

House Study Bill 5 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

A BILL FOR

1 An Act adding hallucinogenic substances to the list of schedule
2 I controlled substances, providing penalties, and including
3 an effective date provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.204, subsection 4, Code 2011, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *ai.* Salvia divinorum.

4 NEW PARAGRAPH. *aj.* Salvinorin A.

5 NEW PARAGRAPH. *ak.* Any substance, compound, mixture or
6 preparation which contains any quantity of any synthetic
7 cannabinoid that is not approved as a pharmaceutical, including
8 but not limited to the following:

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

11 (2) HU-210[(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
12 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
13 chromen-1-ol]].

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

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

18 (5) JWH-073 1-Butyl-3-(1-naphthoyl)indole.

19 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
20 immediate importance, takes effect upon enactment.

21 EXPLANATION

22 This bill adds hallucinogenic substances to the list of
23 schedule I controlled substances.

24 The bill adds "salvia divinorum" and "salvinorin A", also
25 known as "divinorin A", to the list of schedule I controlled
26 substances.

27 The bill adds certain synthetic cannabinoids, also known
28 as "K2", to the list of schedule I controlled substances in
29 addition to the tetrahydrocannabinols and synthetic equivalents
30 listed in schedule I under Code section 124.204(4)(u).

31 A schedule I controlled substance is considered to have a
32 high potential for abuse and no medical purpose in treatment in
33 the United States.

34 The bill makes it a class "C" felony pursuant to Code
35 section 124.401, subsection 1, paragraph c, subparagraph

1 (8), for any unauthorized person to manufacture, deliver, or
2 possess with the intent to manufacture or deliver, salvia
3 divinorum, salvinorin A, or a synthetic cannabinoid, including
4 its counterfeit or a simulated form, or to act with, enter into
5 a common scheme or design with, or conspire with one or more
6 other persons to manufacture, deliver, or possess with the
7 intent to manufacture or deliver salvia divinorum, salvinorin
8 A, or a synthetic cannabinoid.

9 The bill also makes it a serious misdemeanor pursuant to
10 Code section 124.401, subsection 5, for any unauthorized person
11 to possess salvia divinorum, salvinorin A, or a synthetic
12 cannabinoid.

13 A class "C" felony is punishable by confinement for no more
14 than 10 years and a fine of at least \$1,000 but not more than
15 \$10,000. A serious misdemeanor is punishable by confinement
16 for no more than one year and a fine of at least \$315 but not
17 more than \$1,875.

18 The bill takes effect upon enactment.