

## **CS/SB 718 – Exposures of First Responders to Fentanyl and Fentanyl Analogs (Similar CS/CS HB 231)**

This bill creates s. 893.132, F.S., defining multiple terms and adding an **unranked, 2<sup>nd</sup> degree felony (Level 4 by default)** for “a person 18 years of age or older who, in the course of unlawfully possessing dangerous fentanyl or fentanyl analogs, exposes a first responder to dangerous fentanyl or fentanyl analogs and an overdose or serious bodily injury of the first responder results.” The term “expose” is defined as “to cause any of the following, including, but not limited to, ingestion, inhalation, needlestick injury, or absorption through skin or mucous membranes.” The bill also defines “first responders” as “a law enforcement officer...a correctional officer...a correctional probation officer...a firefighter...an emergency medical technician...or a paramedic...who is acting in his or her official capacity.”

It is not known how many incidents occur each year, but news reports on the matter and research by medical professionals indicate that exposure to fentanyl by first responders is a rare event.<sup>1</sup> Therefore, this new language is not expected to have a significant impact on the prison population.

In FY 22-23, the incarceration rate for a Level 4, 2<sup>nd</sup> degree felony was 27.6%.

**CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

**Requested by: Senate & House**

---

<sup>1</sup> “‘Passive’ fentanyl exposure: more myth than reality,” <https://www.statnews.com/2018/12/21/passive-fentanyl-exposure-myth-reality/>