

Senate Study Bill 1041 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF PHARMACY
BILL)

A BILL FOR

1 An Act relating to controlled substances, including amending
2 certain controlled substances schedules and precursor
3 substances reporting requirements, making penalties
4 applicable, and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.204, subsection 4, Code 2023, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *ca.* Ethyl 2-(1-(5-fluoropentyl)-1H-
4 indazole-3-carboxamido)-3,3-dimethylbutanoate. Other name:
5 5F-EDMB-PINACA.

6 NEW PARAGRAPH. *cb.* Methyl 2-(1-(5-fluoropentyl)-1H-indole-
7 3-carboxamido)-3,3-dimethylbutanoate. Other names:
8 5F-MDMB-PICA; 5F-MDMB-2201.

9 NEW PARAGRAPH. *cc.* N-(adamantan-1-yl)-1-(4-fluorobenzyl)-
10 1H-indazole-3-carboxamide. Other names: FUB-AKB48;
11 FUB-APINACA; AKB48 N-(4-FLUOROBENZYL).

12 NEW PARAGRAPH. *cd.* 1-(5-fluoropentyl)-N-(2-phenylpropan-2-
13 yl)-1H-indazole-3-carboxamide. Other names: 5F-CUMYL-PINACA;
14 SGT-25.

15 NEW PARAGRAPH. *ce.* (1-(4-fluorobenzyl)-1H-indol-3-
16 yl)(2,2,3,3-tetramethylcyclopropyl) methanone. Other name:
17 FUB-144.

18 NEW PARAGRAPH. *cf.* 2-(ethylamino)-1-phenylhexan-1-one).
19 Other names: N-Ethylhexedrone; alpha-ethylaminohexanophenone.

20 NEW PARAGRAPH. *cg.* Alpha-Pyrrolidinohexanophenone. Other
21 names: alpha-PHP; alpha-pyrrolidinohexanophenone; 1-phenyl-2-
22 (pyrrolidin-1-yl)hexan-1-one.

23 NEW PARAGRAPH. *ch.* 4-Methyl-alpha-ethylaminopentiophenone.
24 Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)
25 pentan-1-one.

26 NEW PARAGRAPH. *ci.* 4'-Methyl-alpha-
27 pyrrolidinohexiophenone. Other names: MPHP; 4'-methyl-alpha-
28 pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-
29 (pyrrolidin-1-yl)hexan-1-one.

30 NEW PARAGRAPH. *cj.* alpha-Pyrrolidinoheptaphenone. Other
31 names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one.

32 NEW PARAGRAPH. *ck.* 4'-Chloro-alpha-
33 pyrrolidinovalerophenone. Other names: 4-chloro-alpha-
34 PVP; 4'-chloro-alpha-pyrrolidinopentiophenone;
35 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one.

1 NEW PARAGRAPH. *cl.* 2-(ethylamino)-2-(3-methoxyphenyl)
2 cyclohexan-1-one. Other names: methoxetamine; MXE.

3 Sec. 2. Section 124.204, subsection 9, Code 2023, is amended
4 by striking the subsection and inserting in lieu thereof the
5 following:

6 9. *Other substances.* Any material, compound, mixture,
7 or preparation which contains any quantity of the following
8 substances or their optical, positional, and geometric isomers,
9 salts, and salts of isomers:

10 *a.* Fentanyl-related substances. "*Fentanyl-related*
11 *substance*" means any substance not otherwise listed under this
12 schedule or another schedule, and for which no exemption or
13 approval is in effect under section 505 of the federal Food,
14 Drug, and Cosmetic Act that is structurally related to fentanyl
15 by one or more of the following modifications:

16 (1) Replacement of the phenyl portion of the phenethyl group
17 by any monocycle, whether or not further substituted in or on
18 the monocycle.

19 (2) Substitution in or on the phenethyl group with alkyl,
20 alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro
21 groups.

22 (3) Substitution in or on the piperidine ring with alkyl,
23 alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl,
24 amino, or nitro groups.

25 (4) Replacement of the aniline ring with any aromatic
26 monocycle whether or not further substituted in or on the
27 aromatic monocycle.

28 (5) Replacement of the N-propionyl group by another acyl
29 group.

30 *b.* 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-
31 dihydro-2H-benzo[d]imidazole-2-one. Other names:
32 brophine, 1-[1-[1-(4-bromophenyl)ethyl]-4-piperidinyl]-1,
33 3-dihydro-2H-benzimidazol-2-one.

34 *c.* 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-
35 yl)-N,N-diethylethan-1-amine and its isomers, esters, ethers,

1 salts, and salts of isomers, esters, and ethers. Other name:
2 Butonitazene.

3 *d.* 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-
4 yl)-N,N-diethylethan-1-amine and its isomers, esters,
5 ethers, salts, and salts of isomers, esters, and ethers. Other
6 names: Etodesnitazene; etazene.

7 *e.* N,N-diethyl-2-(2-(4-fluorobenzyl)-5-
8 nitro-1H-benzimidazol-1-yl)ethan-1-amine and its isomers,
9 esters, ethers, salts, and salts of isomers, esters, and
10 ethers. Other name: Flunitazene.

11 *f.* N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-
12 benzimidazol-1-yl)ethan-1-amine and its isomers, esters,
13 ethers, salts, and salts of isomers, esters, and ethers. Other
14 name: Metodesnitazene.

15 *g.* N,N-diethyl-2-(2-(4-methoxybenzyl)-5-
16 nitro-1H-benzimidazol-1-yl)ethan-1-amine and its isomers,
17 esters, ethers, salts, and salts of isomers, esters, and
18 ethers. Other name: Metonitazene.

19 *h.* 2-(4-ethoxybenzyl)-5-nitro-1-(2-
20 (pyrrolidin-1-yl)ethyl)-1H-benzimidazole and its isomers,
21 esters, ethers, salts, and salts of isomers, esters,
22 and ethers. Other names: N-pyrrolidino etonitazene;
23 etonitazepyne.

24 *i.* N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)
25 -1H-benzimidazol-1-yl)ethan-1-amine and its isomers, esters,
26 ethers, salts, and salts of isomers, esters, and ethers. Other
27 name: Protonitazene.

28 Sec. 3. Section 124.210, subsection 3, Code 2023, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. *bg.* Daridorexant.

31 Sec. 4. Section 124.212, subsection 5, Code 2023, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. *g.* Ganaxolone (3alpha-hydroxy-3beta-methyl-
34 5alpha-pregnan-20-one).

35 Sec. 5. Section 124B.2, subsection 1, Code 2023, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *ah.* Methyl alpha-phenylacetoacetate and
3 its optical isomers. Other names: MAPA; methyl 3-oxo-2-
4 phenylbutanoate.

5 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
6 importance, takes effect upon enactment.

7 EXPLANATION

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

10 This bill relates to controlled substances, including
11 amending certain controlled substances schedules and precursor
12 substances reporting requirements.

13 The bill makes changes to controlled substance schedules
14 I, IV, and V in Iowa's uniform controlled substances Act
15 (Code chapter 124) and to the precursor substances reporting
16 requirement in Code chapter 124B to conform to the specific
17 chemical designations of the substances contained in Title 21
18 of the Code of Federal Regulations, parts 1300, 1308, and 1310.

19 A violation involving a controlled substance included in
20 the bill imposes penalties ranging from a class "B" felony,
21 and in addition to the 25-year mandatory minimum term of
22 imprisonment for class "B" felons, is also punishable by a fine
23 of not less than \$5,000 nor more than \$100,000; a class "C"
24 felony punishable by imprisonment up to 10 years and a fine of
25 not less than \$1,000 nor more than \$50,000; to an aggravated
26 misdemeanor punishable by imprisonment up to 2 years and a fine
27 of at least \$855 but not more than \$8,540.

28 The bill takes effect upon enactment.