

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

A BILL FOR

1 An Act revising the controlled substances schedules, and
2 providing penalties.

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

DRAFT

1 Section 1. Section 124.204, subsection 4, paragraph m, Code
2 2011, is amended by striking the paragraph.

3 Sec. 2. Section 124.204, subsection 4, paragraph u,
4 unnumbered paragraph 1, Code 2011, is amended to read as
5 follows:

6 ~~Tetrahydrocannabinols, except as otherwise provided~~
7 ~~by rules of the board for medicinal purposes,~~ meaning
8 tetrahydrocannabinols naturally contained in a plant of
9 the genus Cannabis (Cannabis plant) as well as synthetic
10 equivalents of the substances contained in the Cannabis plant,
11 or in the resinous extractives of such plant, and synthetic
12 substances, derivatives, and their isomers with similar
13 chemical structure and pharmacological activity to those
14 substances contained in the plant, such as the following:

15 Sec. 3. Section 124.204, subsection 4, Code 2011, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *ai.* 5-methoxy-N,N-dimethyltryptamine.
18 Some trade or other names:

19 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.

20 Sec. 4. Section 124.204, subsection 7, Code 2011, is amended
21 by striking the subsection.

22 Sec. 5. Section 124.204, subsection 9, Code 2011, is amended
23 to read as follows:

24 9. *Other materials.* Any material, compound, mixture,
25 or preparation which contains any quantity of the following
26 substances:

27 ~~a. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide~~
28 ~~(benzylfentanyl), its optical isomers, salts and salts of~~
29 ~~isomers.~~

30 ~~b. N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide~~
31 ~~(thenylfentanyl), its optical isomers, salts and salts of~~
32 ~~isomers.~~

33 a. 5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-
34 phenol. Other names: CP-47,497.

35 b. 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-

1 phenol. Other names: cannabicyclohexanol and
2 CP-47,497 C8 homologue.

3 c. 1-Butyl-3-(1-naphthoyl)indole. Other names: JWH-073.

4 d. 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole. Other
5 names: JWH-200.

6 e. 1-Pentyl-3-(1-naphthoyl)indole. Other names: JWH-018
7 and AM678.

8 Sec. 6. Section 124.206, subsection 6, Code 2011, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. c. Immediate precursor to fentanyl:
11 4-anilino-N-phenethyl-4-piperidine (ANPP).

12 Sec. 7. Section 124.206, subsection 7, paragraph a, Code
13 2011, is amended to read as follows:

14 ~~a. Marijuana when used for medicinal purposes pursuant to~~
15 ~~rules of the board.~~

16 Sec. 8. Section 124.208, subsection 6, Code 2011, is amended
17 by adding the following new paragraphs:

18 NEW PARAGRAPH. bh. Boldione
19 (androsta-1,4-diene-3,17-dione).

20 NEW PARAGRAPH. bi. Desoxymethyltestosterone
21 (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
22 also known as madol.

23 NEW PARAGRAPH. bj. 19-nor-4,9(10)-androstadienedione
24 (estra-4,9(10)-diene-3,17-dione).

25 EXPLANATION

26 This bill revises the lists of drugs on the controlled
27 substances schedules, and provides penalties.

28 The bill removes marijuana from schedule I and reclassifies
29 it as a schedule II controlled substance. The bill also
30 strikes references to the authority of the board of pharmacy to
31 adopt rules for the use of marijuana or tetrahydrocannabinols
32 for medicinal purposes. A schedule I controlled substance is a
33 highly addictive substance that has no accepted medical use in
34 the United States and a scheduled II controlled substance is a
35 highly addictive substance that has an accepted medical use in

1 the United States.

2 The reclassification of marijuana from a schedule I
3 controlled substance to a schedule II controlled substance
4 permits a physician to issue a prescription for marijuana.

5 The bill also revises the lists of drugs in the controlled
6 substance schedules to conform with action undertaken by
7 the federal drug enforcement administration. The bill
8 classifies five synthetic cannabinoids, more commonly known
9 as "K2", as schedule I controlled substances. The bill
10 adds a drug commonly referred to as 5-MeO-DMT to the list
11 of schedule I controlled substances as well. The bill also
12 removes benzylfentanyl and thenylfentanyl from the schedule
13 I classification. The bill classifies the substance ANPP, a
14 precursor substance to the controlled substance fentanyl, as a
15 schedule II controlled substance. The bill classifies three
16 anabolic steroids as schedule III controlled substances. A
17 controlled substance classified as a schedule III substance is
18 a substance that has potential for abuse which is less than
19 schedule I and II substances but has an accepted medical use in
20 the United States.

21 It is a class "C" felony pursuant to Code section 124.401,
22 subsection 1, paragraph "c", subparagraph (8), for any
23 unauthorized person to violate a provision of Code section
24 124.401 involving a classified substance placed on schedule
25 I, II, or III pursuant to the bill. The penalties remain
26 unchanged for marijuana under the bill. The penalties under
27 Code section 124.401 range from a class "B" felony punishable
28 by up to 50 years of confinement to a serious misdemeanor
29 punishable by up to six months of confinement depending on the
30 amount of marijuana involved in the offense.