

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1944

By: Bennett

4  
5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 63 O.S. 2011, Section 2-204, as amended by Section 2,  
9 Chapter 80, O.S.L. 2012 (63 O.S. Supp. 2012, Section  
10 2-204), which relates to the Uniform Controlled  
11 Dangerous Substances Act; adding certain controlled  
12 substances to Schedule I; and providing an effective  
13 date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-204, as  
16 amended by Section 2, Chapter 80, O.S.L. 2012 (63 O.S. Supp. 2012,  
17 Section 2-204), is amended to read as follows:

18 Section 2-204. The controlled substances listed in this section  
19 are included in Schedule I.

20 A. Any of the following opiates, including their isomers,  
21 esters, ethers, salts, and salts of isomers, esters, and ethers,  
22 unless specifically excepted, when the existence of these isomers,  
23 esters, ethers, and salts is possible within the specific chemical  
24 designation:

1. Acetylmethadol;

- 1 2. Allylprodine;
- 2 3. Alphacetylmethadol;
- 3 4. Alphameprodine;
- 4 5. Alphamethadol;
- 5 6. Benzethidine;
- 6 7. Betacetylmethadol;
- 7 8. Betameprodine;
- 8 9. Betamethadol;
- 9 10. Betaprodine;
- 10 11. Clonitazene;
- 11 12. Dextromoramide;
- 12 13. Dextrorphan (except its methyl ether);
- 13 14. Diampromide;
- 14 15. Diethylthiambutene;
- 15 16. Dimenoxadol;
- 16 17. Dimepheptanol;
- 17 18. Dimethylthiambutene;
- 18 19. Dioxaphetyl butyrate;
- 19 20. Dipipanone;
- 20 21. Ethylmethylthiambutene;
- 21 22. Etonitazene;
- 22 23. Etoxeridine;
- 23 24. Furethidine;
- 24 25. Hydroxypethidine;

- 1 26. Ketobemidone;
- 2 27. Levomoramide;
- 3 28. Levophenacymorphan;
- 4 29. Morpheridine;
- 5 30. Noracymethadol;
- 6 31. Norlevorphanol;
- 7 32. Normethadone;
- 8 33. Norpipanone;
- 9 34. Phenadoxone;
- 10 35. Phenampromide;
- 11 36. Phenomorphan;
- 12 37. Phenoperidine;
- 13 38. Piritramide;
- 14 39. Proheptazine;
- 15 40. Properidine;
- 16 41. Racemoramide; or
- 17 42. Trimeperidine.

18 B. Any of the following opium derivatives, their salts,  
19 isomers, and salts of isomers, unless specifically excepted, when  
20 the existence of these salts, isomers, and salts of isomers is  
21 possible within the specific chemical designation:

- 22 1. Acetorphine;
- 23 2. Acetyldihydrocodeine;
- 24 3. Benzylmorphine;

- 1 4. Codeine methylbromide;
- 2 5. Codeine-N-Oxide;
- 3 6. Cyprenorphine;
- 4 7. Desomorphine;
- 5 8. Dihydromorphine;
- 6 9. Etorphine;
- 7 10. Heroin;
- 8 11. Hydromorphinol;
- 9 12. Methyldesorphine;
- 10 13. Methylhydromorphine;
- 11 14. Morphine methylbromide;
- 12 15. Morphine methylsulfonate;
- 13 16. Morphine-N-Oxide;
- 14 17. Myrophine;
- 15 18. Nicocodeine;
- 16 19. Nicomorphine;
- 17 20. Normorphine;
- 18 21. Phoclodine; or
- 19 22. Thebacon.

20 C. Any material, compound, mixture, or preparation which  
21 contains any quantity of the following hallucinogenic substances,  
22 their salts, isomers, and salts of isomers, unless specifically  
23 excepted, when the existence of these salts, isomers, and salts of  
24 isomers is possible within the specific chemical designation:

- 1 1. Methcathinone;
- 2 2. 3, 4-methylenedioxy amphetamine;
- 3 3. 3, 4-methylenedioxy methamphetamine;
- 4 4. 5-methoxy-3, 4-methylenedioxy amphetamine;
- 5 5. 3, 4, 5-trimethoxy amphetamine;
- 6 6. Bufotenine;
- 7 7. Diethyltryptamine;
- 8 8. Dimethyltryptamine;
- 9 9. 4-methyl-2, 5-dimethoxyamphetamine;
- 10 10. Ibogaine;
- 11 11. Lysergic acid diethylamide;
- 12 12. Marihuana;
- 13 13. Mescaline;
- 14 14. N-benzylpiperazine;
- 15 15. N-ethyl-3-piperidyl benzilate;
- 16 16. N-methyl-3-piperidyl benzilate;
- 17 17. Psilocybin;
- 18 18. Psilocyn;
- 19 19. 2, 5 dimethoxyamphetamine;
- 20 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 21 21. 4 methoxyamphetamine;
- 22 22. Cyclohexamine;
- 23 23. Salvia Divinorum;
- 24 24. Salvinorin A;

- 1 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-  
2 thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine;  
3 TPCP, TCP;
- 4 26. Phencyclidine (PCP);
- 5 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-  
6 Phenylcyclohexyl) - Pyrrolidine, PCPy, PHP;
- 7 28. 1-(3-[trifluoromethylphenyl]) piperazine;
- 8 29. Flunitrazepam;
- 9 30. B-hydroxy-amphetamine;
- 10 31. B-ketoamphetamine;
- 11 32. 2,5-dimethoxy-4-nitroamphetamine;
- 12 33. 2,5-dimethoxy-4-bromophenethylamine;
- 13 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 14 35. 2,5-dimethoxy-4-iodoamphetamine;
- 15 36. 2,5-dimethoxy-4-iodophenethylamine;
- 16 37. 2,5-dimethoxy-4-methylphenethylamine;
- 17 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 18 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 19 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 20 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 21 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;
- 22 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 23 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 24 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;

- 1 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 2 47. 5-methoxy-N, N-dimethyltryptamine;
- 3 48. N-methyltryptamine;
- 4 49. A-ethyltryptamine;
- 5 50. A-methyltryptamine;
- 6 51. N, N-diethyltryptamine;
- 7 52. N, N-diisopropyltryptamine;
- 8 53. N, N-dipropyltryptamine;
- 9 54. 5-methoxy-a-methyltryptamine;
- 10 55. 4-hydroxy-N, N-diethyltryptamine;
- 11 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 12 57. 5-methoxy-N, N-diisopropyltryptamine;
- 13 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 14 59. 3,4-Methylenedioxy-methcathinone (Mephedrone);
- 15 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 16 61. 4-Methylmethcathinone (Mephedrone);
- 17 62. 4-methoxymethcathinone;
- 18 63. 4-Fluoromethcathinone;
- 19 64. 3-Fluoromethcathinone;
- 20 65. 1-(8-bromobenzo[1,2-b;4,5-b']difuran-4-yl)-2-aminopropane;
- 21 66. 2,5-Dimethoxy-4-chloroamphetamine;
- 22 67. 4-Methylmethcathinone;
- 23 68. Pyrovalerone;
- 24 69. N,N-diallyl-5-methoxytryptamine;

1 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);

2 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone); or

3 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone).

4 D. Unless specifically excepted or unless listed in a different  
5 schedule, any material, compound, mixture, or preparation which  
6 contains any quantity of the following substances having stimulant  
7 or depressant effect on the central nervous system:

8 1. Fenethylamine;

9 2. Mecloqualone;

10 3. N-ethylamphetamine;

11 4. Methaqualone;

12 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-  
13 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium  
14 oxybate, and sodium oxybutyrate;

15 6. Gamma-Butyrolactone (GBL) as packaged, marketed,  
16 manufactured or promoted for human consumption, with the exception  
17 of legitimate food additive and manufacturing purposes;

18 7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or  
19 manufactured for human consumption, with the exception of legitimate  
20 food additive and manufacturing purposes;

21 8. Gamma Valerolactone (GVL) as packaged, marketed, or  
22 manufactured for human consumption, with the exception of legitimate  
23 food additive and manufacturing purposes; or

24

1       9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed,  
2 manufactured, or promoted for human consumption with the exception  
3 of legitimate manufacturing purposes.

4       E. 1. The following industrial uses of Gamma-Butyrolactone,  
5 Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are  
6 excluded from all schedules of controlled substances under this  
7 title:

- 8           a. pesticides,
- 9           b. photochemical etching,
- 10          c. electrolytes of small batteries or capacitors,
- 11          d. viscosity modifiers in polyurethane,
- 12          e. surface etching of metal coated plastics,
- 13          f. organic paint disbursements for water soluble inks,
- 14          g. pH regulators in the dyeing of wool and polyamide  
15             fibers,
- 16          h. foundry chemistry as a catalyst during curing,
- 17          i. curing agents in many coating systems based on  
18             urethanes and amides,
- 19          j. additives and flavoring agents in food, confectionary,  
20             and beverage products,
- 21          k. synthetic fiber and clothing production,
- 22          l. tetrahydrofuran production,
- 23          m. gamma butyrolactone production,
- 24          n. polybutylene terephthalate resin production,

- 1           o.   polyester raw materials for polyurethane elastomers
- 2                   and foams,
- 3           p.   coating resin raw material, and
- 4           q.   as an intermediate in the manufacture of other
- 5                   chemicals and pharmaceuticals.

6           2.   At the request of any person, the Director may exempt any  
7 other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate,  
8 Gamma Valerolactone, or 1,4 Butanediol from being included as a  
9 Schedule I controlled substance if such product is labeled,  
10 marketed, manufactured and distributed for legitimate industrial use  
11 in a manner that reduces or eliminates the likelihood of abuse.

12           3.   In making a determination regarding an industrial product,  
13 the Director, after notice and hearing, shall consider the  
14 following:

- 15           a.   the history and current pattern of abuse,
- 16           b.   the name and labeling of the product,
- 17           c.   the intended manner of distribution, advertising and
- 18                   promotion of the product, and
- 19           d.   other factors as may be relevant to and consistent
- 20                   with the public health and safety.

21           4.   The hearing shall be held in accordance with the procedures  
22 of the Administrative Procedures Act.

23           F.   Any quantity of a synthetic chemical compound that  
24 is a cannabinoid receptor agonist and mimics the pharmacological

1 effect of naturally occurring substances including:

- 2 1. JWH-004;
- 3 2. JWH-007;
- 4 3. JWH-009;
- 5 4. JWH-015;
- 6 5. JWH-016;
- 7 6. JWH-018;
- 8 7. JWH-019;
- 9 8. JWH-020;
- 10 9. JWH-030;
- 11 10. JWH-046;
- 12 11. JWH-047;
- 13 12. JWH-048;
- 14 13. JWH-049;
- 15 14. JWH-050;
- 16 15. JWH-070;
- 17 16. JWH-071;
- 18 17. JWH-072;
- 19 18. JWH-073;
- 20 19. JWH-076;
- 21 20. JWH-079;
- 22 21. JWH-080;
- 23 22. JWH-081;
- 24 23. JWH-082;

- 1 24. JWH-094;
- 2 25. JWH-096;
- 3 26. JWH-098;
- 4 27. JWH-116;
- 5 28. JWH-120;
- 6 29. JWH-122;
- 7 30. JWH-145;
- 8 31. JWH-146;
- 9 32. JWH-147;
- 10 33. JWH-148;
- 11 34. JWH-149;
- 12 35. JWH-150;
- 13 36. JWH-156;
- 14 37. JWH-167;
- 15 38. JWH-175;
- 16 39. JWH-180;
- 17 40. JWH-181;
- 18 41. JWH-182;
- 19 42. JWH-184;
- 20 43. JWH-185;
- 21 44. JWH-189;
- 22 45. JWH-192;
- 23 46. JWH-193;
- 24 47. JWH-194;

- 1 48. JWH-195;
- 2 49. JWH-196;
- 3 50. JWH-197;
- 4 51. JWH-198;
- 5 52. JWH-199;
- 6 53. JWH-200;
- 7 54. JWH-201;
- 8 55. JWH-202;
- 9 56. JWH-203;
- 10 57. JWH-204;
- 11 58. JWH-205;
- 12 59. JWH-206;
- 13 60. JWH-207;
- 14 61. JWH-208;
- 15 62. JWH-209;
- 16 63. JWH-210;
- 17 64. JWH-211;
- 18 65. JWH-212;
- 19 66. JWH-213;
- 20 67. JWH-234;
- 21 68. JWH-235;
- 22 69. JWH-236;
- 23 70. JWH-237;
- 24 71. JWH-239;

- 1 72. JWH-240;
- 2 73. JWH-241;
- 3 74. JWH-242;
- 4 75. JWH-243;
- 5 76. JWH-244;
- 6 77. JWH-245;
- 7 78. JWH-246;
- 8 79. JWH-248;
- 9 80. JWH-249;
- 10 81. JWH-250;
- 11 82. JWH-251;
- 12 83. JWH-252;
- 13 84. JWH-253;
- 14 85. JWH-262;
- 15 86. JWH-292;
- 16 87. JWH-293;
- 17 88. JWH-302;
- 18 89. JWH-303;
- 19 90. JWH-304;
- 20 91. JWH-305;
- 21 92. JWH-306;
- 22 93. JWH-307;
- 23 94. JWH-308;
- 24 95. JWH-311;

- 1 96. JWH-312;
- 2 97. JWH-313;
- 3 98. JWH-314;
- 4 99. JWH-315;
- 5 100. JWH-316;
- 6 101. JWH-346;
- 7 102. JWH-348;
- 8 103. JWH-363;
- 9 104. JWH-364;
- 10 105. JWH-365;
- 11 106. JWH-367;
- 12 107. JWH-368;
- 13 108. JWH-369;
- 14 109. JWH-370;
- 15 110. JWH-371;
- 16 111. JWH-373;
- 17 112. JWH-386;
- 18 113. JWH-387;
- 19 114. JWH-392;
- 20 115. JWH-394;
- 21 116. JWH-395;
- 22 117. JWH-397;
- 23 118. JWH-398;
- 24 119. JWH-399;

- 1 120. JWH-400;  
2 121. JWH-412;  
3 122. JWH-413;  
4 123. JWH-414;  
5 124. JWH-415;  
6 125. CP-55, 940;  
7 126. CP-47, 497;  
8 127. HU-210;  
9 128. HU-211;  
10 129. WIN-55, 212-2;  
11 130. AM-2201;  
12 131. AM-2233; and  
13 132. JWH-018 adamantyl-carboxamide.

14 G. Any material, compound, mixture, or preparation, whether  
15 produced directly or indirectly from a substance of vegetable origin  
16 or independently by means of chemical synthesis, or by a combination  
17 of extraction and chemical synthesis, that contains any quantity of  
18 the following substances, or that contains any of their salts,  
19 isomers, and salts of isomers when the existence of salts, isomers,  
20 and salts of isomers is possible within the specific chemical  
21 designation including:

- 22 1. Marijuana;  
23 2. Tetrahydrocannabinols; and  
24

1        3. A synthetic equivalent of the substance contained in the  
2 Cannabis plant, or in the resinous extractives of the genus  
3 Cannabis, or a synthetic substance, derivative, or its isomers with  
4 a similar chemical structure and pharmacological activity including:

5            a.    []1 cis or trans tetrahydrocannabinol, and its optical  
6                            isomers,

7            b.    []6 cis or trans tetrahydrocannabinol, and its optical  
8                            isomers, and

9            c.    []3.4 cis or trans tetrahydrocannabinol, and its  
10                           optical isomers.

11        SECTION 2. This act shall become effective November 1, 2013.

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13        54-1-5155            GRS            12/12/12  
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