| 1  | CONTROLLED SUBSTANCES REVISIONS   |
|----|---|
| 2  | 2020 GENERAL SESSION  |
| 3  | STATE OF UTAH   |
| 4  | Chief Sponsor: Paul Ray   |
| 5  | Senate Sponsor: Allen M. Christensen  |
| 6  |   |
| 7  | LONG TITLE  |
| 8  | General Description:  |
| 9  | This bill amends the list of controlled substances and the composition of the Controlled        |
| 0  | Substances Advisory Committee.  |
| 1  | Highlighted Provisions:   |
| 2  | This bill:  |
| 3  | <ul> <li>adds a substance to the listed controlled substances in the Utah Controlled</li> </ul> |
| 4  | Substances Act;   |
| 5  | <ul> <li>amends the composition of the Controlled Substances Advisory Committee; and</li> </ul> |
| 6  | <ul> <li>makes technical changes.</li> </ul>  |
| 7  | Money Appropriated in this Bill:  |
| 8  | None  |
| 9  | Other Special Clauses:  |
| 20 | None  |
| 21 | Utah Code Sections Affected:  |
| 2  | AMENDS:   |
| 3  | 58-37-4.2, as last amended by Laws of Utah 2018, Chapter 146                                    |
| 24 | 58-38a-201, as last amended by Laws of Utah 2011, Chapter 60                                    |
| 5  | 58-38a-202, as last amended by Laws of Utah 2011, Chapter 60                                    |

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- Section 1. Section **58-37-4.2** is amended to read:
- 58-37-4.2. Listed controlled substances.

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| 30 | The following substances, their analogs, homologs, and synthetic equivalents are listed |
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| 31 | controlled substances:  |
| 32 | (1) AB-001;   |
| 33 | (2) AB-PINACA;  |
| 34 | N-[1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide;                |
| 35 | (3) AB-FUBINACA; N-[1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)               |
| 36 | methyl]-1H-indazole-3-carboxamide;  |
| 37 | (4) AB-CHMINACA   |
| 38 | (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);  |
| 39 | (5) ADB-CHMINACA (N-[(2S)-1-amino-3,3-dimethyl-1-oxobutan-2-yl]-1-                      |
| 40 | (cyclohexylmethyl)indazole-3-carboxamide);  |
| 41 | (6) ADB-FUBINACA (N-(1-amino-3,3-dimethyl-1oxobutan-2-yl)-1-                            |
| 42 | (4-fluorobenzyl)-1H-indazole-3-caboxamide);   |
| 43 | (7) AKB48;  |
| 44 | (8) alpha-Pyrrolidinohexanophenone (alpha-PHP)  |
| 45 | (1-Phenyl-2-(pyrrolidin-1-yl)hexan-1-one);  |
| 46 | (9) alpha-Pyrrolidinovalerophenone (alpha-PVP);   |
| 47 | (10) AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone);               |
| 48 | (11) AM-1248;   |
| 49 | (12) AM-2201 (1-(5-fluoropentyl)-3-(1-naphthoyl)indole);                                |
| 50 | (13) AM-2233;   |
| 51 | (14) AM-679;  |
| 52 | (15) A796,260;  |
| 53 | (16) Butylone;  |
| 54 | (17) CP 47,497 and its C6, C8, and C9 homologs (2-[(1R,3S)-3-hydroxycyclohexyl]         |
| 55 | -5-(2-methyloctan-2-yl)phenol);   |
| 56 | (18) Diisopropyltryptamine (DiPT);  |
| 57 | (19) Ethylone;  |

| 58 | (20) Ethylphenidate;  |
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| 59 | (21) Fluoroisocathinone;  |
| 60 | (22) Fluoromethamphetamine;   |
| 61 | (23) Fluoromethcathinone;   |
| 62 | (24) FUB-AMB; methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)valinate;     |
| 63 | (25) HU-210; (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl) |
| 64 | -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;                                  |
| 65 | (26) HU-211; Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-      |
| 66 | methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;                 |
| 67 | (27) JWH-015; (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone;     |
| 68 | (28) JWH-018; Naphthalen-1-yl-(pentylindol-3-yl)methanone {also known as      |
| 69 | 1-Pentyl-3-(1-naphthoyl)indole};  |
| 70 | (29) JWH-019; 1-hexyl-3-(1-naphthoyl)indole;                                  |
| 71 | (30) JWH-073; Naphthalen-1-yl(1-butylindol-3-yl)methanone {also known as      |
| 72 | 1-Butyl-3-(1-naphthoyl)indole};   |
| 73 | (31) JWH-081; 4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone;         |
| 74 | (32) JWH-122; CAS#619294-47-2; (1-Pentyl-3-(4-methyl-1-naphthoyl)indole);     |
| 75 | (33) JWH-200; 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;             |
| 76 | (34) JWH-203; 1-pentyl-3-(2-chlorophenylacetyl)indole;                        |
| 77 | (35) JWH-210; 4-ethyl-1-naphthalenyl(1-pentyl-1H-indol-3-yl)-methanone;       |
| 78 | (36) JWH-250; 1-pentyl-3-(2-methoxyphenylacetyl)indole;                       |
| 79 | (37) JWH-251; 2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone;          |
| 80 | (38) JWH-398; 1-pentyl-3-(4-chloro-1-naphthoyl)indole;                        |
| 81 | (39) MAM-2201;  |
| 82 | (40) MAM-2201;  |
| 83 | (1-(5-fluoropentyl)-1H-indol-3-yl)(4-ethyl-1-naphthalenyl)-methanone;         |
| 84 | (41) Methoxetamine;   |
| 85 | (42) Naphyrone;   |

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| 86  | (43) PB-22; 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester;             |
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| 87  | (44) Pentedrone;   |
| 88  | (45) Pentylone;  |
| 89  | (46) RCS-4; 1-pentyl-3-(4-methoxybenzoyl)indole;                                 |
| 90  | (47) RCS-8; 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole {also known as |
| 91  | BTW-8 and SR-18};  |
| 92  | (48) STS-135;  |
| 93  | (49) UR-144;   |
| 94  | (50) UR-144 N-(5-chloropentyl) analog;   |
| 95  | (51) XLR11;  |
| 96  | (52) 2C-C;   |
| 97  | (53) 2C-D;   |
| 98  | (54) 2C-E;   |
| 99  | (55) 2C-H;   |
| 100 | (56) 2C-I;   |
| 101 | (57) 2C-N;   |
| 102 | (58) 2C-P;   |
| 103 | (59) 2C-T-2;   |
| 104 | (60) 2C-T-4;   |
| 105 | (61) 2NE1;   |
| 106 | (62) 25I-NBOMe;  |
| 107 | (63) 2,5-Dimethoxy-4-chloroamphetamine (DOC);                                    |
| 108 | (64) 4-Fluoro MDMB-BUTINACA (Methyl  |
| 109 | 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate);          |
| 110 | $[(64)]$ (65) 4-methylmethcathinone {also known as mephedrone};                  |
| 111 | [(65)] (66) 3,4-methylenedioxypyrovalerone {also known as MDPV};                 |
| 112 | [(66)] (67) 3,4-Methylenedioxymethcathinone {also known as methylone};           |
| 113 | [(67)] (68) 4-methoxymethcathinone;  |
|     |  |

| 114 | [(68)] (69) 4-Methyl-alpha-pyrrolidinopropiophenone;                                     |
|-----|--|
| 115 | [ <del>(69)</del> ] <u>(70)</u> 4-Methylethcathinone;                                    |
| 116 | [ <del>(70)</del> ] <u>(71)</u> 5F-AKB48;  |
| 117 | 1-(5-flouropentyl)-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3- carboxamide;            |
| 118 | [ <del>(71)</del> ] <u>(72)</u> 5-Fluoro ADB (Methyl                                     |
| 119 | N-{[1-(5-fluoropentyl)-1H-indazol-3-yl]carbonyl}-3-methyl-valinate);                     |
| 120 | [(72)] (73) 5-Fluoro AMB (Methyl   |
| 121 | N-{[1-(5-fluoropentyl)-1H-indazol-3-yl]carbonyl}valinate);                               |
| 122 | [(73)] (74) 5-fluoro-PB-22; 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid               |
| 123 | 8-quinolinyl ester;  |
| 124 | [ <del>(74)</del> ] <u>(75)</u> 5-Iodo-2-aminoindane (5-IAI);                            |
| 125 | [(75)] (76) 5-MeO-DALT;  |
| 126 | [(76)] (77) 25B-NBOMe; 2-(r-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)              |
| 127 | methyl]ethanamine;   |
| 128 | [(77)] (78) 25C-NBOMe; 2-(4Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)              |
| 129 | methyl]ethanamine; and   |
| 130 | [ <del>(78)</del> ] <u>(79)</u> 25H-NBOMe;   |
| 131 | 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine.                           |
| 132 | Section 2. Section <b>58-38a-201</b> is amended to read:                                 |
| 133 | 58-38a-201. Controlled Substances Advisory Committee.                                    |
| 134 | There is created within the Division of Occupational and Professional Licensing the      |
| 135 | Controlled Substances Advisory Committee. The committee consists of:                     |
| 136 | (1) the director of the Department of Health or the director's designee;                 |
| 137 | (2) the State Medical Examiner or the examiner's designee;                               |
| 138 | (3) the commissioner of the Department of Public Safety or the commissioner's            |
| 139 | designee;  |
| 140 | (4) the director of the Bureau of Forensic Services created in Section 53-10-401, or the |
| 141 | director's designee:   |

141 director's designee;

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| 142  | (5) the director of the Utah Poison Control Center or the director's designee;                |
| 143  | [(4)] (6) one physician who is a member of the Physicians Licensing Board and is              |
| 144  | designated by that board;   |
| 145  | [(5)] (7) one pharmacist who is a member of the Utah State Board of Pharmacy and is           |
| 146  | designated by that board;   |
| 147  | [(6)] (8) one dentist who is a member of the Dentist and Dental Hygienist Licensing           |
| 148  | Board and is designated by that board;  |
| 149  | [(7)] (9) one physician who is currently licensed and practicing in the state, to be          |
| 150  | appointed by the governor;  |
| 151  | [(8)] (10) one psychiatrist who is currently licensed and practicing in the state, to be      |
| 152  | appointed by the governor;  |
| 153  | [(9)] (11) one individual with expertise in substance abuse addiction, to be appointed        |
| 154  | by the governor;  |
| 155  | [(10)] (12) one representative from the Statewide Association of Prosecutors, to be           |
| 156  | designated by that association;   |
| 157  | [(11)] (13) one naturopathic physician who is currently licensed and practicing in the        |
| 158  | state, to be appointed by the governor;   |
| 159  | [(12)] (14) one advanced practice registered nurse who is currently licensed and              |
| 160  | practicing in this state, to be appointed by the governor; and                                |
| 161  | [(13)] (15) one member of the public, to be appointed by the governor.                        |
| 162  | Section 3. Section <b>58-38a-202</b> is amended to read:                                      |
| 163  | 58-38a-202. Terms of committee service.   |
| 164  | (1) (a) Members of the advisory committee shall serve terms of four years, except that        |
| 165  | the members under Subsections 58-38a-201(1), (2), [and] (3), and (4) shall serve during their |
| 166  | terms as appointed officials.   |
| 167  | (b) Vacancies in the committee occurring otherwise than by the expiration of a term           |
| 168  | shall be filled for the unexpired term in the same manner as original appointments.           |
| 169  | (2) A member may not receive compensation or benefits for the member's service, but           |

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- 170 may receive per diem and travel expenses in accordance with:
- 171 (a) Section 63A-3-106;
- 172 (b) Section 63A-3-107; and
- 173 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
- 174 63A-3-107.
- 175 (3) (a) The director of the Department of Health, or the director's designee, is the chair176 of the committee.
- 177 (b) The advisory committee meets at the call of the chair or at the call of a majority of178 the committee members.
- 179 (c) The advisory committee meets annually and more often as required to carry out its
- 180 duties under this chapter.
- 181 (d) Seven members of the advisory committee constitute a quorum.
- 182 (e) Action by the committee requires a majority vote of a quorum.