

House File 249 - Introduced

HOUSE FILE 249

BY SHIPLEY

A BILL FOR

1 An Act relating to the classification of certain schedule I
2 controlled substances.

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

1 Section 1. Section 124.204, subsection 4, paragraphs k, s,
2 and z, Code 2019, are amended to read as follows:

3 k. Ibogaine, except as otherwise provided by rules of the
4 board for medicinal purposes. Some trade or other names:
5 7-Ethyl-6,6B,7,8,9,10,12,13-octahydro-2-
6 methoxy-6,9-methano-5H-pyrido (1',2':1,2) azepino (5,4-b)
7 indole; Tabernanthe iboga.

8 s. Psilocybin, except as otherwise provided by rules of the
9 board for medicinal purposes.

10 z. 3,4-methylenedioxymethamphetamine (MDMA), except
11 as otherwise provided by rules of the board for medicinal
12 purposes.

13 Sec. 2. Section 124.204, subsection 7, Code 2019, is amended
14 to read as follows:

15 7. *Exclusions.* This section does not apply to ~~marijuana~~:

16 a. Marijuana or tetrahydrocannabinols or chemical
17 derivatives of tetrahydrocannabinol when utilized for medicinal
18 purposes pursuant to rules of the board.

19 b. Ibogaine, when utilized for medicinal purposes pursuant
20 to rules of the board.

21 c. Psilocybin, when utilized for medicinal purposes pursuant
22 to rules of the board.

23 d. 3,4-methylenedioxymethamphetamine (MDMA), when utilized
24 for medicinal purposes pursuant to rules of the board.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to the classification of schedule I
29 controlled substances.

30 Under current law, ibogaine, psilocybin, and MDMA are
31 classified as schedule I controlled substances. The bill
32 allows the board of pharmacy to reclassify such controlled
33 substances for medicinal purposes.

34 The bill also provides that the classification as schedule
35 I controlled substances under Code section 124.204, and the

1 penalties specified in Code section 124.401 do not apply
2 to ibogaine, psilocybin, and MDMA when such substances are
3 utilized for medicinal purposes pursuant to rules of the board
4 of pharmacy.

5 Current law provides that the manufacture, delivery, or
6 possession with the intent to manufacture or deliver ibogaine,
7 psilocybin, or MDMA is a class "C" felony pursuant to Code
8 section 124.401(1)(c)(9). A class "C" felony is punishable by
9 confinement for no more than 10 years and a fine of at least
10 \$1,000 but not more than \$10,000.