

115TH CONGRESS  
2D SESSION

# S. 2

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

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2018

Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. CORNYN, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Effective Prosecution  
5       of Possession of Biological Toxins and Agents Act of  
6       2018”.

7       **SEC. 2. PROHIBITION ON THE POSSESSION OF BIOLOGICAL**  
8               **TOXINS AND AGENTS.**

9       Section 175b of title 18, United States Code, is  
10      amended—

1 (1) in subsection (a)—

2 (A) by striking “(a)(1) No restricted” and  
3 all that follows through the end of paragraph  
4 (1) and inserting the following:

5 “(a) OFFENSE.—

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

8 “(A) ship, transport, or possess in or af-  
9 fecting interstate or foreign commerce any bio-  
10 logical agent or toxin described in paragraph  
11 (2); or

12 “(B) receive any biological agent or toxin  
13 described in paragraph (2) that has been  
14 shipped or transported in interstate or foreign  
15 commerce.

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

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

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

4           (B) by striking “(2) Whoever” and insert-  
5           ing “(3) PENALTY.—Whoever” and adjusting  
6           the margin accordingly; and

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

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