

Public Law 98-305
98th Congress

An Act

To amend title 18 of the United States Code to provide a criminal penalty for robbery of a controlled substance.

May 31, 1984
[S. 422]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Controlled Substance Registrant Protection Act of 1984".

SEC. 2. Chapter 103 of title 18, United States Code, is amended by adding at the end the following:

Controlled
Substance
Registrant
Protection Act of
1984.
18 USC 2118
note.
18 USC 2118.

“§ 2118. Robberies and burglaries involving controlled substances

“(a) Whoever takes or attempts to take from the person or presence of another by force or violence or by intimidation any material or compound containing any quantity of a controlled substance belonging to or in the care, custody, control, or possession of a person registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act (21 U.S.C. 822) shall, except as provided in subsection (c), be fined not more than \$25,000 or imprisoned not more than twenty years, or both, if (1) the replacement cost of the material or compound to the registrant was not less than \$500, (2) the person who engaged in such taking or attempted such taking traveled in interstate or foreign commerce or used any facility in interstate or foreign commerce to facilitate such taking or attempt, or (3) another person was killed or suffered significant bodily injury as a result of such taking or attempt.

“(b) Whoever, without authority, enters or attempts to enter, or remains in, the business premises or property of a person registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act (21 U.S.C. 822) with the intent to steal any material or compound containing any quantity of a controlled substance shall, except as provided in subsection (c), be fined not more than \$25,000 or imprisoned not more than twenty years, or both, if (1) the replacement cost of the controlled substance to the registrant was not less than \$500, (2) the person who engaged in such entry or attempted such entry or who remained in such premises or property traveled in interstate or foreign commerce or used any facility in interstate or foreign commerce to facilitate such entry or attempt or to facilitate remaining in such premises or property, or (3) another person was killed or suffered significant bodily injury as a result of such entry or attempt.

“(c)(1) Whoever in committing any offense under subsection (a) or (b) assaults any person, or puts in jeopardy the life of any person, by the use of a dangerous weapon or device shall be fined not more than \$35,000 and imprisoned for not more than twenty-five years.

“(2) Whoever in committing any offense under subsection (a) or (b) kills any person shall be fined not more than \$50,000 or imprisoned for any term of years or life, or both.

“(d) If two or more persons conspire to violate subsection (a) or (b) of this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be fined not more than \$25,000 or imprisoned not more than ten years or both.

“(e) For purposes of this section—

“(1) the term ‘controlled substance’ has the meaning prescribed for that term by section 102 of the Controlled Substances Act;

“(2) the term ‘business premises or property’ includes conveyances and storage facilities; and

“(3) the term ‘significant bodily injury’ means bodily injury which involves a risk of death, significant physical pain, protracted and obvious disfigurement, or a protracted loss or impairment of the function of a bodily member, organ, or mental or sensory faculty.”

SEC. 3. The table of sections for chapter 103 of title 18, United States Code, is amended by adding at the end the following new item:

“2118. Robberies and burglaries involving controlled substances.”

SEC. 4. For each of the first three years after the date of enactment of this Act, the Attorney General of the United States shall submit an annual report to the Congress with respect to the enforcement activities of the Attorney General relating to the offenses created by the amendment made by section 2 of this Act.

Approved May 31, 1984.

21 USC 802.

Report.
28 USC 522 note.

... (b) If two or more persons conspire to violate subsection (a) or (b) of this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be fined not more than \$25,000 or imprisoned not more than ten years or both. (c) For purposes of this section— (1) the term ‘controlled substance’ has the meaning prescribed for that term by section 102 of the Controlled Substances Act; (2) the term ‘business premises or property’ includes conveyances and storage facilities; and (3) the term ‘significant bodily injury’ means bodily injury which involves a risk of death, significant physical pain, protracted and obvious disfigurement, or a protracted loss or impairment of the function of a bodily member, organ, or mental or sensory faculty. SEC. 3. The table of sections for chapter 103 of title 18, United States Code, is amended by adding at the end the following new item: ‘2118. Robberies and burglaries involving controlled substances.’ SEC. 4. For each of the first three years after the date of enactment of this Act, the Attorney General of the United States shall submit an annual report to the Congress with respect to the enforcement activities of the Attorney General relating to the offenses created by the amendment made by section 2 of this Act. Approved May 31, 1984.

LEGISLATIVE HISTORY—S. 422 (H.R. 5222):

- SENATE REPORT No. 98-353 (Comm. on the Judiciary).
- CONGRESSIONAL RECORD, Vol. 130 (1984):
 - Feb. 23, considered and passed Senate.
 - May 8, considered and passed House, amended.
 - May 17, Senate concurred in House amendment.