HOUSE BILL NO. 4089

February 03, 2021, Introduced by Reps. Allor, Markkanen, Borton and Rendon and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled

"Public health code,"

by amending section 7212 (MCL 333.7212), as amended by 2013 PA 268.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 7212. (1) The following controlled substances are included in schedule 1:

(a) Any of the following opiates, including their isomers, esters, the ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, when the existence of these isomers, esters, ethers, and salts is possible within the specific

chemical designation:

Acetylmethadol	Difenoxin	Noracymethadol
Allylprodine	Dimenoxadol	Norlevorphanol
Alpha-acetylmethadol	Dimepheptanol	Normethadone
Alphameprodine	Dimethylthiambutene	Norpipanone
Alphamethadol	Dioxaphetyl butyrate	Phenadoxone
Benzethidine	Dipipanone	Phenampromide
Betacetylmethadol	Ethylmethylthiambutene	Phenomorphan
Betameprodine	Etonitazene	Phenoperidine
Betamethadol	Etoxeridine	Piritramide
Betaprodine	Furethidine	Proheptazine
Clonitazene	Hydroxypethidine	Properidine
Dextromoramide	Ketobemidone	Propiram
Diampromide	Levomoramide	Racemoramide
Diethylthiambutene	Levophenacylmorphan	Trimeperidine
	Morpheridine	

(b) Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine	Drotebanol	Morphine-N-Oxide
Acetyldihydrocodeine	Etorphine	Myrophine
Benzylmorphine	Heroin	Nicocodeine
Codeine methylbromide	Hydromorphinol	Nicomorphine
Codeine-N-Oxide	Methyldesorphine	Normorphine
Cyprenorphine	Methyldihydromorphine	Pholcodine
Desomorphine	Morphine methylbromide	Thebacon
Dihydromorphine	Morphine methylsulfonate	

(c) Any material, compound, mixture, or preparation ~~which~~ **that** contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

2-Methylamino-1-phenylpropan-1-one

Some trade and other names:

Methcathinone

Cat

Ephedrone

3, 4-methylenedioxy amphetamine

5-methoxy-3, 4-methylenedioxy amphetamine

3, 4, 5-trimethoxy amphetamine

Bufotenine

Some trade and other names:

3-(B-dimethylaminoethyl)-5 hydrozyindole

3-(2-dimethylaminoethyl)-5 indolol

N,N-dimethylserotonin; 5-hydroxy-N-dimethyltryptamine

Mappine

2, 5-Dimethoxyamphetamine

Some trade or other names:

2, 5-Dimethoxy-a-methylphenethylamine; 2,5-DMA

4-Bromo-2, 5-Dimethoxyamphetamine

Some trade or other names:

4-bromo-2, 5 dimethoxy-a-methylphenethylamine; 4-bromo 2,5-DMA

Diethyltryptamine

Some trade and other names:

N,N-Diethyltryptamine; DET

Dimethyltryptamine

Some trade or other names:

DMT

4-methyl-2, 5-dimethoxyamphetamine

Some trade and other names:

4-methyl-2, 5-dimethoxy-a-methyl-phenethylamine

DOM, STP

4-methoxyamphetamine

Some trade or other names:

4-methoxy-a-methylphenethylamine; paramethoxy amphetamine;

PMA

Ibogaine

Some trade and other names:

7-Ethyl-6,6a,7,8,9,10,12,13

Octahydro-2-methoxy-6,9-methano-5H-

pyrido (1, 2:1, 2 azepino 4, 5-b) indole

tabernanthe iboga

Lysergic acid diethylamide

Except as provided in subsection (2), Marihuana, including pharmaceutical-grade cannabis

Mecloqualone

Mescaline

Peyote

N-ethyl-3 piperidyl benzilate

N-methyl-3 piperidyl benzilate

Psilocybin

Psilocyn

Thiophene analog of phencyclidine

Some trade or other names:

1-(1-(2-thienyl)cyclohexyl) piperidine

2-thienyl analog of phencyclidine; TPCP

(d) Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis and synthetic substances, derivatives, and their isomers with similar chemical structure or pharmacological activity, or both, such as the following, are included in schedule 1:

(*i*) /\[1] cis or trans tetrahydrocannabinol, and their optical isomers.

(*ii*) /\[6] cis or trans tetrahydrocannabinol, and their optical isomers.

(*iii*) /\[3,4,] cis or trans tetrahydrocannabinol, and their optical isomers.

(e) Synthetic cannabinoids. As used in this subdivision, "synthetic cannabinoids" includes any material, compound, mixture, or preparation that is not otherwise listed as a controlled substance in this schedule or in schedules ~~II~~ **2** through ~~V,~~ **5**, is not approved by the ~~federal food and drug administration~~ **United States Food and Drug Administration** as a drug, and contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues (analogs), and salts of isomers and homologues (analogs), unless specifically excepted, ~~whenever~~ **when** the existence of these salts, isomers, homologues (analogs), and salts of isomers and homologues (analogs) is possible within the specific chemical designation:

(*i*) Any compound containing a 3-(1-naphthoyl)indole structure, also known as napthoylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,

cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include, but are not limited to: JWH-007, JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, JWH-210, JWH-398, AM-1220, AM-2201, and WIN-55, 212-2.

(*ii*) Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure, also known as napthylmethylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include, but are not limited to: JWH-175, and JWH-184.

(*iii*) Any compound containing a 3-(1-naphthoyl)pyrrole structure, also known as naphthoylpyrroles with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the pyrrole ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include, but are not limited to: JWH-370, JWH-030.

(*iv*) Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or

not further substituted on the indene ring to any extent and whether or not substituted on the naphthyl ring to any extent. Examples of this structural class include, but are not limited to: JWH-176.

(*v*) Any compound containing a 3-phenylacetylindole structure, also known as phenacetylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the phenyl ring to any extent. Examples of this structural class include, but are not limited to: RCS-8 (SR-18), JWH-250, JWH-203, JWH-251, and JWH-302.

(*vi*) Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure, also known as cyclohexylphenols, with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted on the cyclohexyl ring to any extent. Examples of this structural class include, but are not limited to: CP-47,497 (and homologues(analogs)), cannabicyclohexanol, and CP-55,940.

(*vii*) Any compound containing a 3-(benzoyl)indole structure, also known as benzoylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the phenyl ring to any extent. Examples of this structural class include, but are not limited to: AM-694,

pravadoline (WIN-48,098), RCS-4, AM-630, AM-679, AM-1241, and AM-2233.

(*viii*) Any compound containing a 11-hydroxy-/\$^{8}$-tetrahydrocannabinol structure, also known as dibenzopyrans, with further substitution on the 3-pentyl group by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkyethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group. Examples of this structural class include, but are not limited to: HU-210, JWH-051, JWH-133.

(*ix*) Any compound containing a ~~3-(1-adamantoyl)indole~~ **3-(1-adamantoyl)indole** structure, also known as adamantoylindoles, with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the adamantyl ring system to any extent. Examples of this structural class include, but are not limited to: AM-1248.

(*x*) Any other synthetic chemical compound that is a cannabinoid receptor agonist and mimics the pharmacological effect of naturally occurring cannabinoids that is not listed in schedules ~~II~~ **2** through ~~V~~ **5** and is not approved by the ~~federal food and drug administration~~ **United States Food and Drug Administration** as a drug.

(f) Compounds of structures referred to in subdivision (d), regardless of numerical designation of atomic positions, are included.

(g) Gamma-hydroxybutyrate and any isomer, salt, or salt of isomer of gamma-hydroxybutyrate.

Some trade and other names:

Sodium oxybate

4-hydroxybutanoic acid monosodium salt

(h) 3,4-methylenedioxymethamphetamine.

Some trade and other names:

Ecstasy

MDMA

(i) N-Benzylpiperazine

Some trade and other names:

BZP

Benzylpiperazine

1-(phenylmethyl)-piperazine

(j) 3-Chlorophenylpiperazine

Some trade and other names:

MCPP

(k) 1-(3-Trifluoromethylphenyl)piperazine

Some trade and other names:

TFMPP

(*l*) 4-Bromo-2,5-dimethoxybenzylpiperazine

Some trade and other names:

2C-B-BZP

(m) All of the following:

(*i*) (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol.

Some trade and other names:

HU-210

(*ii*) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol and its side chain homologues.

Some trade and other names:

CP47,497

(*iii*) 1-pentyl-3-(1-naphthoyl)indole.

Some trade and other names:

JWH-018

(*iv*) 1-butyl-3-(1-naphthoyl)indole.

Some trade and other names:

JWH-073

(*v*) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone.

Some trade and other names:

JWH-015

(*vi*) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone.

Some trade and other names:

JWH-200

(*vii*) 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-ethanone.

Some trade and other names:

JWH-250

(n) Mephedrone (4-methylmethcathinone).

Some trade and other names:

4-MMC, M-Cat, meow meow, miaow miaow, bounce, bubbles, bubble love, mad cow, plant food, drone, and neo doves

(o) 4-Methyl-alpha-pyrrolidinobutyrophenone.

Some trade and other names:

MPBP

(p) Methylenedioxypyrovalerone

Some trade and other names:

MDPV, Bath salts, charge plus, cloud nine, hurricane Charlie, ivory wave, ocean, red dove, scarface, sonic, white dove, white lightning

(q) 5,6-Methylenedioxy-2-aminoindane

Some trade and other names:

MDAI

Woof-woof

(r) Naphyrone (Naphthylpyrovalerone)

Some trade and other names:

NRG-1

Rave

(s) Pyrovalerone (1-(4-Methylphenyl)-2-(1-pyrrolidinyl)-1-pentanone)

(t) Catha edulis; except as provided in subdivision (u) and section 7218, all parts of the plant presently classified botanically as catha edulis, whether growing or not; the leaves and seeds of that plant; any extract from any part of that plant; and every compound, salt, derivative, mixture, or preparation of that plant or its leaves, seeds, or extracts.

Some trade and other names:

Khat

Qat

(u) Cathinone.

(v) Salvia divinorum; except as provided in subdivision (w), all parts of the plant presently classified botanically as salvia divinorum, whether growing or not; the leaves and seeds of that plant; any extract from any part of that plant; and every compound, salt, derivative, mixture, or preparation of that plant or its leaves, seeds, or extracts.

(w) Salvinorin A.

(x) Synthetic cathinones. As used in this subdivision, "synthetic cathinones" includes any material, compound, mixture, or

preparation that is not otherwise listed as a controlled substance in this schedule or in schedules ~~II~~ **2** through ~~V,~~ **5**, is not approved by the ~~federal food and drug administration~~ **United States Food and Drug Administration** as a drug, and contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues (analogs), and salts of isomers and homologues (analogs), unless specifically excepted, ~~whenever~~ **when** the existence of these salts, isomers, homologues (analogs), and salts of isomers and homologues (analogs) is possible within the specific chemical designation:

(*i*) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the nitrogen atom by an alkyl group, cycloalkyl group, or incorporation into a heterocyclic structure. Examples of this structural class include, but are not limited to, dimethylcathinone, ethcathinone, and alpha-pyrrolidinopropiophenone.

(*ii*) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at the 3-position carbon with an alkyl, haloalkyl, or alkoxy group. Examples of this structural class include, but are not limited to, naphyrone.

(*iii*) Any compound containing a 2-amino-1-propanone structure with substitution at the 1-position with a monocyclic or fused polycyclic ring system and a substitution at any position of the ring system with an alkyl, haloalkyl, halogen, alkylenedioxy, or alkoxy group, whether or not further substituted at any position on the ring system to any extent. Examples of this structural class include, but are not limited to, mephedrone, methylone, and 3-

fluoromethylone.

(y) Etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine).

Some trade and other names:

Etilaam, Etizest, Depas, Etizola, Sedekopan, Pasaden

(2) Marihuana, including pharmaceutical-grade cannabis, is a schedule 2 controlled substance if it is manufactured, obtained, stored, dispensed, possessed, grown, or disposed of in compliance with this act and as authorized by federal authority.

(3) For purposes of subsection (1), "isomer" includes the optical, ~~position,~~ **positional**, and geometric isomers.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.