

115TH CONGRESS
2D SESSION

S. 2

AN ACT

To amend section 175b of title 18, United States Code,
to correct a scrivener's error.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Effective Prosecution
3 of Possession of Biological Toxins and Agents Act of
4 2018”.

5 **SEC. 2. PROHIBITION ON THE POSSESSION OF BIOLOGICAL**
6 **TOXINS AND AGENTS.**

7 Section 175b of title 18, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) by striking “(a)(1) No restricted” and
11 all that follows through the end of paragraph
12 (1) and inserting the following:

13 “(a) OFFENSE.—

14 “(1) IN GENERAL.—It shall be unlawful for a
15 restricted person to—

16 “(A) ship, transport, or possess in or af-
17 fecting interstate or foreign commerce any bio-
18 logical agent or toxin described in paragraph
19 (2); or

20 “(B) receive any biological agent or toxin
21 described in paragraph (2) that has been
22 shipped or transported in interstate or foreign
23 commerce.

24 “(2) AGENTS AND TOXINS COVERED.—A bio-
25 logical agent or toxin described in this paragraph is
26 a biological agent or toxin that—

1 “(A) is listed as a non-overlap or overlap
 2 select biological agent or toxin under part 73 of
 3 title 42, Code of Federal Regulations, pursuant
 4 to section 351A of the Public Health Service
 5 Act (42 U.S.C. 262a); and

6 “(B) is not excluded or exempted under
 7 part 73 of title 42, Code of Federal Regula-
 8 tions.”; and

9 (B) by striking “(2) Whoever” and insert-
 10 ing “(3) PENALTY.—Whoever” and adjusting
 11 the margin accordingly; and

12 (2) in subsection (d), in the matter preceding
 13 paragraph (1), by inserting “DEFINITIONS.—” be-
 14 fore “In this section:”.

Passed the Senate December 18, 2018.

Attest:

Secretary.

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