HOUSE BILL No. 1019

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2-321.

Synopsis: Controlled substances. Adds the substance U-47700 to the definition of "synthetic drug".

Effective: July 1, 2017.

Ellington

January 4, 2017, read first time and referred to Committee on Courts and Criminal Code.

Introduced

First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1019

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-31.5-2-321, AS AMENDED BY P.L.168-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 321. "Synthetic drug" means:

(1) a substance containing one (1) or more of the following chemical compounds, including an analog of the compound:

(A) JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).

(B) JWH-018 (1-pentyl-3-(1-naphthoyl)indole).

(C) JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole).

(D) JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone).

(E) JWH-081 (4-methoxynaphthalen- 1-yl- (1-pentylindol-3-yl)methanone).

(F) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).

(G) JWH-200 ((1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-yl-methanone).

(H) JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole).

(I) JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole).
(J) JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
(K) HU-210 ((6aR,10aR)- 9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-
6a,7,10,10a-tetrahydrobenzo [c]chromen- 1-ol).
(L) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol).
(M) HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan- 2-yl)phenyl]-
7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol).
(N) HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6-(1-methylethenyl)-2 -cyclohexen-1-yl]-5 -pentyl-2,5-cyclohexadiene-1,4-dione).
(O) CP 55,940
(2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5- (2-methyloctan-2-yl)phenol).
(P) CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol) and its homologues, or
2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7.
(Q) WIN 55212-2
((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo [1,2,3-de)- 1,4- benzoxazin-
6-yl]-1-napthalenylmethanone).
(R) RCS-4 ((4-methoxyphenyl)
(1-pentyl-1H-indol-3-yl)methanone).
(S) RCS-8 (1-(1-(2-cyclohexylethyl)-1H-
indol-3-yl)-2-(2-methoxyphenyl)ethanone).
(T) 4-Methylmethcathinone. Other name: mephedrone.
(U) 3,4-Methylenedioxymethcathinone. Other name: methylone.
(V) Fluoromethcathinone.
(W) 4-Methoxymethcathinone. Other name: methedrone.
(X) 4-Ethylmethcathinone (4-EMC).
(Y) Methylenedioxypyrovalerone. Other name: MDPV.
(Z) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole.
(AA) JWH-098, or
1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole.
(BB) JWH-164, or
1-pentyl-3-(7-methoxy-1-naphthoyl)indole.

(CC) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole.
(DD) JWH-201, or
1-pentyl-3-(4-methoxyphenylacetyl)indole.
(EE) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole.
(FF) AM-694, or
1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
(GG) CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe
ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1
-yl] acetate.
(HH) Dimethylheptylpyran, or DMHP.
(II) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP.
(JJ) 6-APB [6-(2-aminopropyl)benzofuran].
(LL) 7-hydroxymitragynine.
(MM) α-PPP [α-pyrrolidinopropiophenone].
(NN) α-PVP (desmethylpyrovalerone).
(OO) AM-251.
(PP) AM-1241.
(QQ) AM-2201.
(RR) AM-2233.
(SS) Buphedrone.
(TT) Butylone.
(UU) CP-47,497-C7.
(VV) CP-47,497-C8.
(WW) Desoxypipradol.
(XX) Ethylone.
(YY) Eutylone.
(ZZ) Flephedrone.
(AAA) JWH-011.
(BBB) JWH-020.
(CCC) JWH-022.
(DDD) JWH-030.
(EEE) JWH-182.
(FFF) JWH-302.
(GGG) MDAI [5,6-methylenedioxy-2-aminoindane].
(HHH) Mitragynine.
(III) Naphyrone.
(JJJ) Pentedrone.
(LLL) Pentylone.
(MMM) Methoxetamine
[2-(3-methoxyphenyl)-2-(ethylamino)- cyclohexanone].
(NNN) A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-

(2,2,3,3-tetramethylcyclopropyl)methanone].
(OOO) AB-001[(1s,3s)-admantan-1-yl)
(1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3-(1-adamantoyl)indole].
(PPP) AM-356 [Methanandamide].
(QQQ) AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-1H-indol-3-yl] tricyclo[3.3.1.13,7] dec-1-yl-methanone]or [(1-[(N-methylpiperindin-2-yl)
Methyl]-3-(Adamant-1-oyl)indole)].
(RRR) AM 2233 Azepane isomer [(2-iodophenyl) (1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone].
(SSS) CB-13 [1-Naphthalenyl
[4-(pentyoxy)- 1-naphthalenyl]methanone].
(TTT) UR-144 [(1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)-methanone].
(UUU) URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-cyclohexylcarbamate].
(VVV) URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid, cyclohexyl ester].
(WWW) URB 754 [6-methyl-2-[(4-methylphenyl) amino]-1-benzoxazin-4-one].
(XXX) XLR-11 or 5-fluoro UR-144
(1-(5-fluoropentyl)-1H-indol-3-yl)
(2,2,3,3-tetramethylcyclopropyl)methanone].
(YYY) AKB48 (Other names include: N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide; 1-pentyl-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indazole-3-carboxamide).
(ZZZ) 25I-NBOMe (Other names include: 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine);
2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine).
(AAAA) 2C-C-NBOMe (Other names include: 25C-NBOMe; 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine;
2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl) phenethylamine).
(BBBB) 2NE-1 (Other names include: 1-Pentyl-3-(1-adamantylamido)indole).
(CCCC) STS-135 (Other names include: N-Adamantyl-1-fluoropentylindole-3- carboxamide

(1-5-fluoropentyl)-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indole-3-carboxamide).

(DDDD) PB-22 (Other names include: 1-Pentyl-8-quinolinlyl ester-1H-indole-2-carboxylic acid).

(EEEE) 5-Fluoro-PB-22 (Other names include: 1-(5-Fluropentyl)-8-quinolinyl ester1H-indole-3-carboxylic acid).

(FFFF) Benocyclidine (Other names include: BCP, BTCP, and Benzothiophenylcyclohexylpiperidine).

(GGGG) 25B-NBOMe (Other names include: 2C-B-NBOMe and 4-Bromo-2, 5-dimenthoxy-N-[(2-Methozyphenyl)methyl] benzeneethanamine).

(HHHH) APB (Other names include; (2-Aminopropyl) Benzofuran).

(IIII) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide.

(JJJJ) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).

(KKKK) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indaole-3-carboxamide).

(LLLL) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3-carboxamide).

(MMMM) APDB (Other names include: -EMA, -Desoxy-MDA, and (2-Aminopropyl)-2,3-dihydrobenzofuran).

(NNNN) THJ-2201 (Other names include: AM2201 indazole analog, Fluoropentyl-JWH-018 indazole, and 5-Fluoro-THJ-018).

(OOOO) AM 2201 benzimidazole analog (Other names include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone).

(PPPP) MN-25 (Other names include: 7-methoxy-1-[2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide and UR-12).

(QQQQ) FUB-PB-22 (Other names include: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).

(RRRR) FUD-PB-22 (Other names include: Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).
(SSSS) 5-Fluoro-AB-PINACA (Other names include: AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxaminde).
(TTTT) 4-MePPP (Other names include: 4-methyl-alpha-pyrrolidinopropiophenone).
(UUUU) alpha-PBP (Other names include: Alpha-pyrrolidinobutiophenone).
(VVVV) AB-CHMINACA (Other names include: (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide).
(WWWW) Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).
(XXXX) U-47700.

(2) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(3) Any compound structurally derived from 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(4) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indene ring to any extent and

whether or not substituted in the naphthyl ring to any extent.

(5) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(6) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not substituted in the cyclohexyl ring to any extent.

(7) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(8) Any compound, except bupropion or a compound listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified:

(A) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(B) by substitution at the 3-position with an acyclic alkyl substituent;

(C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(9) Any compound structurally derived from 3-tetramethyl cyclopropanoylindole with substitution at the nitrogen atom of the

indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl) ethyl, 1-(N-methyl-2-pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent.

(10) Any compound containing a N-(1-adamantyl)-1H-indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indazole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AKB48.

(11) Any compound containing a N-(1-adamantyl)-1H-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes STS-135.

(12) Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AM-1248.

(13) Any compound determined to be a synthetic drug by rule

adopted under IC 25-26-13-4.1.