

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 86

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO DISTINGUISH TETRAHYDROCANNABINOLS FROM SYNTHETIC DRUGS THAT MIMIC THE EFFECTS OF CANNABIS AND TO IDENTIFY ADDITIONAL SUBSTANCES TO BE CLASSIFIED IN SCHEDULE I; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl;
- (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (9) Benzethidine;
- (10) Betacetylmethadol;
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
- (12) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
- (13) Betameprodine;
- (14) Betamethadol;
- (15) Betaprodine;
- (16) Clonitazene;
- (17) Dextromoramide;
- (18) Diampromide;
- (19) Diethylthiambutene;
- (20) Difenoxyin;
- (21) Dimenoxadol;
- (22) Dimepheptanol;
- (23) Dimethylthiambutene;

- 1 (24) Dioxaphetyl butyrate;
- 2 (25) Dipipanone;
- 3 (26) Ethylmethylthiambutene;
- 4 (27) Etonitazene;
- 5 (28) Etoxeridine;
- 6 (29) Furethidine;
- 7 (30) Hydroxypethidine;
- 8 (31) Ketobemidone;
- 9 (32) Levomoramide;
- 10 (33) Levophenacymorphan;
- 11 (34) 3-Methylfentanyl;
- 12 (35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
- 13 eridinyl]-N-phenylpropanamide);
- 14 (36) Morpheridine;
- 15 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 16 (38) Noracymethadol;
- 17 (39) Norlevorphanol;
- 18 (40) Normethadone;
- 19 (41) Norpipanone;
- 20 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
- 21 piperidinyl] propanamide);
- 22 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 23 (44) Phenadoxone;
- 24 (45) Phenampromide;
- 25 (46) Phenomorphan;
- 26 (47) Phenoperidine;
- 27 (48) Piritramide;
- 28 (49) Proheptazine;
- 29 (50) Properidine;
- 30 (51) Propiram;
- 31 (52) Racemoramide;
- 32 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
- 33 propanamide);
- 34 (54) Tilidine;
- 35 (55) Trimeperidine.

36 (c) Any of the following opium derivatives, their salts, isomers and
37 salts of isomers, unless specifically excepted, whenever the existence of
38 these salts, isomers and salts of isomers is possible within the specific
39 chemical designation:

- 40 (1) Acetorphine;
- 41 (2) Acetyldihydrocodeine;
- 42 (3) Benzylmorphine;
- 43 (4) Codeine methylbromide;
- 44 (5) Codeine-N-Oxide;
- 45 (6) Cyprenorphine;
- 46 (7) Desomorphine;
- 47 (8) Dihydromorphine;
- 48 (9) Drotebanol;
- 49 (10) Etorphine (except hydrochloride salt);
- 50 (11) Heroin;

- 1 (12) Hydromorphenol;
- 2 (13) Methyldesorphine;
- 3 (14) Methyldihydromorphine;
- 4 (15) Morphine methylbromide;
- 5 (16) Morphine methylsulfonate;
- 6 (17) Morphine-N-Oxide;
- 7 (18) Myrophine;
- 8 (19) Nicocodeine;
- 9 (20) Nicomorphine;
- 10 (21) Normorphine;
- 11 (22) Pholcodine;
- 12 (23) Thebacon.

13 (d) Hallucinogenic substances. Any material, compound, mixture or
14 preparation which contains any quantity of the following hallucinogenic
15 substances, their salts, isomers and salts of isomers, unless specifically
16 excepted, whenever the existence of these salts, isomers, and salts of iso-
17 mers is possible within the specific chemical designation (for purposes of
18 this paragraph only, the term "isomer" includes the optical, position and
19 geometric isomers):

- 20 (1) 4-bromo-2,5-dimethoxy amphetamine;
- 21 (2) 2,5-dimethoxyamphetamine;
- 22 (3) 4-bromo-2,5-dimethoxyphenethylamine (some other names: alp-
23 ha-desmethyl DOB, 2C-B);
- 24 (4) 2,5-dimethoxy-4-ethylamphetamine (another name: DOET);
- 25 (5) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 26 (6) 4-methoxyamphetamine (PMA);
- 27 (7) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 28 (8) 5-methoxy-N,N-diisopropyltryptamine;
- 29 (9) 4-methyl-2,5-dimethoxy-amphetamine (DOM, STP);
- 30 (10) 3,4-methylenedioxy amphetamine;
- 31 (11) 3,4-methylenedioxymethamphetamine (MDMA);
- 32 (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-et-
33 hyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-et-
34 hyl MDA, MDE, MDEA);
- 35 (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hyd-
36 roxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hyd-
37 roxy MDA);
- 38 (14) 3,4,5-trimethoxy amphetamine;
- 39 (15) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-am-
40 inobutyl) indole);
- 41 (16) Alpha-methyltryptamine;
- 42 (17) Bufotenine;
- 43 (18) Diethyltryptamine (DET);
- 44 (19) Dimethyltryptamine (DMT);
- 45 (20) Ibogaine;
- 46 (21) Lysergic acid diethylamide;
- 47 (22) Marihuana;
- 48 (23) Mescaline;
- 49 (24) Parahexyl;
- 50 (25) Peyote;

1 (26) N-ethyl-3-piperidyl benzilate;
2 (27) N-methyl-3-piperidyl benzilate;
3 (28) Psilocybin;
4 (29) Psilocyn;
5 (30) Tetrahydrocannabinols and synthetic drugs that mimic the effects
6 of cannabis. Synthetic equivalents of the substances contained in the
7 plant, or in the resinous extractives of Cannabis, sp. and/or synthetic
8 substances, derivatives, and their isomers with similar chemical
9 structure and pharmacological activity such as the following:

10 i. Tetrahydrocannabinols:

11 a. Δ^1 cis or trans tetrahydrocannabinol, and their opti-
12 cal isomers, excluding dronabinol in sesame oil and encapsu-
13 lated in a soft gelatin capsule in a drug product approved by
14 the U.S. Food and Drug Administration.

15 b. Δ^6 cis or trans tetrahydrocannabinol, and their optical
16 isomers.

17 c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical
18 isomers. (Since nomenclature of these substances is not in-
19 ternationally standardized, compounds of these structures,
20 regardless of numerical designation of atomic positions are
21 covered.)

22 d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-
23 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-
24 1-ol)], also known as 6aR-trans-3-(1,1-Dimethylhep-
25 tyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-
26 dibenzo[b,d]pyran-9-methanol (HU-210).

27 ii. Synthetic drugs that mimic the effects of cannabis:

28 a. Any compound structurally derived from 3-(1-naph-
29 thoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by sub-
30 stitution at the nitrogen atom of the indole ring by alkyl,
31 alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-mor-
32 pholinyl)ethyl, whether or not further substituted in the
33 indole ring to any extent, whether or not substituted in the
34 naphthyl ring to any extent.

35 b. Any compound structurally derived from 3-(1-naph-
36 thoyl)pyrrole by substitution at the nitrogen atom of the
37 pyrrole ring by alkyl, alkenyl, cycloalkylmethyl, cy-
38 cloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not
39 further substituted in the pyrrole ring to any extent,
40 whether or not substituted in the naphthyl ring to any ex-
41 tent.

42 c. Any compound structurally derived from 1-(1-naph-
43 thylmethyl)indene by substitution at the 3-position of
44 the indene ring by alkyl, alkenyl, cycloalkylmethyl, cy-
45 cloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not
46 further substituted in the indene ring to any extent,
47 whether or not substituted in the naphthyl ring to any ex-
48 tent.

49 d. Any compound structurally derived from 3-phenyl-
50 acetylindole by substitution at the nitrogen atom of the

1 indole ring with alkyl, alkenyl, cycloalkylmethyl, cy-
 2 cloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not
 3 further substituted in the indole ring to any extent,
 4 whether or not substituted in the phenyl ring to any extent.

5 e. Any compound structurally derived from 2-(3-hydroxycy-
 6 clohexyl)phenol by substitution at the 5-position of the
 7 phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cy-
 8 cloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not
 9 substituted in the cyclohexyl ring to any extent.

10 f. Any compound structurally derived from 3-(benzoyl)in-
 11 dole structure with substitution at the nitrogen atom
 12 of the indole ring by alkyl, alkenyl, cycloalkylmethyl,
 13 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
 14 2-(4-morpholinyl)ethyl, whether or not further substituted
 15 in the indole ring to any extent and whether or not substi-
 16 tuted in the phenyl ring to any extent.

17 g. [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrol-
 18 o[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone
 19 (WIN-55,212-2).

20 h. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-
 21 243).

22 i. 9-hydroxy-6-methyl-3-[5-phenylpentan-2-yl]oxy-
 23 5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate
 24 (CP 50,5561).

25 (31) Ethylamine analog of phencyclidine (N-ethyl-1-phenylcy-
 26 clohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcy-
 27 clohexyl) ethylamine, cyclohexamine, PCE;

28 (32) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -
 29 pyrrolidine, PCPy, PHP;

30 (33) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-
 31 piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;

32 (34) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;

33 (35) Spores or mycelium capable of producing mushrooms that contain
 34 psilocybin or psilocin-;

35 (e) Unless specifically excepted or unless listed in another schedule,
 36 any material, compound, mixture or preparation which contains any quantity
 37 of the following substances having a depressant effect on the central ner-
 38 vous system, including its salts, isomers, and salts of isomers whenever the
 39 existence of such salts, isomers, and salts of isomers is possible within the
 40 specific chemical designation:

41 (1) Gamma hydroxybutyric acid (some other names include GHB; gam-
 42 ma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sod-
 43 ium oxybate; sodium oxybutyrate);

44 (2) Flunitrazepam (also known as "R2," "Rohypnol");

45 (3) Mecloqualone;

46 (4) Methaqualone.

47 (f) Stimulants. Unless specifically excepted or unless listed in an-
 48 other schedule, any material, compound, mixture, or preparation which con-
 49 tains any quantity of the following substances having a stimulant effect on

1 the central nervous system, including its salts, isomers, and salts of iso-
2 mers:

- 3 (1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-ox-
4 azoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
 - 5 (2) Cathinone (some other names: alpha-aminopropiophenone, 2-amino-
6 propiophenone and norephedrone);
 - 7 (3) Fenethylamine;
 - 8 (4) Methcathinone (some other names: 2-(methyl-amino)-propioph-
9 enone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-
10 464, AL-422, AL-463 and UR1423);
 - 11 (5) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-
12 phenyl-2-oxazolamine];
 - 13 (6) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
 - 14 (7) N-ethylamphetamine;
 - 15 (8) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-ben-
16 zeneethanamine).
 - 17 (g) Temporary listing of substances subject to emergency scheduling.
- 18 Any material, compound, mixture or preparation which contains any quantity
19 of the following substances:
- 20 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
21 its optical isomers, salts and salts of isomers.
 - 22 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (then-
23 ylfentanyl), its optical isomers, salts and salts of isomers.

24 SECTION 2. An emergency existing therefor, which emergency is hereby
25 declared to exist, this act shall be in full force and effect on and after its
26 passage and approval.