

S.B. NO. 2812

JAN 24 2018

A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

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

SECTION 1. Section 329-14, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex;

(2) Cathinone;

(3) Fenethylline;

(4) Methcathinone;

(5) N-ethylamphetamine;

(6) 4-methylaminorex;

(7) N,N-dimethylamphetamine; and

(8) Substituted cathinones, any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl,

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1 naphthyl, or thiophene ring systems, whether or not
2 the compound is further modified in any of the
3 following ways:

- 4 (A) By substitution in the ring system to any extent
5 with alkyl, alkylenedioxy, alkoxy, haloalkyl,
6 hydroxyl, or halide substituents, whether or not
7 further substituted in the ring system by one or
8 more other univalent substituents;
- 9 (B) By substitution at the 3-position with an acyclic
10 alkyl substituent; or
- 11 (C) By substitution at the 2-amino nitrogen atom with
12 alkyl, dialkyl, benzyl, or methoxybenzyl groups,
13 or by inclusion of the 2-amino nitrogen atom in a
14 cyclic structure.

15 Some other trade names: Mephedrone (2-methylamino-1-
16 p-tolylpropan-1-one), also known as 4-
17 methylmethcathinone (4-MMC), methylephedrone or MMCAT;
18 Methylenedioxypyrovalerone (MDPV, MDPK); methylone or
19 3,4-methylenedioxymethcathinone; and 1-
20 (benzo[d][1,3]dioxol-5-yl)-2-(ethylamino)propan-1-one,
21 monohydrochloride, also known as Ethylone, bk-MDEA
22 hydrochloride, MDEC; 3,4-Methylenedioxy-N-

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1 ethylcathinone; bk-Methylenedioxyethylamphetamine [-],
2 4-methyl-N-ethylcathinone (4-MEC); 4-methyl-alpha-
3 pyrrolidinopropiophenone (4-MePPP); alpha-
4 pyrrolidinopentiophenone ([alpha]-PVP); 1-(1,3-
5 benzodioxol-5-yl)-2-(methylamino)butan-1-one
6 (butylone, bk-MBDB e); 2-(methylamino)-1-phenylpentan-
7 1-one (pentedrone); 1-(1,3-benzodioxol-5-yl)-2-
8 (methylamino)pentan-1-one (pentylone, bk-MBDP); 4-
9 fluoro-N-methylcathinone (4-FMC, flephedrone); 3-
10 fluoro-N-methylcathinone (3-FMC); 1-(naphthalen-2-yl)-
11 2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); alpha-
12 pyrrolidinobutiophenone ([alpha]-PBP) and their
13 optical, positional, and geometric isomers, salts and
14 salts of isomers, whenever the existence of such
15 salts, isomers, and salts of isomers is possible. "

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.

18
19 INTRODUCED BY: 

20 BY REQUEST

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Report Title:

Uniform Controlled Substances Act

Description:

Updates chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in the federal Controlled Substances Act as required under section 329-11.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

PURPOSE: Update chapter 329, Hawaii Revised Statutes (HRS), to make it consistent with amendments in federal controlled substances law as required under section 329-11.

MEANS: Amend section 329-14(f), HRS.

JUSTIFICATION: Proposed amendments to chapter 329 will accomplish the following:

- (1) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39 FR Doc No: 2017-03974, by adding 4-methyl-N-ethylcathinone (4-MEC) to schedule I in accordance with section 329-14(f), HRS.
- (2) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39 FR Doc No: 2017-03974 by adding 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP) to schedule I in accordance with section 329-14(f), HRS.
- (3) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39, FR Doc No: 2017-03974, by adding alpha-pyrrolidinopentiophenone ([alpha]-PVP) to schedule I in accordance with section 329-14(f), HRS.

- (4) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39 FR Doc No: 2017-03974, by adding 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB e) to schedule I in accordance with section 329-14(f), HRS.
- (5) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39 FR Doc No: 2017-03974, by adding 2-(methylamino)-1-phenylpentan-1-one (pentedrone) to schedule I in accordance with section 329-14(f), HRS.
- (6) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39 FR Doc No: 2017-03974, by adding 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP); to schedule I in accordance with section 329-14(f), HRS.
- (7) Updates Hawaii's Uniform Controlled Substances Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39, FR Doc No: 2017-03974, by adding 4-fluoro-N-methylcathinone (4-FMC, flephedrone) to schedule I in accordance with section 329-14(f), HRS.
- (8) Updates Hawaii's Uniform Controlled Substance Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39, FR Doc No: 2017-03974, by adding 3-fluoro-N-methylcathinone (3-FMC) to schedule I in accordance with section 329-14(f), HRS.

- (9) Updates Hawaii's Uniform Controlled Substance Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39, FR Doc No: 2017-03974, by adding 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone) to schedule I in accordance with section 329-14(f), HRS.
- (10) Updates Hawaii's Uniform Controlled Substance Act, chapter 329, HRS, with changes made to the Federal Controlled Substance Act, Federal Register Volume 82, Number 39, FR Doc No: 2017-03974, by adding alpha-pyrrolidinobutiophenone ([alpha]-PBP) and their optical, positional, and geometric isomers, salts and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible to schedule I in accordance with section 329-14(f), HRS.

Impact on the public: This bill is intended to protect the public by updating Hawaii's controlled substance schedules to be consistent with Federal law.

Impact on the department and other agencies: These proposed amendments will assist the Department's Narcotics Enforcement Division in clarifying regulations of the Uniform Controlled Substances Act.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: PSD 502.

OTHER AFFECTED
AGENCIES: Department of Health Food and Drug Branch,
Federal, State, and County law enforcement.

EFFECTIVE DATE: Upon approval.