

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S1/19/23

# A Bill

SENATE BILL 7

5 By: Senator B. King  
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## For An Act To Be Entitled

8 AN ACT TO ADD THE CRIMINAL OFFENSE OF PRESCRIPTION  
9 DRUG HARM OR HOMICIDE; AND FOR OTHER PURPOSES.  
10

### Subtitle

11 TO ADD THE CRIMINAL OFFENSE OF  
12 PRESCRIPTION DRUG HARM OR HOMICIDE.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 5, Chapter 63, Subchapter 2, is amended  
20 to add an additional section to read as follows:

21 5-63-206. Prescription drug harm or homicide.

22 (a) As used in this section:

23 (1) "Executive officer" means a president, chair of an executive  
24 committee, chief financial officer, or other individual with managerial  
25 authority who performs similar functions to a president, chair of an  
26 executive committee, or chief financial officer;

27 (2)(A) "Pharmaceutical company" means a business that is licensed  
28 with the United States Food and Drug Administration to commercially research,  
29 develop, market, manufacture, and distribute prescription drugs.

30 (B) "Pharmaceutical company" does not include a licensed,  
31 registered, or otherwise permitted healthcare provider or healthcare  
32 facility, such as a pharmacy, hospital, or pharmacist; and

33 (3) "Uses" means ingests, inhales, injects, or otherwise  
34 introduces into the body.

35 (b) A person commits prescription drug harm or homicide if:

36 (1) The person is an executive officer for a pharmaceutical



1 company and is eighteen (18) years of age or older;

2 (2) The person introduces into the market a prescription drug  
3 produced by the pharmaceutical company;

4 (3) The person knowingly hides, conceals, omits, or otherwise  
5 withholds evidence, documentation, or information that the prescription drug  
6 has dangerous effects;

7 (4) Another person is prescribed the prescription drug and in  
8 this state uses the prescription drug; and

9 (5) The use of the prescription drug causes the death of or  
10 serious physical injury to the other person.

11 (c) Prescription drug harm or homicide is an unclassified felony with  
12 a sentence of imprisonment of not less than one (1) year and not more than  
13 life.

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15 */s/B. King*  
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