

119TH CONGRESS
1ST SESSION

S. 545

To prohibit certain uses of xylazine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2025

Ms. CORTEZ MASTO (for herself, Mr. GRASSLEY, Ms. HASSAN, Mrs. GILLIBRAND, Mrs. HYDE-SMITH, Ms. CANTWELL, Mr. SCOTT of Florida, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mrs. BRITT, Mrs. CAPITO, Mr. YOUNG, Mr. KELLY, Mr. KAINE, Mr. RISCH, Ms. ROSEN, Mr. BLUMENTHAL, Mr. LUJÁN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit certain uses of xylazine, and for other purposes.

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 title may be cited as the “Combating Illicit
5 Xylazine Act”.

6 **SEC. 2. DEFINITIONS.**

7 (a) IN GENERAL.—In this title, the term “xylazine”
8 has the meaning given the term in paragraph (60) of sec-
9 tion 102 of the Controlled Substances Act, as added by
10 subsection (b) of this section.

1 (b) CONTROLLED SUBSTANCES ACT.—Section 102 of
 2 the Controlled Substances Act (21 U.S.C. 802) is amend-
 3 ed by adding at the end the following:

4 “(60) The term ‘xylazine’ means the substance
 5 xylazine, including its salts, isomers, and salts of isomers
 6 whenever the existence of such salts, isomers, and salts
 7 of isomers is possible.”.

8 **SEC. 3. ADDING XYLAZINE TO SCHEDULE III.**

9 Schedule III of section 202(c) of the Controlled Sub-
 10 stances Act (21 U.S.C. 812) is amended by adding at the
 11 end the following:

12 “(f) Unless specifically excepted or unless listed in
 13 another schedule, any material, compound, mixture, or
 14 preparation which contains any quantity of xylazine.”.

15 **SEC. 4. AMENDMENTS.**

16 (a) AMENDMENT.—Section 102 of the Controlled
 17 Substances Act (21 U.S.C. 802) is amended by striking
 18 paragraph (27) and inserting the following:

19 “(27)(A) Except as provided in subparagraph (B),
 20 the term ‘ultimate user’ means a person who has lawfully
 21 obtained, and who possesses, a controlled substance for
 22 the use by the person or for the use of a member of the
 23 household of the person or for an animal owned by the
 24 person or by a member of the household of the person.

1 “(B)(i) In the case of xylazine, other than for a drug
2 product approved under subsection (b) or (j) of section
3 505 of the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 355), the term ‘ultimate user’ means a person—

5 “(I) to whom xylazine was dispensed by—

6 “(aa) a veterinarian registered under this
7 Act; or

8 “(bb) a pharmacy registered under this
9 Act pursuant to a prescription of a veterinarian
10 registered under this Act; and

11 “(II) who possesses xylazine for—

12 “(aa) an animal owned by the person or by
13 a member of the household of the person;

14 “(bb) an animal under the care of the per-
15 son;

16 “(cc) use in government animal-control
17 programs authorized under applicable Federal,
18 State, Tribal, or local law; or

19 “(dd) use in wildlife programs authorized
20 under applicable Federal, State, Tribal, or local
21 law.

22 “(ii) In this subparagraph, the term ‘person’ in-
23 cludes—

24 “(I) a government agency or business where
25 animals are located; and

1 “(II) an employee or agent of an agency or
2 business acting within the scope of their employment
3 or agency.”.

4 (b) FACILITIES.—An entity that manufactures
5 xylazine, as of the date of enactment of this Act, shall
6 not be required to make capital expenditures necessary to
7 install the security standard required of schedule III of
8 the Controlled Substances Act (21 U.S.C. 801 et seq.) for
9 the purposes of manufacturing xylazine.

10 (c) LABELING.—The requirements related to label-
11 ing, packaging, and distribution logistics of a controlled
12 substance in schedule III of section 202(c) of the Con-
13 trolled Substances Act (21 U.S.C. 812(c)) shall not take
14 effect for xylazine until the date that is 1 year after the
15 date of enactment of this Act.

16 (d) PRACTITIONER REGISTRATION.—The require-
17 ments related to practitioner registration, inventory, and
18 recordkeeping of a controlled substance in schedule III of
19 section 202(c) of the Controlled Substances Act (21
20 U.S.C. 812(c)) shall not take effect for xylazine until the
21 date that is 60 days after the date of enactment of this
22 Act. A practitioner that has applied for registration during
23 the 60-day period beginning on the date of enactment of
24 this Act may continue their lawful activities until such ap-
25 plication is approved or denied.

1 (e) MANUFACTURER TRANSITION.—The Food and
 2 Drug Administration and the Drug Enforcement Adminis-
 3 tration shall facilitate and expedite the relevant manufac-
 4 turer submissions or applications required by the place-
 5 ment of xylazine on schedule III of section 202(c) of the
 6 Controlled Substances Act (21 U.S.C. 812(c)).

7 (f) CLARIFICATION.—Nothing in this title, or the
 8 amendments made by this title, shall be construed to re-
 9 quire the registration of an ultimate user of xylazine under
 10 the Controlled Substances Act (21 U.S.C. 801 et seq.) in
 11 order to possess xylazine in accordance with subparagraph
 12 (B) of section 102(27) of that Act (21 U.S.C. 802(27)),
 13 as added by subsection (a) of this section.

14 **SEC. 5. ARCOS TRACKING.**

15 Section 307(i) of the Controlled Substances Act (21
 16 U.S.C. 827(i)) is amended—

17 (1) in the matter preceding paragraph (1)—

18 (A) by inserting “or xylazine” after
 19 “gamma hydroxybutyric acid”;

20 (B) by inserting “or 512” after “section
 21 505”; and

22 (C) by inserting “respectively,” after “the
 23 Federal Food, Drug, and Cosmetic Act,”; and

24 (2) in paragraph (6), by inserting “or xylazine”
 25 after “gamma hydroxybutyric acid”.

1 **SEC. 6. SENTENCING COMMISSION.**

2 Pursuant to its authority under section 994(p) of title
3 28, United States Code, the United States Sentencing
4 Commission shall review and, if appropriate, amend its
5 sentencing guidelines, policy statements, and official com-
6 mentary applicable to persons convicted of an offense
7 under section 401 of the Controlled Substances Act (21
8 U.S.C. 841) or section 1010 of the Controlled Substances
9 Import and Export Act (21 U.S.C. 960) to provide appro-
10 priate penalties for offenses involving xylazine that are
11 consistent with the amendments made by this title. In car-
12 rying out this section, the Commission should consider the
13 common forms of xylazine as well as its use alongside
14 other scheduled substances.

15 **SEC. 7. REPORT TO CONGRESS ON XYLAZINE.**

16 (a) INITIAL REPORT.—Not later than 18 months
17 after the date of the enactment of this Act, the Attorney
18 General, acting through the Administrator of the Drug
19 Enforcement Administration and in coordination with the
20 Commissioner of Food and Drugs, shall submit to Con-
21 gress a report on the prevalence of illicit use of xylazine
22 in the United States and the impacts of such use, includ-
23 ing—

- 24 (1) where the drug is being diverted;
25 (2) where the drug is originating; and

1 (3) whether any analogues to xylazine, or re-
2 lated or derivative substances, exist and present a
3 substantial risk of abuse.

4 (b) ADDITIONAL REPORT.—Not later than 4 years
5 after the date of the enactment of this Act, the Attorney
6 General, acting through the Administrator of the Drug
7 Enforcement Administration and in coordination with the
8 Commissioner of Food and Drugs, shall submit to Con-
9 gress a report updating Congress on the prevalence and
10 proliferation of xylazine trafficking and misuse in the
11 United States.

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