

EXECUTIVE CHAMBERS HONOLULU

DAVID Y. IGE GOVERNOR

July 10, 2018

18 GOV. MSG. NO. 1299

The Honorable Ronald D. Kouchi, President and Members of the Senate Twenty-Ninth State Legislature State Capitol, Room 409 Honolulu, Hawai'i 96813 The Honorable Scott K. Saiki, Speaker and Members of the House of Representatives Twenty-Ninth State Legislature State Capitol, Room 431 Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2018, the following bill was signed into law:

HB2385 HD2 SD1

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT ACT 190 (18)

Sincerely,

DAVID Y. IGE Governor, State of Hawai'i

Approved by the Governor JUL 10 2018 ORIGINAL ACT 1 9 0 HOUSE OF REPRESENTATIVES TWENTY-NINTH LEGISLATURE, 2018 H.B. NO. 2385 H.D. 2 STATE OF HAWAII

A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECTIO	N 1. Section 329-14, Hawaii Revised Statutes, is
2	amended by a	amending subsections (f) and (g) to read as follows:
3	"(f) ;	Stimulants. Unless specifically excepted or unless
4	listed in a	nother schedule, any material, compound, mixture, or
5	preparation	which contains any quantity of the following
6	substances l	having a stimulant effect on the central nervous
7	system, inc	luding its salts, isomers, and salts of isomers:
8	(1) Ar	minorex;
9	(2) Ca	athinone;
10	(3) Fe	enethylline;
11	(4) Me	ethcathinone;
12	(5) N·	-ethylamphetamine;
13	(6) 4-	-methylaminorex;
14	(7) N	,N-dimethylamphetamine; and
15	(8) Si	ubstituted cathinones, any compound, except bupropion
16	01	r compounds listed under a different schedule,
17	st	tructurally derived from 2-aminopropan-1-one by



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1		substitution at the 1-position with either phenyl,
2		naphthyl, or thiophene ring systems, whether or not
3		the compound is further modified in any of the
4	,	following ways:
5	- Marine - Carlor - Carlo	(A) By substitution in the ring system to any extent
6		with alkyl, alkylenedioxy, alkoxy, haloalkyl,
7		hydroxyl, or halide substituents, whether or not
8		further substituted in the ring system by one or
9		more other univalent substituents;
10		(B) By substitution at the 3-position with an acyclic
11		alkyl substituent; or
12		(C) By substitution at the 2-amino nitrogen atom with
13		alkyl, dialkyl, benzyl, or methoxybenzyl groups,
14		or by inclusion of the 2-amino nitrogen atom in a
15		cyclic structure.
16		Some other trade names: Mephedrone (2-methylamino-1-
17		p-tolylpropan-1-one), also known as 4-
18	•	methylmethcathinone (4-MMC), methylephedrone or MMCAT;
19		Methylenedioxypyrovalerone (MDPV, MDPK); methylone or
20		3,4-methylenedioxymethcathinone; and 1-
21		(benzo[d][1,3]dioxol-5-yl)-2-(ethylamino)propan-1-one,



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1	monohydrochloride, also known as Ethylone, bk-MDEA
2	hydrochloride, MDEC; 3,4-Methylenedioxy-N-
3	ethylcathinone; bk-Methylenedioxyethylamphetamine[$-$],
4	<u>4-methyl-N-ethylcathinone (4-MEC); 4-methyl-alpha-</u>
5	pyrrolidinopropiophenone (4-MePPP); alpha-
6	pyrrolidinopentiophenone ([alpha]-PVP); 1-(1,3-
7	benzodioxol-5-yl)-2-(methylamino)butan-1-one
8	(butylone, bk-MBDB e); 2-(methylamino)-1-phenylpentan-
9	1-one (pentedrone); 1-(1,3-benzodioxol-5-yl)-2-
10	(methylamino)pentan-1-one (pentylone, bk-MBDP); 4-
11	fluoro-N-methylcathinone (4-FMC, flephedrone); 3-
12	fluoro-N-methylcathinone (3-FMC); 1-(naphthalen-2-yl)-
13	2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); alpha-
14	pyrrolidinobutiophenone ([alpha]-PBP) and their
15	optical, positional, and geometric isomers, salts and
16	salts of isomers, whenever the existence of such
17	salts, isomers, and salts of isomers is possible.
18	(g) Any of the following cannabinoids, their salts,
19	isomers, and salts of isomers, unless specifically excepted,
20	whenever the existence of these salts, isomers, and salts of
21	isomers is possible within the specific chemical designation:

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1	(1)	Tetrahydrocannabinols; meaning tetrahydrocannabinols
2		naturally contained in a plant of the genus Cannabis
3		(cannabis plant), as well as synthetic equivalents of
4		the substances contained in the plant, or in the
5		resinous extractives of Cannabis, sp. or synthetic
6		substances, derivatives, and their isomers with
7		similar chemical structure and pharmacological
8		activity to those substances contained in the plant,
9		such as the following: Delta 1 cis or trans
10		tetrahydrocannabinol, and their optical isomers; Delta
11		6 cis or trans tetrahydrocannabinol, and their optical
12		isomers; and Delta 3,4 cis or trans-
13		tetrahydrocannabinol, and its optical isomers (since
14		nomenclature of these substances is not
15		internationally standardized, compounds of these
16		structures, regardless of numerical designation of
17		atomic positions, are covered);
18	(2)	Naphthoylindoles; meaning any compound containing a 3-
19		(1-naphthoyl)indole structure with substitution at the
20		nitrogen atom of the indole ring by a alkyl,
21		haloalkyl, alkenyl, cycloalkylmethyl,cycloalkylethyl,

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1		1-(N-methyl-2-piperidinyl)methyl or 2-(4-
2		morpholinyl)ethyl group, whether or not further
3		substituted in the indole ring to any extent and
4		whether or not substituted in the naphthyl ring to any
5		extent;
6	(3)	Naphthylmethylindoles; meaning any compound containing
7		a 1H-indol-3-yl-(1-naphthyl) methane structure with
8		substitution at the nitrogen atom of the indole ring
9		by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
10		cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
11		2-(4-morpholinyl) ethyl group whether or not further
12		substituted in the indole ring to any extent and
13		whether or not substituted in the naphthyl ring to any
14		extent;
15	(4)	Naphthoylpyrroles; meaning any compound containing a
16		3-(1-naphthoyl)pyrrole structure with substitution at
17		the nitrogen atom of the pyrrole ring by a alkyl,
18		haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
19		1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)
20		ethyl group whether or not further substituted in the

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1		pyrrole ring to any extent, whether or not substituted
2		in the naphthyl ring to any extent;
3	(5)	Naphthylmethylindenes; meaning any compound containing
4		a naphthylideneindene structure with substitution at
5		the 3-position of the indene ring by a alkyl,
6		haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
7	•	1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
8		ethyl group whether or not further substituted in the
9		indene ring to any extent, whether or not substituted
10		in the naphthyl ring to any extent;
11	(6)	Phenylacetylindoles; meaning any compound containing a
12		3-phenylacetylindole structure with substitution at
13		the nitrogen atom of the indole ring by a alkyl,
14		haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
15	•	1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
16		ethyl group whether or not further substituted in the
17		indole ring to any extent, whether or not substituted
18		in the phenyl ring to any extent;
19	(7)	Cyclohexylphenols; meaning any compound containing a
20		2-(3-hydroxycyclohexyl) phenol structure with
21		substitution at the 5-position of the phenolic ring by



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1		a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
2		cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
3		2-(4-morpholinyl) ethyl group whether or not
4		substituted in the cyclohexyl ring to any extent;
5	(8)	Benzoylindoles; meaning any compound containing a 3-
6		(benzoyl) indole structure with substitution at the
7		nitrogen atom of the indole ring by a alkyl,
8		haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
9		1-(N-methyl-2-piperidinyl) methyl, or 2-(4-
10		morpholinyl) ethyl group whether or not further
11		substituted in the indole ring to any extent and
12		whether or not substituted in the phenyl ring to any
13		extent;
14	(9)	2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)
15		pyrrolo[1,2,3-de]-1, 4-benzoxazin-6-yl]-1-
16		napthalenylmethanone (another trade name is WIN
17		55,212-2);
18	(10)	(6a,10a)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-
19		methyloctan-2-yl)-6a,7,10,10a-
20		tetrahydrobenzo[c]chromen-l-ol (Other trade names are:
21		HU-210/HU-211);

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1	(11)	Tetramethylcyclopropanoylindoles; meaning any compound
2		containing a 3-tetramethylcyclopropanoylindole
3		structure with substitution at the nitrogen atom of
4		the indole ring by an alkyl, haloalkyl, cyanoalkyl,
5		alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
6		methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
7		1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
8		morpholinyl)methyl, or tetrahydropyranylmethyl group,
9		whether or not further substituted in the indole ring
10		to any extent and whether or not substituted in the
11		tetramethylcyclopropyl ring to any extent;
12	(12)	N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide,
13		its optical, positional, and geometric isomers, salts,
14		and salts of isomers (Other names: APINACA, AKB48);
15	(13)	Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its
16		optical, positional, and geometric isomers, salts, and
17		salts of isomers (Other names: PB-22; QUPIC);
18	(14)	Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-
19	-10.5.	carboxylate, its optical, positional, and geometric
20		isomers, salts, and salts of isomers (Other names: 5-
21		fluoro-PB-22; 5F-PB-22);

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1	(15)	N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
2		fluorobenzyl)-1H-indazole-3-carboxamide, its optical,
3		positional, and geometric isomers, salts, and salts of
4		isomers (Other names: AB-FUBINACA);
5	(16)	N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
6		indazole-3-carboxamide, its optical, positional, and
7		geometric isomers, salts, and salts of isomers (Other
8		names: ADB-PINACA);
9	(17)	N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
10		(cyclohexylmethyl)-1H-indazole-3-carboxamide, its
11		optical, positional, and geometric isomers, salts, and
12		salts of isomers (Other names: AB-CHMINACA);
13	(18)	N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
14		indazole-3-carboxamide, and geometric isomers, salts,
15		and salts of isomers (Other names: AB-PINACA);
16	(19)	[1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-
17		yl)methanone, and geometric isomers, salts, and salts
18		of isomers (Other names: THJ-2201);
19	(20)	Methyl (1-(4-fluorobenzyl)-1 H-indazole-3-carbonyl)-L-
20		valinate, and geometric isomers, salts, and salts of
21		isomers (Other names: FUB-AMB);

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1	(21)	(S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
2		carboxamido)-3-methylbutanoate, and geometric isomers,
3		salts, and salts of isomers (Other names: 5-fluoro-
4		AMB, 5-fluoro-AMP);
5	(22)	N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-
6		indazole-3-carboxamide, and geometric isomers, salts,
7		and salts of isomers (Other names: AKB48 N-(5-
8		fluoropentyl) analog, 5F-AKB48, APINACA 5-fluoropentyl
9		analog, 5F-APINACA);
10	(23)	N-adamantyl-1-fluoropentylindole-3-Carboxamide, and
11		geometric isomers, salts, and salts of isomers (Other
12		names: STS-135, 5F-APICA; 5-fluoro-APICA);
13	(24)	Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
14		carboxylate, and geometric isomers, salts, and salts
15		of isomers (Other names: NM2201);
16	(25)	N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
17		(cyclohexylmethyl)-1H-indazole-3-carboxamide, and
18		geometric isomers, salts, and salts of isomers (Other
19		names: MAB-CHMINACA and ADB-CHMINACA); [and]
20	(26)	Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-
21		carboxamido]-3,3-dimethylbutanoate (Other names: 5F-

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1		ADB, 5-flouro-ADB, and 5F-MDMB-PINACA), its optical,
2		positional, and geometric isomers, salts, and salts of
3		isomers[+]; and
4	(27)	<u>1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)indazole-3-</u>
5		carboxamide (CUMYL-4CN-BINACA), its optical,
6		positional, and geometric isomers, salts, and salts of
7		isomers; also known as SGT-78, 4-CN-CUMYL-BINACA;
8		CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-cyano CUMYL-
9		BUTINACA."
10	SECT	ION 2. Section 329-16, Hawaii Revised Statutes, is
11	amended by	y amending subsection (g) to read as follows:
12	"(g)	Hallucinogenic substances, unless listed in another
13	schedule,	shall include:
14	(1)	Nabilone [-] ; and
15	(2)	Dronabinol (-)-delta-9-trans tetrahydrocannabinol in
16		an oral solution in a drug product approved for
17		marketing by the United States Food and Drug
18		Administration."
19	SECT	ION 3. Statutory material to be repealed is bracketed
20	and stric	cen. New statutory material is underscored.
21	SECT:	ION 4. This Act shall take effect upon its approval.

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APPROVED this 10 day of JUL , 2018

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GOVERNOR OF THE STATE OF HAWAII

HB No. 2385, HD 2, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2018 Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.

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Scott K. Saiki Speaker House of Representatives

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Brian L. Takeshita Chief Clerk House of Representatives



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THE SENATE OF THE STATE OF HAWAI'I

Date: April 10, 2018 Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the

Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.

President of the Senate

Clerk of the Senate