

2015 Regular Session

HOUSE BILL NO. 72

BY REPRESENTATIVE MACK

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

CONTROLLED SUBSTANCES: Adds additional substances to Schedule I of the Uniform Controlled Dangerous Substances Law

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AN ACT

To amend and reenact R.S. 40:964(Schedule I)(F)(12) through (27) and to enact R.S. 40:964(Schedule I)(C)(60) through (63) and (E)(10) and (11), and R.S. 40:989.1(F) and 989.2(F), and to repeal R.S. 40:964(Schedule I)(F)(28), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedule I of the Uniform Controlled Dangerous Substances Law; to amend provisions of law regarding synthetic cannabinoids; to provide for exceptions for certain dietary supplements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:964(Schedule I)(F)(12) through (27) are hereby amended and reenacted and R.S. 40:964(Schedule I)(C)(60) through (63) and (E)(10) and (11) and R.S. 40:989.1(F) and 989.2(F), are hereby enacted to read as follows:

§964. Composition of schedules

Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S. 40:962, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

SCHEDULE I

\* \* \*

1 C. Hallucinogenic substances. Unless specifically excepted or unless listed  
2 in another schedule, any material, compound, mixture, or preparation, which  
3 contains any quantity of the following hallucinogenic substances, or which contains  
4 any of their salts, isomers, or salts of isomers, whenever the existence of such salts,  
5 isomers, or salts of isomers is possible within the specific chemical designation, for  
6 purposes of this Paragraph only, the term "isomer" includes the optical, position, and  
7 geometric isomers:

8 \* \* \*

9 (60) 4-bromo-2,5-dimethoxyphenethylamine (2C-B)

10 (61) N-(2-methoxybenzyl)-2,5-dimethoxy-4-bromophenethylamine  
11 (25B-NBOMe)

12 (62) 5-(2-methylaminopropyl)benzofuran (5-MAPB)

13 (63) 4-hydroxy-N-methyl-N-isopropyltryptamine (4-Hydroxy-MIPT)

14 \* \* \*

15 E. Stimulants. Unless specifically excepted, or contained within a  
16 pharmaceutical product approved by the United States Federal Food and Drug  
17 Administration, or unless listed in another schedule, any material, compound,  
18 mixture, or preparation which contains any quantity of the following substances  
19 having a stimulant effect on the central nervous system including its salts, isomers,  
20 esters, or ethers and salts of isomers, esters, or ethers whenever the existence of such  
21 salts, isomers, esters, or ethers and salts of isomers, esters, or ethers is possible  
22 within the specific chemical designation:

23 \* \* \*

24 (10) 2-(pyrrolidin-1-yl)-1-(thiophen-2-yl)butan-1-one (Alpha-PBT)

25 (11) 2-(pyrrolidin-1-yl)-1-(thiophen-2-yl)pentan-1-one (Alpha-PVT)

26 F. Synthetic cannabinoids. Unless specifically excepted, or contained within  
27 a pharmaceutical product approved by the United States Food and Drug  
28 Administration, or unless listed in another schedule, any material, compound,  
29 mixture, or preparation, which contains any quantity of a synthetic cannabinoid

1 found to be in any of the following individual compounds or chemical groups, or any  
 2 of those individual compounds or groups which contain any synthetic cannabinoid  
 3 salts, isomers, salts of isomers, or nitrogen-heterocyclic analogs, whenever the  
 4 existence of such salts, isomers, salts of isomers, or nitrogen-heterocyclic analogs  
 5 is possible within the specific compounds or chemical groups:

6 \* \* \*

7 (12) Naphthylamidoindoles: any compound containing a N-(naphthyl)-1H-  
 8 indole-3-carboxamide structure, whether or not further substituted in the indole ring  
 9 to any extent or whether or not substituted in the naphthyl ring to any extent.

10 (13) Quinolinyndolecarboxylates: any compound containing a  
 11 quinolin-8-yl-1H-indole-3-carboxylate or isoquinolin-8-yl-1H-indole-3-carboxylate  
 12 structure, whether or not further substituted in the indole, ~~ring to any extent or the~~  
 13 quinoline, or isoquinoline ring to any extent.

14 (14) Adamantylamidoindoles: Any compound containing a  
 15 N-(adamantyl)-1H-indole-3-carboxamide structure, whether or not further  
 16 substituted in the indole ring to any extent or whether or not substituted in the  
 17 adamantyl ring to any extent.

18 ~~(15) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1-H-~~  
 19 ~~indazole-3-carboxamide~~

20 ~~(16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1-H-indole-3-~~  
 21 ~~carboxamide~~

22 ~~(17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-~~  
 23 ~~carboxamide~~

24 ~~(18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-~~  
 25 ~~3-carboxamide~~

26 ~~(19) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carbo~~  
 27 ~~xamide~~

1           (15) Naphthylindole carboxylates: Any compound containing a  
2 naphthyl-1H-indole-3-carboxylate structure, whether or not further substituted in the  
3 indole ring or the naphthyl ring to any extent.

4           (16) Benzylindolecarboxamides: Any compound containing a  
5 N-benzyl-1H-indole-3-carboxamide structure, whether or not further substituted in  
6 the indole ring or the phenyl ring to any extent.

7           (17) Quinolinyndolecarboxamides: Any compound containing a  
8 N - q u i n o l i n y l - 1 H - i n d o l e - 3 - c a r b o x a m i d e o r  
9 N-isoquinoliny-1H-indole-3-carboxamide structure, whether or not further  
10 substituted in the indole, quinoline or the isoquinoline ring to any extent.

11           (18) Phenylindolecarboxamides: Any compound containing a  
12 N-phenyl-1H-indole-3-carboxamide structure, whether or not further substituted in  
13 the indole ring or the phenyl ring to any extent.

14           (19) Butaldehydeamidoindoles: Any compound containing a  
15 N-(1-oxobutan-2yl)-1H-indole-3-carboxamide structure, with or without substitution  
16 in the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkoxy, aryl, aryl halide,  
17 alkylarylhalide, cycloalkylmethyl, cycloalkylethyl, alkenyl, haloalkenyl, aliphatic  
18 alcohol, hydroxyl, morpholinoethyl, alkylmorpholinomethyl, alkylpiperidinylmethyl  
19 or a tetrahydropyranylmethyl group, whether or not further substituted on the  
20 butaldehyde group to any extent.

21           (20) Phenylpropionaldehydeamidoindoles: Any compound containing a  
22 N-(1-oxo-3-phenylpropan-2yl)-1H-indole-3-carboxamide structure, with or without  
23 substitution in the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkoxy, aryl, aryl  
24 halide, alkylarylhalide, cycloalkylmethyl, cycloalkylethyl, alkenyl, haloalkenyl,  
25 aliphatic alcohol, hydroxyl, morpholinoethyl, alkylmorpholinomethyl,  
26 alkylpiperidinylmethyl or a tetrahydropyranylmethyl group, whether or not further  
27 substituted on the phenylpropionaldehyde group to any extent.

28           (21) Cumylindolecarboxamides: Any compound containing a  
29 N-(2-phenylpropane-2-yl)-1H-indole-3-carboxamide structure, with or without

1 substitution in the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkoxy, aryl, aryl  
2 halide, alkylarylhalide, cycloalkylmethyl, cycloalkylethyl, alkenyl, haloalkenyl,  
3 aliphatic alcohol, hydroxyl, morpholinoethyl, alkylmorpholinomethyl,  
4 alkylpiperidinylmethyl or a tetrahydropyranylmethyl group, whether or not further  
5 substituted on the phenyl group to any extent.

6 ~~(20)~~(22) (1-(5-fluoropentyl)-1H-benzimidazol-2-yl)(naphthalen-1-yl)  
7 methanone

8 ~~(21)~~(23) (4-methylpiperazin-1-yl)(1-pentyl-1H-indol-3-yl) methanone

9 ~~(22)~~ Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate

10 ~~(23)~~ N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-  
11 indazole-3-carboxamide

12 ~~(24)~~ N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-  
13 indazole-3-carboxamide

14 ~~(25)~~ N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-  
15 indole-3-carboxamide

16 ~~(26)~~ N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-ndole-3-  
17 carboxamide

18 ~~(27)~~ Naphthalen-1-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate

19 ~~(28)~~ N-benzyl-1-pentyl-1H-indole-3-carboxamide

20 ~~(24)~~ 1-(5-fluoropentyl)N-naphthalen-1-yl)-1H-pyrrolo[3,2-c]pyridine-3-  
21 carboxamide

22 ~~(25)~~ N-fenchyl-1-[2-(morpholin-4-yl)ethyl]-7-methoxyindole-3-carboxamide

23 ~~(26)~~ naphthalen-1-yl(9-pentyl-9H-carbazol-3-yl)methanone

24 ~~(27)~~ naphthalen-1-yl(9-(5-fluoropentyl)-9H-carbazol-3-yl)methanone

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26 §989.1. Unlawful production, manufacture, distribution, or possession of  
27 hallucinogenic plants; exceptions

28 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           F. The provisions of this Section shall not apply to any dosage form which  
2           is labeled as a dietary supplement and is manufactured in compliance with the  
3           requirements of sections 402(g)(2), 415 and 761 of the Federal Food, Drug and  
4           Cosmetic Act (21 USC 342(g)(2), 350d, 379aa-1).

5   \*       \*       \*

6           §989.2. Unlawful production, manufacturing, distribution, or possession of  
7           prohibited plant products; exceptions

8   \*       \*       \*

9           F. The provisions of this Section shall not apply to any dosage form which  
10          is labeled as a dietary supplement and is manufactured in compliance with the  
11          requirements of sections 402(g)(2), 415 and 761 of the Federal Food, Drug and  
12          Cosmetic Act (21 USC 342(g)(2), 350d, 379aa-1).

13          Section 2. R.S. 40:964(Schedule I)(F)(28) is hereby repealed.

14          Section 3. This Act shall become effective upon signature by the governor or, if not  
15 signed by the governor, upon expiration of the time for bills to become law without signature  
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
18 effective on the day following such approval.

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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)]

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HB 72 Reengrossed                                   2015 Regular Session                                   Mack

**Abstract:** Adds substances to Schedule I of the Uniform Controlled Dangerous Substances Law.

Present law provides for classification of controlled dangerous substances in Schedules I through V.

Proposed law adds substances and chemical groups to the list of Schedule I controlled dangerous substances and makes nomenclature changes to certain chemical groups in Schedule I.

Proposed law creates exceptions to the crimes of unlawful production, manufacturing, distribution, or possession of prohibited and hallucinogenic plant products for dietary supplements.

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

(Amends R.S. 40:964(Schedule I)(F)(12) - (27); Adds R.S. 40:964(Schedule I)(C)(60) - (63) and (E)(10) and (11), 989.1(F) and 989.2(F); Repeals R.S. 40:964(Schedule I)(F)(28))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical nomenclature changes to chemical groups of synthetic cannabinoids in Schedule I.

The House Floor Amendments to the engrossed bill:

1. Add an exception to the crimes of unlawful production, manufacturing, distribution, or possession of prohibited and hallucinogenic plant products for certain dietary supplements.