

**CONTROLLED SUBSTANCES REVISIONS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Allen M. Christensen

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**LONG TITLE**

**Committee Note:**

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 4 absent

**General Description:**

This bill amends the list of controlled substances and the composition of the Controlled Substances Advisory Committee.

**Highlighted Provisions:**

This bill:

- ▶ adds a substance to the listed controlled substances in the Utah Controlled Substances Act;
- ▶ amends the composition of the Controlled Substances Advisory Committee; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-37-4.2**, as last amended by Laws of Utah 2018, Chapter 146

**58-38a-201**, as last amended by Laws of Utah 2011, Chapter 60



28 **58-38a-202**, as last amended by Laws of Utah 2011, Chapter 60

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30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **58-37-4.2** is amended to read:

32 **58-37-4.2. Listed controlled substances.**

33 The following substances, their analogs, homologs, and synthetic equivalents are listed  
34 controlled substances:

35 (1) AB-001;

36 (2) AB-PINACA;

37 N-[1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide;

38 (3) AB-FUBINACA; N-[1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)  
39 methyl]-1H-indazole-3-carboxamide;

40 (4) AB-CHMINACA

41 (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

42 (5) ADB-CHMINACA (N-[(2S)-1-amino-3,3-dimethyl-1-oxobutan-2-yl]-1-  
43 (cyclohexylmethyl)indazole-3-carboxamide);

44 (6) ADB-FUBINACA (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-  
45 (4-fluorobenzyl)-1H-indazole-3-carboxamide);

46 (7) AKB48;

47 (8) alpha-Pyrrolidinohexanophenone (alpha-PHP)

48 (1-Phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

49 (9) alpha-Pyrrolidinovalerophenone (alpha-PVP);

50 (10) AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone);

51 (11) AM-1248;

52 (12) AM-2201 (1-(5-fluoropentyl)-3-(1-naphthoyl)indole);

53 (13) AM-2233;

54 (14) AM-679;

55 (15) A796,260;

56 (16) Butylone;

57 (17) CP 47,497 and its C6, C8, and C9 homologs (2-[(1R,3S)-3-hydroxycyclohexyl]  
58 -5-(2-methyloctan-2-yl)phenol);

- 59 (18) Diisopropyltryptamine (DiPT);  
60 (19) Ethylone;  
61 (20) Ethylphenidate;  
62 (21) Fluoroisocathinone;  
63 (22) Fluoromethamphetamine;  
64 (23) Fluoromethcathinone;  
65 (24) FUB-AMB; methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)valinate;  
66 (25) HU-210; (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)  
67 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;  
68 (26) HU-211; Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
69 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;  
70 (27) JWH-015; (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone;  
71 (28) JWH-018; Naphthalen-1-yl-(pentylindol-3-yl)methanone {also known as  
72 1-Pentyl-3-(1-naphthoyl)indole};  
73 (29) JWH-019; 1-hexyl-3-(1-naphthoyl)indole;  
74 (30) JWH-073; Naphthalen-1-yl(1-butylyndol-3-yl)methanone {also known as  
75 1-Butyl-3-(1-naphthoyl)indole};  
76 (31) JWH-081; 4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone;  
77 (32) JWH-122; CAS#619294-47-2; (1-Pentyl-3-(4-methyl-1-naphthoyl)indole);  
78 (33) JWH-200; 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;  
79 (34) JWH-203; 1-pentyl-3-(2-chlorophenylacetyl)indole;  
80 (35) JWH-210; 4-ethyl-1-naphthalenyl(1-pentyl-1H-indol-3-yl)-methanone;  
81 (36) JWH-250; 1-pentyl-3-(2-methoxyphenylacetyl)indole;  
82 (37) JWH-251; 2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone;  
83 (38) JWH-398; 1-pentyl-3-(4-chloro-1-naphthoyl)indole;  
84 (39) MAM-2201;  
85 (40) MAM-2201;  
86 (1-(5-fluoropentyl)-1H-indol-3-yl)(4-ethyl-1-naphthalenyl)-methanone;  
87 (41) Methoxetamine;  
88 (42) Naphyrone;  
89 (43) PB-22; 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester;

- 90 (44) Pentedrone;
- 91 (45) Pentylone;
- 92 (46) RCS-4; 1-pentyl-3-(4-methoxybenzoyl)indole;
- 93 (47) RCS-8; 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole {also known as
- 94 BTW-8 and SR-18};
- 95 (48) STS-135;
- 96 (49) UR-144;
- 97 (50) UR-144 N-(5-chloropentyl) analog;
- 98 (51) XLR11;
- 99 (52) 2C-C;
- 100 (53) 2C-D;
- 101 (54) 2C-E;
- 102 (55) 2C-H;
- 103 (56) 2C-I;
- 104 (57) 2C-N;
- 105 (58) 2C-P;
- 106 (59) 2C-T-2;
- 107 (60) 2C-T-4;
- 108 (61) 2NE1;
- 109 (62) 25I-NBOMe;
- 110 (63) 2,5-Dimethoxy-4-chloroamphetamine (DOC);
- 111 (64) 4-Fluoro MDMB-BUTINACA (Methyl
- 112 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate);
- 113 [~~64~~] (65) 4-methylmethcathinone {also known as mephedrone};
- 114 [~~65~~] (66) 3,4-methylenedioxypyrovalerone {also known as MDPV};
- 115 [~~66~~] (67) 3,4-Methylenedioxymethcathinone {also known as methylone};
- 116 [~~67~~] (68) 4-methoxymethcathinone;
- 117 [~~68~~] (69) 4-Methyl-alpha-pyrrolidinopropiophenone;
- 118 [~~69~~] (70) 4-Methylethcathinone;
- 119 [~~70~~] (71) 5F-AKB48;
- 120 1-(5-fluoropentyl)-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3- carboxamide;

121            [~~(71)~~] (72) 5-Fluoro ADB (Methyl  
122 N-{{1-(5-fluoropentyl)-1H-indazol-3-yl}carbonyl}-3-methyl-valinate);  
123            [~~(72)~~] (73) 5-Fluoro AMB (Methyl  
124 N-{{1-(5-fluoropentyl)-1H-indazol-3-yl}carbonyl} valinate);  
125            [~~(73)~~] (74) 5-fluoro-PB-22; 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid  
126 8-quinolinyl ester;  
127            [~~(74)~~] (75) 5-Iodo-2-aminoindane (5-IAI);  
128            [~~(75)~~] (76) 5-MeO-DALT;  
129            [~~(76)~~] (77) 25B-NBOMe; 2-(*r*-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)  
130 methyl]ethanamine;  
131            [~~(77)~~] (78) 25C-NBOMe; 2-(4Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)  
132 methyl]ethanamine; and  
133            [~~(78)~~] (79) 25H-NBOMe;  
134 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine.  
135            Section 2. Section **58-38a-201** is amended to read:  
136            **58-38a-201. Controlled Substances Advisory Committee.**  
137            There is created within the Division of Occupational and Professional Licensing the  
138 Controlled Substances Advisory Committee. The committee consists of:  
139            (1) the director of the Department of Health or the director's designee;  
140            (2) the State Medical Examiner or the examiner's designee;  
141            (3) the commissioner of the Department of Public Safety or the commissioner's  
142 designee;  
143            (4) the director of the Bureau of Forensic Services created in Section [53-10-401](#), or the  
144 director's designee;  
145            (5) the director of the Utah Poison Control Center or the director's designee;  
146            [~~(4)~~] (6) one physician who is a member of the Physicians Licensing Board and is  
147 designated by that board;  
148            [~~(5)~~] (7) one pharmacist who is a member of the Utah State Board of Pharmacy and is  
149 designated by that board;  
150            [~~(6)~~] (8) one dentist who is a member of the Dentist and Dental Hygienist Licensing  
151 Board and is designated by that board;

152           ~~[(7)]~~ (9) one physician who is currently licensed and practicing in the state, to be  
153 appointed by the governor;

154           ~~[(8)]~~ (10) one psychiatrist who is currently licensed and practicing in the state, to be  
155 appointed by the governor;

156           ~~[(9)]~~ (11) one individual with expertise in substance abuse addiction, to be appointed  
157 by the governor;

158           ~~[(10)]~~ (12) one representative from the Statewide Association of Prosecutors, to be  
159 designated by that association;

160           ~~[(11)]~~ (13) one naturopathic physician who is currently licensed and practicing in the  
161 state, to be appointed by the governor;

162           ~~[(12)]~~ (14) one advanced practice registered nurse who is currently licensed and  
163 practicing in this state, to be appointed by the governor; and

164           ~~[(13)]~~ (15) one member of the public, to be appointed by the governor.

165           Section 3. Section **58-38a-202** is amended to read:

166           **58-38a-202. Terms of committee service.**

167           (1) (a) Members of the advisory committee shall serve terms of four years, except that  
168 the members under Subsections **58-38a-201**(1), (2), ~~[and]~~ (3), and (4) shall serve during their  
169 terms as appointed officials.

170           (b) Vacancies in the committee occurring otherwise than by the expiration of a term  
171 shall be filled for the unexpired term in the same manner as original appointments.

172           (2) A member may not receive compensation or benefits for the member's service, but  
173 may receive per diem and travel expenses in accordance with:

174           (a) Section **63A-3-106**;

175           (b) Section **63A-3-107**; and

176           (c) rules made by the Division of Finance pursuant to Sections **63A-3-106** and  
177 **63A-3-107**.

178           (3) (a) The director of the Department of Health, or the director's designee, is the chair  
179 of the committee.

180           (b) The advisory committee meets at the call of the chair or at the call of a majority of  
181 the committee members.

182           (c) The advisory committee meets annually and more often as required to carry out its

183 duties under this chapter.

184 (d) Seven members of the advisory committee constitute a quorum.

185 (e) Action by the committee requires a majority vote of a quorum.