

SENATE BILL 76

E1
SB 171/11 – JPR

2lr1130

By: **Senators Kelley, DeGrange, Forehand, Jacobs, Manno, Montgomery, and
~~Rosapepe~~ Rosapepe, Raskin, Shank, and Reilly**

Introduced and read first time: January 16, 2012

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2012

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Controlled Dangerous Substances – Research – Synthetic**
3 **Cannabinoids**

4 FOR the purpose of authorizing a certain authorized provider to conduct research in
5 the State with certain controlled dangerous substances not scheduled under
6 federal law under certain circumstances; listing ~~certain chemical compounds,~~
7 ~~known as~~ synthetic cannabinoids, on Schedule I for purposes of designating
8 controlled dangerous substances that may not be legally used, possessed, or
9 distributed; defining a certain term; and generally relating to controlled
10 dangerous substances.

11 BY repealing and reenacting, without amendments,

12 Article – Criminal Law

13 Section 5–101(a)

14 Annotated Code of Maryland

15 (2002 Volume and 2011 Supplement)

16 BY adding to

17 Article – Criminal Law

18 Section 5–101(ff)

19 Annotated Code of Maryland

20 (2002 Volume and 2011 Supplement)

21 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Criminal Law
2 Section 5–304 and 5–402(d)
3 Annotated Code of Maryland
4 (2002 Volume and 2011 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article – Criminal Law**

8 5–101.

9 (a) In this title the following words have the meanings indicated.

10 **(FF) (1) “SYNTHETIC CANNABINOID” MEANS A CHEMICAL COMPOUND**
11 **THAT IS CHEMICALLY SYNTHESIZED AND:**

12 **(I) HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY**
13 **AT ONE OR MORE CANNABINOID RECEPTORS; OR**

14 **(II) IS A CHEMICAL ANALOG OR ISOMER OF A COMPOUND**
15 **THAT HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY AT ONE OR MORE**
16 **CANNABINOID RECEPTORS.**

17 **(2) “SYNTHETIC CANNABINOID” INCLUDES:**

18 **(I) 1-[2-(4-MORPHOLINYL)ETHYL]-3-(1-NAPHTHOYL)**
19 **INDOLE (ALSO KNOWN AS JWH-200);**

20 **(II) 1-BUTYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN AS**
21 **JWH- 073);**

22 **(III) 1-HEXYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN AS**
23 **JWH- 019);**

24 **(IV) 1-PENTYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN AS**
25 **JWH- 018);**

26 **(V) 1-PENTYL-3-(2-METHOXYPHENYLACETYL) INDOLE**
27 **(ALSO KNOWN AS JWH-250);**

28 **(VI) 1-PENTYL-3-(4-CHLORO-1-NAPHTHOYL) INDOLE**
29 **(ALSO KNOWN AS JWH-398);**

1 (VII) 2-[(1R, 3S)-3-HYDROXYCYCLOHEXYL]-5-(2-
2 METHYLOCTAN-2-YL)PHENOL (ALSO KNOWN AS CP 47, 497 AND ITS C6, C7, C8,
3 AND C9 HOMOLOGUES);

4 (VIII) (2-METHYL-1-PROPYL-1H-INDOL-3-YL)-1-
5 NAPHTHALENYL- METHANONE (ALSO KNOWN AS JWH-015);

6 (IX) (6AR, 10AR)-9-(HYDROXYMETHYL)-6, 6-DIMETHYL-3-
7 (2-METHYLOCTAN-2-YL)-6A, 7, 10, 10A-TETRAHYDROBENZO[C] CHROMEN-1-
8 OL) (ALSO KNOWN AS HU-210); AND

9 (X) DEXANABINOL (6AS, 10AS)-9-(HYDROXYMETHYL)-6, 6-
10 DIMETHYL-3-(2-METHYLOCTAN-2-YL)-6A, 7, 10, 10A-
11 TETRAHYDROBENZO[C]CHROMEN-1-OL (ALSO KNOWN AS HU-211).

12 (3) “SYNTHETIC CANNABINOID” DOES NOT INCLUDE ANY DRUG
13 THAT HAS BEEN APPROVED BY THE FEDERAL FOOD AND DRUG
14 ADMINISTRATION.

15 5-304.

16 (a) If an authorized provider is authorized to dispense or conduct research
17 under State law, the Department shall register the authorized provider to dispense a
18 controlled dangerous substance or to conduct research with a controlled dangerous
19 substance listed in Schedule II through Schedule V.

20 (b) The Department need not require separate registration under this section
21 for an authorized provider who is:

22 (1) engaged in research with a nonnarcotic controlled dangerous
23 substance in Schedule II through Schedule V; and

24 (2) already registered under this subtitle in another capacity.

25 (c) An authorized provider may conduct research in the State with a
26 controlled dangerous substance listed in Schedule I if the authorized provider is:

27 (1) registered under federal law to conduct research with a controlled
28 dangerous substance listed in Schedule I and gives evidence of the registration to the
29 Department; OR

30 (2) APPROVED BY A FEDERALLY REGISTERED INSTITUTIONAL
31 BOARD OR INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE TO CONDUCT
32 RESEARCH ON A CONTROLLED DANGEROUS SUBSTANCE LISTED IN SCHEDULE I

1 THAT IS NOT SCHEDULED UNDER FEDERAL LAW AND GIVES EVIDENCE OF THE
2 APPROVAL TO THE DEPARTMENT;~~OR~~

3 ~~(3) APPROVED BY THE DEPARTMENT TO CONDUCT RESEARCH ON~~
4 ~~A CONTROLLED DANGEROUS SUBSTANCE IN SCHEDULE I THAT IS NOT~~
5 ~~SCHEDULED UNDER FEDERAL LAW.~~

6 5-402.

7 (d) (1) A material, compound, mixture, or preparation that contains any of
8 the following hallucinogenic or hallucinogenic-like substances is a substance listed in
9 Schedule I:

- 10 (i) bufotenine;
- 11 (ii) diethyltryptamine;
- 12 (iii) dimethyltryptamine;
- 13 (iv) 4-methyl-2, 5-dimethoxyamphetamine;
- 14 (v) ibogaine;
- 15 (vi) lysergic acid diethylamide;
- 16 (vii) marijuana;
- 17 (viii) mescaline;
- 18 (ix) peyote;
- 19 (x) psilocybin;
- 20 (xi) psilocyn;
- 21 (xii) tetrahydrocannabinol;
- 22 (xiii) thiophene analog of phencyclidine;
- 23 (xiv) 2, 5-dimethoxyamphetamine;
- 24 (xv) 4-bromo-2, 5-dimethoxyamphetamine;
- 25 (xvi) 4-methoxyamphetamine;
- 26 (xvii) 3, 4-methylenedioxyamphetamine;

- 1 (xviii) 3, 4-methylenedioxyamphetamine (MDMA);
- 2 (xix) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 3 (xx) 3, 4, 5-trimethoxyamphetamine;
- 4 (xxi) N-methyl-3-piperidyl benzilate;
- 5 (xxii) N-ethyl-3-piperidyl benzilate;
- 6 (xxiii) N-ethyl-1-phenylcyclohexylamine;
- 7 (xxiv) 1-(1-phenylcyclohexyl)-pyrrolidine;
- 8 (xxv) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
- 9 (xxvi) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP); [and]
- 10 (xxvii) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine
- 11 (PEPAP); AND
- 12 ~~(XXVIII) 1-[2-(4-MORPHOLINYL)ETHYL]-3-(1-~~
- 13 ~~NAPHTHOYL) INDOLE (ALSO KNOWN AS JWH-200);~~
- 14 ~~(XXIX) 1-BUTYL-3-(1-NAPHTHOYL) INDOLE (ALSO~~
- 15 ~~KNOWN AS JWH-073);~~
- 16 ~~(XXX) 1-HEXYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN AS~~
- 17 ~~JWH-019);~~
- 18 ~~(XXXI) 1-PENTYL-3-(1-NAPHTHOYL) INDOLE (ALSO~~
- 19 ~~KNOWN AS JWH-018);~~
- 20 ~~(XXXII) 1-PENTYL-3-(2-METHOXYPHENYLACETYL)~~
- 21 ~~INDOLE (ALSO KNOWN AS JWH-250);~~
- 22 ~~(XXXIII) 1-PENTYL-3-(4-CHLORO-1-NAPHTHOYL) INDOLE~~
- 23 ~~(ALSO KNOWN AS JWH-398);~~
- 24 ~~(XXXIV) 2-[(1R, 3S)-3-HYDROXYCYCLOHEXYL]-5-(2-~~
- 25 ~~METHYLOCTAN-2-YL)PHENOL (ALSO KNOWN AS CP-47, 497 AND ITS C6, C7, C8,~~
- 26 ~~AND C9 HOMOLOGUES);~~
- 27 ~~(XXXV) (2-METHYL-1-PROPYL-1H-INDOL-3-YL)-1-~~
- 28 ~~NAPHTHALENYL METHANONE (ALSO KNOWN AS JWH-015);~~

1 ~~(XXXVI) (6AR, 10AR) 9 (HYDROXYMETHYL) 6, 6-~~
 2 ~~DIMETHYL 3 (2 METHYLOCTAN 2 YL) 6A, 7, 10, 10A TETRAHYDROBENZO[C]~~
 3 ~~CHROMEN 1 OL) (ALSO KNOWN AS HU 210); AND~~

4 ~~(XXXVII) DEXANABINOL (6AS, 10AS) 9-~~
 5 ~~(HYDROXYMETHYL) 6, 6 DIMETHYL 3 (2 METHYLOCTAN 2 YL)~~
 6 ~~6A, 7, 10, 10A TETRAHYDROBENZO[C]CHROMEN 1 OL (ALSO KNOWN AS HU~~
 7 ~~211).~~

8 (XXVIII) SYNTHETIC CANNABINOIDS.

9 (2) Unless specifically excepted under this subtitle, a salt, isomer, or
 10 salt of an isomer of a substance listed in this subsection is a substance listed in
 11 Schedule I if the existence of the salt, isomer, or salt of an isomer is possible within
 12 the specific chemical designation.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 14 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.