

109TH CONGRESS
1ST SESSION

H. R. 2348

To amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2005

Mr. LATHAM (for himself, Mr. KUHLMAN of New York, Mr. WOLF, Mr. CASE, Mr. KENNEDY of Minnesota, and Mr. McCAUL of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Drug Dealer Liability
5 Act of 2005”.

1 **SEC. 2. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LI-**
2 **ABILITY.**

3 (a) IN GENERAL.—Part E of the Controlled Sub-
4 stances Act is amended by adding at the end the following:

5 **“SEC. 521. FEDERAL CAUSE OF ACTION FOR DRUG DEALER**
6 **LIABILITY.**

7 “(a) IN GENERAL.—Except as provided in subsection
8 (b), any person who manufactures or distributes a con-
9 trolled substance in a felony violation of this title or title
10 III shall be liable in a civil action to any party harmed,
11 directly or indirectly, by the use of that controlled sub-
12 stance.

13 “(b) EXCEPTION.—An individual user of a controlled
14 substance may not bring or maintain an action under this
15 section unless the individual personally discloses to nar-
16 cotics enforcement authorities all of the information
17 known to the individual regarding all that individual’s
18 sources of illegal controlled substances.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 for the Comprehensive Drug Abuse Prevention and Con-
21 trol Act of 1970 is amended by inserting after the time
22 relating to section 520 the following new item:

“Sec. 521. Federal cause of action for drug dealer liability.”.

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