

# House Study Bill 133

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S  
OFFICE OF DRUG CONTROL  
POLICY BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act adding hallucinogenic substances to the list of schedule I  
2 controlled substances, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1248DP 82  
5 jm/je/5

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1 1 Section 1. Section 124.204, subsection 4, Code 2007, is  
1 2 amended by adding the following new paragraphs:

1 3 NEW PARAGRAPH. u. Salvia divinorum.

1 4 NEW PARAGRAPH. v. Salvinorin A.

1 5 EXPLANATION

1 6 This bill adds hallucinogenic substances to the list of  
1 7 schedule I controlled substances.

1 8 The bill adds "salvia divinorum" and "salvinorin A", also  
1 9 known as "divinorin A", to the list of schedule I controlled  
1 10 substances.

1 11 A schedule I controlled substance is considered to have a  
1 12 high potential for abuse and no medical purpose in treatment  
1 13 in the United States.

1 14 The bill makes it a class "C" felony pursuant to Code  
1 15 section 124.401, subsection 1, paragraph c, subparagraph (8),  
1 16 for any unauthorized person to manufacture, deliver, or  
1 17 possess with the intent to manufacture or deliver, salvia  
1 18 divinorum or salvinorin A, including its counterfeit or a  
1 19 simulated form, or to act with, enter into a common scheme or  
1 20 design with, or conspire with one or more other persons to  
1 21 manufacture, deliver, or possess with the intent to  
1 22 manufacture or deliver salvia divinorum or salvinorin A.

1 23 The bill also makes it a serious misdemeanor pursuant to  
1 24 Code section 124.401, subsection 5, for any unauthorized  
1 25 person to possess salvia divinorum or salvinorin A.

1 26 A class "C" felony is punishable by confinement for no more  
1 27 than 10 years and a fine of at least \$1,000 but not more than  
1 28 \$10,000. A serious misdemeanor is punishable by confinement  
1 29 for no more than one year and a fine of at least \$315 but not  
1 30 more than \$1,875.

1 31 LSB 1248DP 82

1 32 jm:nh/je/5