

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 176 Session of
2011

INTRODUCED BY MANN, BAKER, BARRAR, BOBACK, BOYD, BRENNAN,
CALTAGIRONE, CARROLL, D. COSTA, DeLUCA, DiGIROLAMO, FABRIZIO,
FLECK, GEIST, GERGELY, GINGRICH, GROVE, HARHAI, HARRIS, HESS,
HICKERNELL, JOSEPHS, KILLION, KNOWLES, KORTZ, KOTIK, KULA,
LONGIETTI, MARSICO, MATZIE, METZGAR, MILLARD, MILLER, MOUL,
MURPHY, O'NEILL, PASHINSKI, PEIFER, PYLE, READSHAW, SCAVELLO,
K. SMITH, SWANGER, TALLMAN, TOEPEL, VULAKOVICH, WATSON,
YOUNGBLOOD, HENNESSEY, QUINN, DENLINGER, MURT, CLYMER AND
STERN, JANUARY 21, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 15, 2011

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," further providing for
11 schedules of controlled substances.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. Section 4(1)(iii) of the act of April 14, 1972~~ ←
15 ~~(P.L.233, No.64), known as The Controlled Substance, Drug,~~
16 ~~Device and Cosmetic Act, amended November 24, 1999 (P.L.894,~~
17 ~~No.55), is amended and clause (1) is amended by adding a~~
18 ~~subclause to read:~~

1 SECTION 1. SECTION 4(1) OF THE ACT OF APRIL 14, 1972
2 (P.L.233, NO.64), KNOWN AS THE CONTROLLED SUBSTANCE, DRUG,
3 DEVICE AND COSMETIC ACT, IS AMENDED BY ADDING A SUBCLAUSE TO
4 READ:

5 Section 4. Schedules of Controlled Substances.--The
6 following schedules include the controlled substances listed or
7 to be listed by whatever official name, common or usual name,
8 chemical name, or trade name designated.

9 (1) Schedule I--In determining that a substance comes within
10 this schedule, the secretary shall find: a high potential for
11 abuse, no currently accepted medical use in the United States,
12 and a lack of accepted safety for use under medical supervision.
13 The following controlled substances are included in this
14 schedule:

15 * * *

16 ~~(iii) Any material, compound, mixture, or preparation which~~
17 ~~contains any quantity of the following hallucinogenic~~
18 ~~substances, their salts, isomers, and salts of isomers, unless~~
19 ~~specifically excepted, whenever the existence of such salts,~~
20 ~~isomers, and salts of isomers is possible within the specific~~
21 ~~chemical designation:~~

- 22 ~~1. 3,4 methylenedioxy amphetamine.~~
- 23 ~~2. 5 methoxy 3,4 methylenedioxy amphetamine.~~
- 24 ~~3. 3,4,5 trimethoxy amphetamine.~~
- 25 ~~4. Bufotenine.~~
- 26 ~~5. Diethyltryptamine.~~
- 27 ~~6. Dimethyltryptamine.~~
- 28 ~~7. 4 methyl 2,5 dimethoxyamphetamine.~~
- 29 ~~8. Ibogaine.~~
- 30 ~~9. Lysergic acid diethylamide.~~

~~10. Mescaline.~~

~~11. Peyote.~~

~~12. N-ethyl-3-piperidyl benzilate.~~

~~13. N-methyl-3-piperidyl benzilate.~~

~~14. Psilocybin.~~

~~15. Psilocyn.~~

~~16. Tetrahydrocannabinols.~~

~~17. Divinorin A.~~

~~18. Salvia Divinorum.~~

~~19. Salvinorin A.~~

* * *

(vii) Synthetic cannabinoids as follows:

1. CP 47,497 and homologues, 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol).

2. HU-210, [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol)].

3. HU-211, (dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

4. JWH-018, 1-Pentyl-3-(1-naphthoyl)indole.

5. JWH-019, 1-Hexyl-3-(1-naphthoyl)indole.

6. JWH-073, 1-Butyl-3-(1-naphthoyl)indole.

7. JWH-200, (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone.

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

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Section 2. This act shall take effect in 60 days.