



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 2343, an Act making changes to the controlled substance schedules, applying penalties, and including effective date provisions.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



Senate File 2343

AN ACT

MAKING CHANGES TO THE CONTROLLED SUBSTANCE SCHEDULES, APPLYING PENALTIES, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

RECLASSIFICATION OF SUBSTANCES AND CONTROLLED SUBSTANCES

Section 1. Section 124.204, subsection 9, Code Supplement 2011, is amended by striking the subsection.

Sec. 2. Section 124.206, subsection 6, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* Immediate precursor to fentanyl:
4-anilino-N-phenethyl-4-piperidine (ANPP).

Sec. 3. Section 124.208, subsection 6, Code 2011, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *bh.* Boldione
(androsta-1,4-diene-3,17-dione).

NEW PARAGRAPH. *bi.* Desoxymethyltestosterone
(17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
also known as madol.

NEW PARAGRAPH. *bj.* 19-nor-4,9(10)-androstadienedione
(estra-4,9(10)diene-3,17-dione).

Sec. 4. Section 124.210, subsection 3, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *oe.* Carisoprodol.

Sec. 5. Section 124.212, subsection 5, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *oa.* Ezogabine
[N-[2-amino-4(4-fluorobenzylamino)-phenyl]carbamic acid ethyl

ester].

Sec. 6. Section 124B.2, subsection 1, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *aa.* Ergocristine and its salts.

DIVISION II

SCHEDULE I CONTROLLED SUBSTANCES

Sec. 7. Section 124.201, subsection 4, Code 2011, is amended to read as follows:

4. If any new substance is designated as a controlled substance under federal law and notice of the designation is given to the board, the board shall similarly designate as controlled the new substance under this chapter after the expiration of thirty days from publication in the Federal Register of a final order designating a new substance as a controlled substance, unless within that thirty-day period the board objects to the new designation. In that case the board shall publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing the board shall announce its decision. Upon publication of objection to a new substance being designated as a controlled substance under this chapter by the board, control under this chapter is stayed until the board publishes its decision. If a substance is designated as controlled by the board under this ~~paragraph~~ subsection the control shall be temporary and if within sixty days after the next regular session of the general assembly convenes it has not made the corresponding changes in this chapter, the temporary designation of control of the substance by the board shall be nullified.

Sec. 8. Section 124.204, subsection 4, paragraph *ai*, Code Supplement 2011, is amended by striking the paragraph and inserting in lieu thereof the following:

ai. (1) Salvia divinorum.

(2) Salvinorin A.

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

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

(5) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of cannabimimetic

agents, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(a) The term "*cannabimimetic agents*" means any substance that is a cannabinoid receptor type 1 (CB1 receptor) agonist as demonstrated by binding studies and functional assays within any of the following structural classes:

(i) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.

(ii) 3-(1-naphthoyl)indole or 3-(1-naphthylmethane)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.

(iii) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.

(iv) 1-(1-naphthylmethylene)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

(v) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.

(b) Such terms include:

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

(ii) JWH-018 and AM678 1-Pentyl-3-(1-naphthoyl)indole.

(iii) JWH-073 1-Butyl-3-(1-naphthoyl)indole.

(iv) JWH-200[1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone.

(v) JWH-19 1-hexyl-3-(1-naphthoyl)indole.

(vi) JWH-81 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.

(vii) JWH-122 1-pentyl-3-(4-methyl-1-naphthoyl)indole.

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

(ix) RCS-4 and SR-19 1-pentyl-3-[(4methoxy)-benzoyl]indole.

(x) RCS-8 and SR 18 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole.

- (xi) AM2201 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.
- (xii) JWH-203 1-pentyl-3-(2-chlorophenylacetyl)indole.
- (xiii) JWH-398 1-pentyl-3-(4-chloro-1-naphthoyl)indole.
- (xiv) AM694 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
- (xv) Cannabicyclohexanol or CP-47,497 C8-homolog
5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.

Sec. 9. Section 124.204, subsection 6, Code Supplement 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *i.* Any substance, compound, mixture or preparation which contains any quantity of any synthetic cathinone that is not approved as a pharmaceutical, including but not limited to the following:

(1) Mephedrone, also known as 4-methylmethcathinone, (RS)-2-methylamino-1-(4-methylphenyl) propan-1-one.

(2) 3,4-methylenedioxyprovalerone
(MDPV)[(1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone].

(3) Methylone, also known as
3,4-methylenedioxymethcathinone.

(4) Naphthylprovalerone (naphyrone).

(5) 4-fluoromethcathinone (flephedrone) or a positional isomer of 4-fluoromethcathinone.

(6) 4-methoxymethcathinone (methedrone; Bk-PMMA).

(7) Ethcathinone.

(8) 3,4-methylenedioxyethcathinone (ethylone).

(9) Beta-keto-N-methyl-3,4-benzodioxolybutanamine
(butylone).

(10) N,N-dimethylcathinone (metamfepramone).

(11) Alpha-pyrrolidinopropiophenone (alpha-PPP).

(12) 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP).

(13) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone
(MDPPP).

(14) Alpha-pyrrolidinovalerophenone (alpha-PVP).

(15) 6,7-dihydro-5H-indeno-
(5,6-d)-1,3-dioxol-6-amine) (MDAI).

(16) 3-fluoromethcathinone.

(17) 4'-Methyl-alpha-pyrrolidinobutiophenone (MPBP).

(18) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).

(19) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

(20) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).

(21) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).

(22) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine
(2C-T-2).

(23) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).

(24) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).

(25) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).

(26) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

Sec. 10. Section 124.401, subsection 1, paragraph d, Code Supplement 2011, is amended to read as follows:

d. Violation of this subsection, with respect to any other controlled substances, counterfeit substances, or simulated controlled substances classified in section 124.204, subsection 4, paragraph "ai", section 124.204, subsection 6, paragraph "i", or classified in schedule IV or V is an aggravated misdemeanor. However, violation of this subsection involving fifty kilograms or less of marijuana or involving flunitrazepam is a class "D" felony.

Sec. 11. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.



JOHN P. KIBBIE

President of the Senate



KRAIG PAULSEN

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2343, Eighty-fourth General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved May 25, 2012



TERRY E. BRANSTAD

Governor