

IN THE SENATE

SENATE BILL NO. 1136

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE A LISTING OF SYNTHETIC DRUGS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl;
- (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (9) Benzethidine;
- (10) Betacetylmethadol;
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
- (12) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
- (13) Betameprodine;
- (14) Betamethadol;
- (15) Betaprodine;
- (16) Clonitazene;
- (17) Dextromoramide;
- (18) Diampromide;
- (19) Diethylthiambutene;
- (20) Difenoxin;
- (21) Dimenoxadol;
- (22) Dimepheptanol;
- (23) Dimethylthiambutene;
- (24) Dioxaphetyl butyrate;

- 1 (25) Dipipanone;
- 2 (26) Ethylmethylthiambutene;
- 3 (27) Etonitazene;
- 4 (28) Etoxeridine;
- 5 (29) Furethidine;
- 6 (30) Hydroxypethidine;
- 7 (31) Ketobemidone;
- 8 (32) Levomoramide;
- 9 (33) Levophenacymorphan;
- 10 (34) 3-Methylfentanyl;
- 11 (35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
- 12 eridinyl]-N-phenylpropanamide);
- 13 (36) Morpheridine;
- 14 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 15 (38) Noracymethadol;
- 16 (39) Norlevorphanol;
- 17 (40) Normethadone;
- 18 (41) Norpipanone;
- 19 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
- 20 piperidinyl] propanamide);
- 21 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 22 (44) Phenadoxone;
- 23 (45) Phenampromide;
- 24 (46) Phenomorphan;
- 25 (47) Phenoperidine;
- 26 (48) Piritramide;
- 27 (49) Proheptazine;
- 28 (50) Properidine;
- 29 (51) Propiram;
- 30 (52) Racemoramide;
- 31 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
- 32 propanamide);
- 33 (54) Tilidine;
- 34 (55) Trimeperidine.
- 35 (c) Any of the following opium derivatives, their salts, isomers and
- 36 salts of isomers, unless specifically excepted, whenever the existence of
- 37 these salts, isomers and salts of isomers is possible within the specific
- 38 chemical designation:
- 39 (1) Acetorphine;
- 40 (2) Acetyldihydrocodeine;
- 41 (3) Benzylmorphine;
- 42 (4) Codeine methylbromide;
- 43 (5) Codeine-N-Oxide;
- 44 (6) Cyprenorphine;
- 45 (7) Desomorphine;
- 46 (8) Dihydromorphine;
- 47 (9) Drotebanol;
- 48 (10) Etorphine (except hydrochloride salt);
- 49 (11) Heroin;
- 50 (12) Hydromorphanol;

- 1 (13) Methyldesorphine;
- 2 (14) Methyldihydromorphine;
- 3 (15) Morphine methylbromide;
- 4 (16) Morphine methylsulfonate;
- 5 (17) Morphine-N-Oxide;
- 6 (18) Myrophine;
- 7 (19) Nicocodeine;
- 8 (20) Nicomorphine;
- 9 (21) Normorphine;
- 10 (22) Pholcodine;
- 11 (23) Thebacon.

12 (d) Hallucinogenic substances. Any material, compound, mixture or  
13 preparation which contains any quantity of the following hallucinogenic  
14 substances, their salts, isomers and salts of isomers, unless specifically  
15 excepted, whenever the existence of these salts, isomers, and salts of iso-  
16 mers is possible within the specific chemical designation (for purposes of  
17 this paragraph only, the term "isomer" includes the optical, position and  
18 geometric isomers):

- 19 (1) 4-bromo-2,5-dimethoxy amphetamine;
- 20 (2) 2,5-dimethoxyamphetamine;
- 21 (3) 4-bromo-2,5-dimethoxyphenethylamine (some other names: alpha-  
22 desmethyl DOB, 2C-B);
- 23 (4) 2,5-dimethoxy-4-ethylamphetamine (another name: DOET);
- 24 (5) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 25 (6) 4-methoxyamphetamine (PMA);
- 26 (7) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 27 (8) 5-methoxy-N,N-diisopropyltryptamine;
- 28 (9) 4-methyl-2,5-dimethoxy-amphetamine (DOM, STP);
- 29 (10) 3,4-methylenedioxy amphetamine;
- 30 (11) 3,4-methylenedioxymethamphetamine (MDMA);
- 31 (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-et-  
32 hyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-et-  
33 hyl MDA, MDE, MDEA);
- 34 (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hyd-  
35 roxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hyd-  
36 roxy MDA);
- 37 (14) 3,4,5-trimethoxy amphetamine;
- 38 (15) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-  
39 (dimethylamino)ethyl]indole and 5-MeO-DMT);
- 40 (16) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-am-  
41 inobutyl) indole);
- 42 (17) Alpha-methyltryptamine;
- 43 (18) Bufotenine;
- 44 (19) Diethyltryptamine (DET);
- 45 (20) Dimethyltryptamine (DMT);
- 46 (21) Ibogaine;
- 47 (22) Lysergic acid diethylamide;
- 48 (23) Marihuana;
- 49 (24) Mescaline;
- 50 (25) Parahexyl;

- 1 (26) Peyote;  
2 (27) N-ethyl-3-piperidyl benzilate;  
3 (28) N-methyl-3-piperidyl benzilate;  
4 (29) Psilocybin;  
5 (30) Psilocyn;  
6 (31) Tetrahydrocannabinols or synthetic equivalents of the substances  
7 contained in the plant, or in the resinous extractives of Cannabis, sp.  
8 and/or synthetic substances, derivatives, and their isomers with simi-  
9 lar chemical structure such as the following:
- 10 i. Tetrahydrocannabinols:
- 11 a.  $\Delta^1$  cis or trans tetrahydrocannabinol, and their opti-  
12 cal isomers, excluding dronabinol in sesame oil and encapsu-  
13 lated in a soft gelatin capsule in a drug product approved by  
14 the U.S. Food and Drug Administration.
- 15 b.  $\Delta^6$  cis or trans tetrahydrocannabinol, and their optical  
16 isomers.
- 17 c.  $\Delta^{3,4}$  cis or trans tetrahydrocannabinol, and its optical  
18 isomers. (Since nomenclature of these substances is not in-  
19 ternationally standardized, compounds of these structures,  
20 regardless of numerical designation of atomic positions are  
21 covered.)
- 22 d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-  
23 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-  
24 1-ol)], also known as 6aR-trans-3-(1,1-dimethylhep-  
25 tyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-  
26 dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric  
27 isomers (HU211 or dexanabinol).
- 28 ii. The following synthetic drugs:
- 29 a. Any compound structurally derived from 3-(1-naph-  
30 thoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane (1H-in-  
31 dole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or  
32 (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane,  
33 or (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)car-  
34 boxamide by substitution at the nitrogen atoms of the indole  
35 ring or carboxamide to any extent, whether or not further  
36 substituted in or on the indole ring to any extent, whether  
37 or not substituted in the naphthyl ring to any extent in or on  
38 the cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in  
39 the ring may include, but is not limited to, heteroatoms such  
40 as nitrogen, sulfur and oxygen).
- 41 b. Any compound structurally derived from 3-(1-naph-  
42 thoyl)pyrrole by substitution at the nitrogen atom of the  
43 pyrrole ring to any extent, whether or not further sub-  
44 stituted in the pyrrole ring to any extent, whether or not  
45 substituted in the naphthyl ring to any extent.
- 46 c. Any compound structurally derived from 1-(1-naphthyl-  
47 methyl)indene by substitution at the 3-position of the in-  
48 dene ring to any extent, whether or not further substituted  
49 in the indene ring to any extent, whether or not substituted  
50 in the naphthyl ring to any extent.

- 1 d. Any compound structurally derived from 3-phenyl-  
 2 lacetylindole by substitution at the nitrogen atom of the  
 3 indole ring to any extent, whether or not further substi-  
 4 tuted in the indole ring to any extent, whether or not substi-  
 5 tuted in the phenyl ring to any extent.
- 6 e. Any compound structurally derived from 2-(3-hydroxycy-  
 7 clohexyl)phenol by substitution at the 5-position of the  
 8 phenolic ring to any extent, whether or not substituted in  
 9 the cyclohexyl ring to any extent.
- 10 f. Any compound structurally derived from 3-(benzoyl)in-  
 11 dolo structure with substitution at the nitrogen atom of  
 12 the indole ring to any extent, whether or not further substi-  
 13 tuted in the indole ring to any extent and whether or not  
 14 substituted in the phenyl ring to any extent.
- 15 g. [2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrol-  
 16 o[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone  
 17 (WIN-55,212-2).
- 18 h. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-  
 19 243).
- 20 i. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-  
 21 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-  
 22 drophenanthridin-1-yl]acetate (CP 50,5561).
- 23 (32) Ethylamine analog of phencyclidine: N-ethyl-1-phenylcy-  
 24 clohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcy-  
 25 clohexyl) ethylamine, cyclohexamine, PCE;
- 26 (33) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -  
 27 pyrrolidine, PCPy, PHP;
- 28 (34) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-  
 29 piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;
- 30 (35) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;
- 31 (36) Spores or mycelium capable of producing mushrooms that contain  
 32 psilocybin or psilocin.
- 33 (e) Unless specifically excepted or unless listed in another schedule,  
 34 any material, compound, mixture or preparation which contains any quantity  
 35 of the following substances having a depressant effect on the central ner-  
 36 vous system, including its salts, isomers, and salts of isomers whenever the  
 37 existence of such salts, isomers, and salts of isomers is possible within the  
 38 specific chemical designation:
- 39 (1) Gamma hydroxybutyric acid (some other names include GHB; gam-  
 40 ma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sod-  
 41 ium oxybate; sodium oxybutyrate);
- 42 (2) Flunitrazepam (also known as "R2," "Rohypnol");
- 43 (3) Mecloqualone;
- 44 (4) Methaqualone.
- 45 (f) Stimulants. Unless specifically excepted or unless listed in an-  
 46 other schedule, any material, compound, mixture, or preparation which con-  
 47 tains any quantity of the following substances having a stimulant effect on  
 48 the central nervous system, including its salts, isomers, and salts of iso-  
 49 mers:

- 1 (1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-ox-  
2 azoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
- 3 (2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alp-  
4 ha-aminopropiophenone, 2-aminopropiophenone and norephedrone);
- 5 (3) Substituted cathinones. Any compound, except bupropion or com-  
6 pounds listed under a different schedule, structurally derived from  
7 2-aminopropan-1-one by substitution at the 1-position with either  
8 phenyl, naphthyl or thiophene ring systems, whether or not the compound  
9 is further modified in any of the following ways:
- 10 i. By substitution in the ring system to any extent with alkyl,  
11 alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide sub-  
12 stituents, whether or not further substituted in the ring system  
13 by one (1) or more other univalent substituents;
- 14 ii. By substitution at the 3-position with an acyclic alkyl sub-  
15 stituent;
- 16 iii. By substitution at the 2-amino nitrogen atom with alkyl,  
17 dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the  
18 2-amino nitrogen atom in a cyclic structure.
- 19 (4) Fenethylamine;
- 20 (5) Methcathinone (some other names: 2-(methyl-amino)-propioph-  
21 enone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-  
22 464, AL-422, AL-463 and UR1423);
- 23 (6) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-  
24 phenyl-2-oxazolamine];
- 25 (7) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
- 26 (8) N-ethylamphetamine;
- 27 (9) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-ben-  
28 zeneethanamine).

29 SECTION 2. An emergency existing therefor, which emergency is hereby  
30 declared to exist, this act shall be in full force and effect on and after its  
31 passage and approval.