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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1464**

03/11/2013 Authored by Simonson and Rosenthal

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act  
1.2 relating to crime; providing criminal penalties for selling or possessing a  
1.3 synthetic drug look-alike substance; proposing coding for new law in Minnesota  
1.4 Statutes, chapter 152.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[152.091] SYNTHETIC DRUG LOOK-ALIKE SUBSTANCE.**

1.7 Subdivision 1. **Definition.** (a) For the purposes of this section, "synthetic drug  
1.8 look-alike substance" means one or more of the following:

- 1.9 (1) a substance that a reasonable person would believe is a synthetic drug;
- 1.10 (2) a substance that a reasonable person would believe is being purchased or sold as
- 1.11 a synthetic drug; or
- 1.12 (3) a substance that a person knows or should have known was intended to be
- 1.13 consumed by injection, inhalation, ingestion, or any other immediate means, and
- 1.14 consumption was intended to cause or simulate a stimulant, depressant, or hallucinogenic
- 1.15 effect on the central nervous system that is substantially similar to or greater than
- 1.16 the stimulant, depressant, or hallucinogenic effect on the central nervous system of a
- 1.17 controlled substance in Schedule I.

1.18 (b) Synthetic drug look-alike substance does not include:

- 1.19 (1) food and food ingredients;
- 1.20 (2) alcohol;
- 1.21 (3) legend drugs;
- 1.22 (4) tobacco; or
- 1.23 (5) dietary supplements.

2.1 Subd. 2. **Sale crime.** (a) Except as provided in paragraph (b), a person who  
2.2 unlawfully sells one or more mixtures of a synthetic drug look-alike substance is guilty of  
2.3 a felony and may be sentenced to imprisonment for not more than five years or to payment  
2.4 of a fine of not more than \$10,000, or both.

2.5 (b) A person who unlawfully sells one or more mixtures of a marijuana or  
2.6 Tetrahydrocannabinols synthetic drug look-alike substance for no remuneration is guilty  
2.7 of a gross misdemeanor and may be sentenced to imprisonment for not more than one year  
2.8 or to payment of a fine of not more than \$3,000, or both.

2.9 Subd. 3. **Possession crime.** (a) Except as provided in paragraph (b), a person who  
2.10 unlawfully possesses one or more mixtures of a synthetic drug look-alike substance is  
2.11 guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than  
2.12 one year or to payment of a fine of not more than \$3,000, or both.

2.13 (b) A person who unlawfully possesses one or more mixtures of a marijuana or  
2.14 Tetrahydrocannabinols synthetic drug look-alike substance is guilty of a misdemeanor and  
2.15 may be sentenced to imprisonment for not more than 90 days or to payment of a fine of  
2.16 not more than \$1,000, or both.

2.17 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to crimes  
2.18 committed on or after that date.