HLS 11RS-131 ENGROSSED

Regular Session, 2011

HOUSE BILL NO. 12

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BY REPRESENTATIVES TEMPLET, ARNOLD, AUBERT, BALDONE, BILLIOT, BROSSETT, HENRY BURNS, CHANDLER, CHANEY, CONNICK, DANAHAY, DIXON, EDWARDS, FANNIN, GEYMANN, GISCLAIR, GREENE, HARDY, HAZEL, HENRY, HILL, HOFFMANN, HUTTER, LAMBERT, LEBAS, LIGI, LITTLE, MONTOUCET, MORRIS, PEARSON, POPE, PUGH, RICHARD, ROY, SIMON, TALBOT, WHITE, AND WILLMOTT AND SENATORS LAFLEUR, LONG, MARTINY, MILLS, MORRISH, QUINN, SHAW, SMITH, AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CONTROLLED SUBSTANCES: Adds certain synthetic substances to the list of Schedule I Controlled Dangerous Substances

AN ACT

2	To amend and reenact R.S. 40:964 (Schedule I)(E)(introductory paragraph), to enact R.S.
3	40:964(Schedule I)(E)(8) and (9) and (F), and to repeal R.S. 40:964(Schedule
4	I)(C)(32), relative to synthetic controlled dangerous substances; to add certain
5	synthetic substances to Schedule I; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 40:964 (Schedule I)(E)(introductory paragraph) is hereby amended
8	and reenacted and R.S. 40:964(Schedule I)(E)(8) and (9) and (F) are hereby enacted to read
9	as follows:
10	§964. Composition of schedules
11	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
12	40:962, consist of the following drugs or other substances, by whatever official
13	name, common or usual name, chemical name, or brand name designated:
14	SCHEDULE I
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HB NO. 12 Stimulants. Unless specifically excepted, or contained within a pharmaceutical product approved by the United States Federal Food and Drug Administration, or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers, esters, or ethers and salts of isomers, esters, or ethers whenever the existence of such salts, isomers, esters, or ethers and salts of isomers, esters, or ethers is possible within the specific chemical designation: (8) Naphthylpyrovalerone whether or not further substituted in the naphthyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the naphthyl ring by one or more other univalent substituents or whether or not further substituted in the carbon chain at the 3, 4, or 5 position with an alkyl substituent. (9) 2-amino-1-phenyl-1-propanone (cathinone) or variation in any of the following ways:

- (i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents.
 - (ii) By substitution at the 3-position with an alkyl substituent.
- (iii) By substitution at the nitrogen atom with alkyl, dialkyl, or benzyl groups, or by inclusion of the nitrogen atom in a cyclic structure.
 - F. Synthetic cannabinoids. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

HB NO. 12

1	(1) Naphthoylindoles whether or not substituted in the indole ring to any
2	extent or the naphthyl ring to any extent.
3	(2) Naphthylmethylindoles whether or not substituted in the indole ring to
4	any extent or the naphthyl ring to any extent.
5	(3) Naphthoylpyrroles whether or not substituted in the pyrrole ring to any
6	extent or the naphthyl ring to any extent.
7	(4) Naphthylmethylindenes whether or not substituted in the indene ring to
8	any extent or the naphthyl ring to any extent.
9	(5) Phenylacetylindoles whether or not substituted in the indole ring to any
10	extent or the phenyl ring to any extent.
11	(6) Cyclohexylphenols whether or not substituted in the cyclohexyl ring to
12	any extent or the phenyl ring to any extent.
13	(7) Dibenzopyrans whether or not substituted in the cyclohexyl ring to any
14	extent or the phenyl ring to any extent.
15	(8) Benzoylindoles whether or not substituted in the indole ring to any extent
16	or the phenyl ring to any extent.
17	* * *
18	Section 2. R.S. 40:964(Schedule I)(C)(32) is hereby repealed in its entirety.
19	Section 3. This Act shall become effective upon signature by the governor or, if not
20	signed by the governor, upon expiration of the time for bills to become law without signature
21	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22	vetoed by the governor and subsequently approved by the legislature, this Act shall become
23	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Templet HB No. 12

Abstract: Adds synthetic cannabinoids (synthetic marijuana) and substituted cathinones (bath salts) to Schedule I of the Uniform Controlled Dangerous Substances Law.

Page 3 of 4

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Present law</u> provides for classification of controlled dangerous substances in Schedules I through V.

<u>Proposed law</u> retains the provisions of <u>present law</u> and adds the following to Schedule I: naphthylpyrovalerone whether or not further substituted in the naphthyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the naphthyl ring by one or more other univalent substituents or whether or not further substituted in the carbon chain at the 3, 4, or 5 position with an alkyl substituent. 2-amino-1-phenyl-1-propanone (cathinone) or variation in any of the following ways:

- (i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents.
- (ii) By substitution at the 3-position with an alkyl substituent.
- (iii) By substitution at the nitrogen atom with alkyl, dialkyl, or benzyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

<u>Present law</u> (Schedule I)(C)(32) prohibits specific chemical compounds as synthetic cannabinoids.

<u>Proposed law</u> repeals <u>present law</u> and adds to Schedule I chemical groups containing any synthetic cannabinoid salts, isomers, or salts of isomers whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:964(Schedule I)(E)(intro. para.); Adds R.S. 40:964(Schedule I)(E)(8) and (9) and (F); Repeals R.S. 40:964(Schedule I)(C)(32))