to Schedule II controlled substances apply to fentanyl and fentanyl-related substances.	Trafficking fentanyl enhances sentence by 3 years for 100 to 500 pills or 10 to 50 grams; 5 years for more than 500 pills or more than 50 grams; 5 years for organizing others to traffic (2025 N.M. Laws Ch. 4, § 1).	None	Distributing Schedule I-IV drugs (including fentanyl) to a minor is a second-degree felony(up to 9 years, up to \$10,000) for the first offense, first degree felony (up to 18 years, \$15,000) for repeat offenses.
New York	N.Y. PUB. HEALTH LAW § 3306 (Schedules of controlled substances), § 220.48 (criminal sale of a controlled substance to a child).	No	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal provisions related to Schedule II apply to fentanyl.	New York does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	A person 21 or older who knowingly sells fentanyl/controlled substance to a minor is subject to a Class B felony (5-25 years prison, up to \$30,000); higher penalties for repeat offenders (§ 220.48).
North Carolina	N.C. GEN. STAT. §90-89 (Schedule I), §90-90 (Schedule II), §90-95 (violations and penalties).	No	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl related substances, specifically including derivatives, are classified as Schedule I controlled substances.	Unlawful possession of Schedule II, III, or IV substances is a Class 1 misdemeanor, while possession of methamphetamine, amphetamine, phencyclidine, cocaine, fentanyl, or carfentanil is a Class 1 felony (24 months, depending on prior record) (§ 90-95(a)(3)).	Trafficking 4 or more grams of fentanyl or related substances is a felony with penalties increasing by amount: 4 to less than 14 grams (Class F, 70-93 months, \$50,000), 14 to less than 28 grams (Class E, 90-120 months, \$750,000), 28 grams or more (Class C, 225-282 months, \$100,000), applies to pure or mixed form; enhanced penalties if near schools or involving minors (§ 90-95(a)).	None	See distribution offense.
North Dakota	N.D. CENT. CODE §§ 19-03.1-05 (Schedule I), 19-03.1-07 (Schedule II), 19-03.1-22.2. (endangerment of child or vulnerable adult), 19-03.1-23.1 (increased penalties for aggravating factors in drug offenses, penalty).	No	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal provisions related to Schedules I and II apply to fentanyl, its derivatives, and carfentanil.	North Dakota does not currently have a separate statute specifically criminalizing fentanyl distribution.	Exposing a child to fentanyl or related chemicals/paraphernalia is a Class C felony (up to 5 years, \$10,000); Class B (up to 10 years, \$20,000) if injury occurs; Class A (up to 20 years, \$20,000) if death results; defense if legally prescribed/administered (§ 19-03.1-22.2).	A person 21 or older who delivers fentanyl to minor within 300 feet of school or during school hours is subject to a Class A felony; enhanced penalties if firearm was involved or death results (§19-03.1-23.1).
Ohio	OHIO REV. CODE ANN. §§ 2925.01 (definitions), 2925.03 (trafficking offenses), 2925.05 (aggravated and funding of drug trafficking) cover controlled substances, including fentanyl-related trafficking and funding crimes.	Yes and no; certain penalties related to trafficking are exclusive to fentanyl-related compounds, while other provisions include other drugs.	The state board of pharmacy adopts rules defining Schedules I–V for controlled substances, aligning with federal law.  Fentanyl and its analogs are Schedule II, while many fentanyl-related substances are Schedule I under 21 CFR 1308.11–15 (§ 3719.4).	All criminal possession provisions related to Schedules I and II apply to fentanyl, its derivatives, and carfentanil.	Knowingly selling, distributing, or preparing fentanyl-related substances for sale is prohibited (§ 2925.03). Penalties range from fifth-degree felonies for small amounts to first-degree felonies for large amounts or offenses near schools or juveniles, with mandatory prison terms for larger quantities. Enhanced penalties apply for trafficking near protected locations. Funding fentanyl-related drug trafficking in specified amounts is a first-degree felony (can result in an indefinite prison sentence, minimum term of 3-11 years) with mandatory prison terms and major drug offender status for large-scale offenses (§ 2925.05).	None	See distribution offense.



Oklahoma	OKLA. STAT. ANN. tit. 21, §§ 20F (class B1 offenses), 20H (class B3 offenses); tit. 63, §§ 2-204 (schedule I), § 2-206 (schedule II), 2-401 (prohibited acts), 2-415 (application - fines and penalties)	Yes and no; there are fentanyl-specific provisions for trafficking and manufacturing, while all other criminal provisions related to Schedule II apply to fentanyl.	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl related substances including derivatives are classified as Schedule I controlled substances.	All criminal possession provisions related to Schedules I and II apply to fentanyl, fentanyl derivatives, and carfentanil.	Unlawful fentanyl distribution manufacturing or possession with intent is a felony ranging from Class C2 to A1 based on amount and circumstances. Trafficking to minors or near schools increases penalties. Aggravated manufacturing of 10 grams or more is a Class A1 felony (minimum 20 years, \$50,000). Repeat offenses result in harsher sentences including habitual offender status and mandatory minimums. Use or sale of drug paraphernalia to persons under 18 is a felony. (§§ 2-401, 2-415, 20F, 20H).	None	See distribution offense.
Oregon	OR REV STAT. § 475.900 (crime category classification for commercial drug offenses), 475.904 (unlawful manufacture or delivery of controlled substance within 1,000 feet of school; exceptions), 475.906 (penalties for unlawful delivery to minors), 475.925 (sentencing for unlawful delivery or manufacture); OR ADMIN R 855-080-0021 (Schedule I), 855-080-0022 (Schedule II).	Yes	Schedule II includes fentanyl and its analogs as listed in federal regulations; any substituted fentanyl derivatives not listed in state Schedules II through V or not FDA approved are classified as Schedule I controlled substances (OR ADMIN 855-080-0022; 21 CFR 1308.11-15).	All criminal possession provisions applicable to Schedules I and II apply to fentanyl.	Possession or delivery of 5 grams or more of fentanyl is a serious felony in Oregon, classified under crime category 8 (34-72 months, depending on criminal history). Larger quantities, such as 100 grams or more, carry the same presumptive sentence range. Sentences increase if the offense occurs within 1,000 feet of a school (§ 475.904) or involves delivery to minors (§ 475.906). Repeat offenders may face enhanced penalties (§ 475.925).	None	See distribution offense. Violations involving fentanyl or derivatives are Class A felonies (20 years, up to \$375,000) near schools or minors (§ 475.904).
Pennsylvania	35 PA.CON.S. STAT. § 780-104 (Schedules of controlled substances), 2506 (drug delivery resulting in death), 6314 (sentencing and penalties for trafficking drugs to minors).	No	Fentanyl and carfentanil are classified as Schedule II controlled substances.  Fentanyl derivatives are classified as Schedule I controlled substances.	All criminal provisions applicable to Schedules I and II apply to fentanyl, fentanyl derivatives, and carfentanil.	It is a felony first-degree offense if a person intentionally distributes fentanyl or other controlled substances causing another’s death. Punishable by up to 40 years (§ 2506.).	None	An adult convicted of fentanyl delivery or intent to deliver to minors face a mandatory minimum 1-year sentence; an additional 2-year minimum applies if intent is to promote habitual use, involve trafficking, or offense occurs near schools/school buses; no probation or sentence reduction allowed (§ 6314).
Rhode Island	R.I. GEN. LAWS §§ 21-28-2.01, 28-4.01.1–4.01.2 (authority to control scheduling of controlled substances; certain quantities of controlled substances), 11-23-6 (controlled substance transaction resulting in death of minor).	Yes	Effective February 1, 2025, Rhode Island repealed its scheduling statutes and now mirrors the federal scheduling scheme.  The director of the department of health shall control all substances enumerated in the most current version of Title 21 of the Code of Federal Regulations (§ 21-28-2.01).  Under 21 CFR 1308.11–15, fentanyl and its analogs are classified as Schedule II controlled substances.	All criminal possession provisions related to Schedules I and II apply to fentanyl.	It is unlawful to manufacture, sell, or possess with intent to manufacture or sell one ounce to one kilogram of a substance containing fentanyl or carfentanil (up to 50 years imprisonment, \$500,000) (§ 21-28-4.01.1). Possession, manufacture, sale, or delivery of more than one kilogram is punishable by up to life imprisonment and \$1 million (§ 21-28-4.01.2).	None	Life imprisonment for selling, delivering, or providing a felony-level controlled substance to a minor if the minor dies from ingesting, injecting, or inhaling it (§ 11-23-6).
South Carolina	S.C. CODE ANN. § 44-53-190 (Schedule I), § 44-53-210 (Schedule II), § 44-53-370 (prohibited acts).	Yes	Fentanyl and sufentanil are classified as Schedule II controlled substances.  All other fentanyl related substances are classified as Schedule I controlled substances.	Possessing more than two grains of fentanyl or a related substance is a felony. For a first offense (5 years, \$5,000). For a second offense (10 years and a \$7,500 fine). For a third or later offense (15 years, \$10,000 fine). The prison time for first and second offenses may be suspended, allowing eligibility for parole and other credits (§ 44-53-370(c)).	It is unlawful to manufacture, distribute, dispense, deliver, purchase, or possess with intent to do so for fentanyl; possession of more than 2 grains is sufficient evidence to establish intent (§ 44-53-370(a)). Possession of 4 to less than 14 grams is trafficking: first offense (7-25 years, \$50,000); second or subsequent offenses (minimum of 25 years, \$100,000 fine); possession of 14 to less than 28 grams (25 years, \$200,000 fine); 28 grams or more (25- 40 years, \$200,000 fine) (§ 44-53-370(c)(8)).	None	South Carolina does not have a statute that specifically criminalizes the distribution of fentanyl to minors. While South Carolina has enacted laws targeting fentanyl trafficking and distribution, these laws do not include provisions that address offenses involving minors.
South Dakota	S.D. CODIFIED LAWS §§ 34-20B-13 (Schedule I), 34-20B-17 (Schedule II), 22-42-2 (unauthorized manufacture, distribution, or possession of controlled substances).	Yes, for homicide related to fentanyl distribution. Other penalties are the same as for other substances.	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal possession provisions related to Schedules I and II apply to fentanyl.	Manufacturing, distributing, or possessing with intent fentanyl is a Class 4 felony, rising to Class 3 with aggravating factors; possession/distribution of 4 milligrams or more fentanyl is Class 2 felony (3-10 mandatory minimums); distribution to minors is Class 2 felony (1-15 mandatory minimums (5 years if fentanyl)), no probation or suspension allowed; causing death elevates to Class 2 or 1 felony; out-of-state convictions count; civil fines up to \$10,000 possible (§ 22-42-2).	None	See distribution offense.

Tennessee	TENN. CODE ANN. §§ 39-13-210 (second degree murder), 39-15-401 (child abuse and child neglect or endangerment), 39-17-406 (Schedule I), 39-17-408 (Schedule II), 39-17-417 (drug offenses and penalties).	Yes	Fentanyl and its analogs as well as the immediate precursor to fentanyl are classified as Schedule II controlled substances.  Any other fentanyl derivatives and analogs unless specifically excepted or listed in another Schedule are classified as Schedule I controlled substances.	All criminal possession provisions applicable to Schedules I and II apply to fentanyl.	Knowingly manufacturing, delivering, selling, or possessing fentanyl with intent to distribute is a felony - 0.5 grams or more is a Class B felony (8–30 years, \$100,000 fine); less than 0.5 grams is a Class C felony (3–15 years, \$100,000 fine) unless a weapon was used or injury/death occurred then a Class B felony; 15 grams or more is Class B (8–30 years, \$200,000 fine); 150 grams or more is Class A (15–60 years, \$500,000 fine); causing death is charged as second-degree murder; distribution of fentanyl to a minor (under 18) increases penalty one felony class higher (§ 39-17-417).	It is unlawful to expose a child to fentanyl or its analogs resulting in detectable presence in the child's body is a Class E (6 months-1 year, \$3,000) felony, or Class B felony if the child is 8 or younger (§ 39-15-401).	See distribution offense.
Texas	TEX. HEALTH & SAFETY CODE ANN. §§ 481.1022 (Penalty Group 1-B), 481.032 (Schedules), 481.122 (offense: delivery of controlled substance to child).	No	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  All other fentanyl related substances are classified as Schedule I controlled substances.	All criminal provisions related to Schedules I and II apply to fentanyl, fentanyl-related substances, and carfentanil. Additionally, all criminal provisions related to Penalty Group 1-B apply to fentanyl and its derivatives.	Texas does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	It is a second-degree felony to knowingly deliver fentanyl (or similar controlled substances) to a minor or a school student (§ 481.122).
Utah	UTAH CODE ANN. §§ 58-37-4 (Schedules of controlled substances), 58-37-8.1 (trafficking of fentanyl or fentanyl-related substance), 58-37a-5 (unlawful acts).	Yes, for trafficking offenses.	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal possession provisions related to Schedules I and II apply to fentanyl.	Trafficking 100 grams or more of fentanyl or related substances (including carfentanil, sufentanil, alfentanil) through production, distribution, or possession with intent is a first-degree felony (5 years to life, up to \$10,000). Sentences generally cannot be suspended or reduced, except for youth offenders or when deemed appropriate by the court (§ 58-37-8.1).	None	Individuals 18 years or older delivering drug paraphernalia to a minor and 3 or more years younger commits a third degree felony (up to five years, up to \$5,000) (§ 58-37a-5).
Vermont	VT STAT. ANN. tit 18 §§ 4233a (fentanyl), 4237 (selling or dispensing to minors; selling on school grounds); 12-5 VT CODE R. § 23:6.0 (narcotic drugs) CVR 13-140-011.	Yes	Fentanyl and all fentanyl-related substances are classified as “Narcotic Drugs” under the Vermont Regulated Drug Rule (12-5 VT. CODE R. § 23:6.0).	All criminal possession provisions related to Schedules I and II apply to fentanyl.	Knowingly selling fentanyl: up to 3 years or \$75,000; dispensing: up to 5 years or \$100,000; sale/dispense of 4 milligrams or more: up to 10 years or \$250,000; 20 milligrams or more: up to 20 years or \$1 million; detectable fentanyl in drug: up to 5 years or \$250,000; possession of 70 milligrams or more with intent to sell: up to 30 years or \$1 million (presumed intent); transporting more than 20 milligrams into Vermont with intent to sell: up to 10 years or \$100,000 (§4233a).	None	Knowingly dispensing a regulated drug to a minor at least three years younger: imprisonment up to 5 years. Knowingly selling to a minor: imprisonment up to 10 years. Knowingly selling or dispensing on a school bus, on school property, or within 500 feet of school property: imprisonment up to 10 years (§ 4237).
Virginia	VA. CODE ANN. §§ 18.2-46.4 (definitions), 18.2-46.6 (terrorism-related possession, manufacture, distribution), 18.2-248.02 (minor present during manufacture of methamphetamine or fentanyl), 54.1-3446 (Schedule I), 54.1-3448 (Schedule II); 18.2-36.3 (involuntary manslaughter; certain drug offenses).	Yes, specifically regarding the manufacturing of fentanyl.	Fentanyl and its analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	Fentanyl is classified as a “weapon of terrorism.” Manufacturing or distributing it as such is a Class 4 felony (2-10 years, fine up to \$100,000) (§ 18.2-46.6).	Knowingly manufacturing, selling, or distributing fentanyl (including analogs) causing unintentional death from use is involuntary manslaughter (1–10 years, up to \$2,500 fine); no defense if victim contributed; accommodation sales without profit are Class 6 felony (1–5 years, \$2,500 fine); prosecution venue includes where fentanyl was made, sold, used, or death occurred; no double prosecution for related offenses (§ 18.2-36.3).	None	Allowing minors or vulnerable persons during the manufacture of fentanyl carries 10 to 40 years, consecutive to other sentences (§ 18.2-248.02).
Washington	WASH. REV. CODE ANN. §§ 69.50.204 (Schedule I), 69.50.206 (Schedule II), 69.50.4015 (involving a person under eighteen in unlawful controlled substance transaction).	No	Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.  Many fentanyl related substances are classified as Schedule I controlled substances.	All criminal provisions related to Schedule II apply to fentanyl.	Washington does not currently have a separate statute specifically criminalizing fentanyl distribution.	None	It is illegal to involve anyone under 18 in unlawful manufacture, sale, or delivery of controlled substances. Violations are Class C felonies (§ 69.50.4015).



West Virginia	W. VA. CODE ANN. §§ 60A-2-204 (Schedule I), 60A-2-206 (Schedule II), 60A-4-401 (prohibited acts; penalties), 60A-4-406 (distribution to persons under age 18 by persons over the age of 21), 60A-4-409 (transportation of controlled substances; penalties); 60A-4-414 (conspiracy), 60A-4-416 (drug delivery resulting in death), 60A-4-418 (use of a minor to commit a felony drug offense; penalties), 60A-4-419 (drug kingpin).	Yes	<p>Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.</p> <p>Many fentanyl related substances are classified as Schedule I controlled substances.</p>	All criminal possession provisions related to Schedules I and II apply to fentanyl.	<p>Manufacturing, delivering, possessing, or transporting Schedule II substances is illegal; fentanyl offenses have harsher penalties, up to 15 years prison and \$50,000 fine (§ 60A-4-401).</p> <p>Transporting fentanyl carries a sentence of 5 to 30 years, with mandatory 15 years for 5 or more grams of fentanyl and no probation (60A-4-409).</p> <p>Conspiracy penalties range from 2 to 30 years based on fentanyl amount, with 5 year mandatory minimum for 5 or more grams (§ 60A-4-414).</p> <p>Delivery of fentanyl causing death is punishable by 10–40 years imprisonment (§ 60A-4-416).</p> <p>Drug kingpins face 10 to 40 years and up to \$100,000 fine, no probation; applies even if drugs are destined for distribution outside of the state (§ 60A-4-419).</p>	None	<p>Parole is prohibited for 3 years for felony Schedule I or II drug distribution if the distributor is 21 or older and the recipient is under 18, or if distributor is 18 or older and distribution occurs near schools or libraries (§ 60A-4-406).</p> <p>Any person 21 or older who knowingly involves a minor under 18 in manufacturing, distributing, dispensing, or possessing with intent to distribute controlled substances commits a felony, punishable by up to 5 years imprisonment, a fine up to \$10,000, or both (§ 60A-4-418).</p>
Wisconsin	WIS. STAT. §§ 961.14 (Schedule I), 961.16 (Schedule II), 961.41 (prohibited acts and penalties), 961.455 (using a child for illegal drug distribution or manufacturing purposes), 961.46 (distribution to persons under age 18).	Yes, with respect to distribution and delivery.	<p>Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.</p> <p>Many fentanyl related substances are classified as Schedule II controlled substances.</p>	It is illegal to possess fentanyl or similar drugs with intent to distribute. Penalties depend on the amount: up to 15 years in prison and \$50,000 fine for 10 grams or less; up to 25 years and \$100,000 for more than 10 up to 50 grams; and up to 40 years and \$100,000 for more than 50 grams (§ 961.41(1m)).	It is illegal to manufacture, distribute, or deliver fentanyl or similar drugs. Penalties depend on the amount: up to 15 years in prison and \$50,000 fine for 10 grams or less; up to 25 years and \$100,000 for more than 10 up to 50 grams; and up to 40 years and \$100,000 for more than 50 grams (§ 961.41(1)(dm)).	None	<p>Any person 17 or older who knowingly solicits, hires, directs, employs, or uses a person under 17 to manufacture, distribute, or deliver fentanyl or its analogs commits a Class F felony (up to 12 years and 6 months and \$25,000). Mistaken belief the person is 18 or older is no defense (§ 961.455).</p> <p>If a person 17 or older distributes or delivers a controlled substance or analog to someone 17 or younger who is at least 3 years younger, the maximum imprisonment may be increased by up to 5 years (§ 961.46).</p>
Wyoming	WYO. STAT. ANN. §§ 6-4-405 (endangering children), 35-7-1014 (Schedule I), 35-7-1016 (Schedule II), 35-7-1036 (distribution to person under 18; drug free school zones).	No	<p>Fentanyl and fentanyl analogs are classified as Schedule II controlled substances.</p> <p>Many fentanyl related substances are classified as Schedule I controlled substances.</p>	All criminal provisions for Schedules I and II apply to fentanyl.	Wyoming does not currently have a separate statute specifically criminalizing fentanyl distribution.	Knowingly allowing a child to ingest, be present where meth/fentanyl is made, stored, sold, or used is punishable by up to 5 years imprisonment, a \$5,000 fine, or both (§ 6-4-405).	<p>Adults 18 or older who distribute controlled substances to minors at least 3 years younger may receive up to twice the penalties outlined in W.S. 35-7-1036(a), based on the drug schedule. Enhanced penalties apply within five hundred feet of schools or on school buses. Adults are subject to at least two years in prison and fines. Minors face rehab, 25 to 200 hours of community service, and drug testing.</p>