

## 2023 Kansas Statutes

- 21-5430. Distribution of a controlled substance causing great bodily harm or death.** (a) Distribution of a controlled substance causing great bodily harm is distributing a controlled substance in violation of K.S.A. 21-5705, and amendments thereto, when great bodily harm results from the use of such controlled substance.
- (b) Distribution of a controlled substance causing death is distributing a controlled substance in violation of K.S.A. 21-5705, and amendments thereto, when death results from the use of such controlled substance.
- (c) (1) Distribution of a controlled substance causing great bodily harm is a nondrug severity level 5, person felony.
- (2) Distribution of a controlled substance causing death is a nondrug severity level 1, person felony.
- (d) It shall not be a defense that the user contributed to the user's own great bodily harm or death by using the controlled substance or consenting to the administration of the controlled substance by another.
- (e) As used in this section:
- (1) "Controlled substance" has the same meaning as defined in K.S.A. 21-5701, and amendments thereto, and also includes "controlled substance analog" as defined in K.S.A. 21-5701, and amendment thereto;
- (2) "distribute" has the same meaning as defined in K.S.A. 21-5701, and amendments thereto; and
- (3) "use" means injection, inhalation, ingestion or other introduction into the body.
- (f) This section shall be part of and supplemental to the Kansas criminal code.
- History:** L. 2013, ch. 20, § 1; July 1.