

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1335

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DATE	D-PG	OFFICIAL STATUS
03/13/2013	968	Introduction and first reading Referred to Judiciary

1.1 A bill for an act
 1.2 relating to public safety; adding to the list of Schedule I controlled substances;
 1.3 amending Minnesota Statutes 2012, section 152.02, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2012, section 152.02, subdivision 2, is amended to read:

1.6 Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this
 1.7 subdivision.

1.8 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of
 1.9 the following substances, including their analogs, isomers, esters, ethers, salts, and salts
 1.10 of isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters,
 1.11 ethers, and salts is possible:

1.12 (1) acetylmethadol;

1.13 (2) allylprodine;

1.14 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as
 1.15 levomethadyl acetate);

1.16 (4) alphameprodine;

1.17 (5) alphasmethadol;

1.18 (6) alpha-methylfentanyl benzethidine;

1.19 (7) betacetylmethadol;

1.20 (8) betameprodine;

1.21 (9) betamethadol;

1.22 (10) betaprodine;

1.23 (11) clonitazene;

1.24 (12) dextromoramide;

- 2.1 (13) diampromide;
- 2.2 (14) diethylambutene;
- 2.3 (15) difenoxin;
- 2.4 (16) dimenoxadol;
- 2.5 (17) dimepheptanol;
- 2.6 (18) dimethylambutene;
- 2.7 (19) dioxaphetyl butyrate;
- 2.8 (20) dipipanone;
- 2.9 (21) ethylmethylthiambutene;
- 2.10 (22) etonitazene;
- 2.11 (23) etoxeridine;
- 2.12 (24) furethidine;
- 2.13 (25) hydroxypethidine;
- 2.14 (26) ketobemidone;
- 2.15 (27) levomoramide;
- 2.16 (28) levophenacilmorphan;
- 2.17 (29) 3-methylfentanyl;
- 2.18 (30) acetyl-alpha-methylfentanyl;
- 2.19 (31) alpha-methylthiofentanyl;
- 2.20 (32) benzylfentanyl beta-hydroxyfentanyl;
- 2.21 (33) beta-hydroxy-3-methylfentanyl;
- 2.22 (34) 3-methylthiofentanyl;
- 2.23 (35) thenylfentanyl;
- 2.24 (36) thiofentanyl;
- 2.25 (37) para-fluorofentanyl;
- 2.26 (38) morpheridine;
- 2.27 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 2.28 (40) noracymethadol;
- 2.29 (41) norlevorphanol;
- 2.30 (42) normethadone;
- 2.31 (43) norpipanone;
- 2.32 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 2.33 (45) phenadoxone;
- 2.34 (46) phenampromide;
- 2.35 (47) phenomorphan;
- 2.36 (48) phenoperidine;

3.1 (49) piritramide;

3.2 (50) proheptazine;

3.3 (51) properidine;

3.4 (52) propiram;

3.5 (53) racemoramide;

3.6 (54) tilidine;

3.7 (55) trimeperidine.

3.8 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
3.9 and salts of isomers, unless specifically excepted or unless listed in another schedule,
3.10 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

3.11 (1) acetorphine;

3.12 (2) acetyldihydrocodeine;

3.13 (3) benzylmorphine;

3.14 (4) codeine methylbromide;

3.15 (5) codeine-n-oxide;

3.16 (6) cyprenorphine;

3.17 (7) desomorphine;

3.18 (8) dihydromorphine;

3.19 (9) drotebanol;

3.20 (10) etorphine;

3.21 (11) heroin;

3.22 (12) hydromorphanol;

3.23 (13) methyl-desorphine;

3.24 (14) methyldihydromorphine;

3.25 (15) morphine methylbromide;

3.26 (16) morphine methylsulfonate;

3.27 (17) morphine-n-oxide;

3.28 (18) myrophine;

3.29 (19) nicocodeine;

3.30 (20) nicomorphine;

3.31 (21) normorphine;

3.32 (22) pholcodine;

3.33 (23) thebacon.

3.34 (d) Hallucinogens. Any material, compound, mixture or preparation which contains
3.35 any quantity of the following substances, their analogs, salts, isomers (whether optical,
3.36 positional, or geometric), and salts of isomers, unless specifically excepted or unless listed

4.1 in another schedule, whenever the existence of the analogs, salts, isomers, and salts of
4.2 isomers is possible:

- 4.3 (1) methylenedioxy amphetamine;
- 4.4 (2) methylenedioxymethamphetamine;
- 4.5 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 4.6 (4) n-hydroxy-methylenedioxyamphetamine;
- 4.7 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 4.8 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 4.9 (7) 4-methoxyamphetamine;
- 4.10 (8) 5-methoxy-3, 4-methylenedioxy amphetamine;
- 4.11 (9) alpha-ethyltryptamine;
- 4.12 (10) bufotenine;
- 4.13 (11) diethyltryptamine;
- 4.14 (12) dimethyltryptamine;
- 4.15 (13) 3,4,5-trimethoxy amphetamine;
- 4.16 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 4.17 (15) ibogaine;
- 4.18 (16) lysergic acid diethylamide (LSD);
- 4.19 (17) mescaline;
- 4.20 (18) parahexyl;
- 4.21 (19) N-ethyl-3-piperidyl benzilate;
- 4.22 (20) N-methyl-3-piperidyl benzilate;
- 4.23 (21) psilocybin;
- 4.24 (22) psilocyn;
- 4.25 (23) tenocyclidine (TCP or TCP);
- 4.26 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 4.27 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 4.28 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 4.29 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 4.30 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 4.31 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 4.32 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 4.33 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 4.34 (32) 4-methyl-2,5-dimethoxyphenethylamine (2-CD);
- 4.35 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 4.36 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);

- 5.1 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 5.2 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 5.3 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 5.4 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 5.5 (2-CB-FLY);
- 5.6 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 5.7 (40) alpha-methyltryptamine (AMT);
- 5.8 (41) N,N-diisopropyltryptamine (DiPT);
- 5.9 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 5.10 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 5.11 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 5.12 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 5.13 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 5.14 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 5.15 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 5.16 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 5.17 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 5.18 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 5.19 (52) 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT);
- 5.20 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 5.21 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 5.22 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 5.23 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 5.24 (57) methoxetamine (MXE);
- 5.25 (58) 5-iodo-2-aminoindane (5-IAI);
- 5.26 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 5.27 (60) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
- 5.28 (25I-NBOMe).

5.29 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora*

5.30 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part

5.31 of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation

5.32 of the plant, its seeds or extracts. The listing of peyote as a controlled substance in

5.33 Schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies

5.34 of the American Indian Church, and members of the American Indian Church are exempt

5.35 from registration. Any person who manufactures peyote for or distributes peyote to the

6.1 American Indian Church, however, is required to obtain federal registration annually and
6.2 to comply with all other requirements of law.

6.3 (f) Central nervous system depressants. Unless specifically excepted or unless listed
6.4 in another schedule, any material compound, mixture, or preparation which contains any
6.5 quantity of the following substances, their analogs, salts, isomers, and salts of isomers
6.6 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 6.7 (1) mecloqualone;
- 6.8 (2) methaqualone;
- 6.9 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 6.10 (4) flunitrazepam.

6.11 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any
6.12 material compound, mixture, or preparation which contains any quantity of the following
6.13 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of
6.14 the analogs, salts, isomers, and salts of isomers is possible:

- 6.15 (1) aminorex;
- 6.16 (2) cathinone;
- 6.17 (3) fenethylamine;
- 6.18 (4) methcathinone;
- 6.19 (5) methylaminorex;
- 6.20 (6) N,N-dimethylamphetamine;
- 6.21 (7) N-benzylpiperazine (BZP);
- 6.22 (8) methylmethcathinone (mephedrone);
- 6.23 (9) 3,4-methylenedioxy-N-methylcathinone (methylone);
- 6.24 (10) methoxymethcathinone (methedrone);
- 6.25 (11) methylenedioxypyrovalerone (MDPV);
- 6.26 (12) fluoromethcathinone;
- 6.27 (13) methylethcathinone (MEC);
- 6.28 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 6.29 (15) dimethylmethcathinone (DMMC);
- 6.30 (16) fluoroamphetamine;
- 6.31 (17) fluoromethamphetamine;
- 6.32 (18) α -methylaminobutyrophenone (MABP or buphedrone);
- 6.33 (19) β -keto-N-methylbenzodioxolylpropylamine (bk-MBDB or butylone);
- 6.34 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 6.35 (21) naphthylpyrovalerone (naphyrone); and

7.1 (22) any other substance, except bupropion or compounds listed under a different
7.2 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
7.3 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
7.4 compound is further modified in any of the following ways:

7.5 (i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy,
7.6 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
7.7 system by one or more other univalent substituents;

7.8 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

7.9 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
7.10 methoxybenzyl groups; or

7.11 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

7.12 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless
7.13 specifically excepted or unless listed in another schedule, any natural or synthetic material,
7.14 compound, mixture, or preparation that contains any quantity of the following substances,
7.15 their analogs, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers,
7.16 whenever the existence of the isomers, esters, ethers, or salts is possible:

7.17 (1) marijuana;

7.18 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis,
7.19 synthetic equivalents of the substances contained in the cannabis plant or in the
7.20 resinous extractives of the plant, or synthetic substances with similar chemical structure
7.21 and pharmacological activity to those substances contained in the plant or resinous
7.22 extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans
7.23 tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

7.24 (3) synthetic cannabinoids, including the following substances:

7.25 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
7.26 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
7.27 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or
7.28 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
7.29 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
7.30 naphthoylindoles include, but are not limited to:

7.31 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

7.32 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

7.33 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

7.34 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

7.35 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

7.36 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

8.1 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

8.2 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

8.3 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

8.4 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

8.5 (ii) Naphthylmethyloindoles, which are any compounds containing a
8.6 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom
8.7 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
8.8 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
8.9 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
8.10 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:

8.11 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

8.12 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methan (JWH-184).

8.13 (iii) Naphthoylpyrroles, which are any compounds containing a
8.14 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the
8.15 pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
8.16 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
8.17 further substituted in the pyrrole ring to any extent, whether or not substituted in the
8.18 naphthyl ring to any extent. Examples of naphthoylpyrroles include, but are not limited to,
8.19 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

8.20 (iv) Naphthylmethylindenes, which are any compounds containing a
8.21 naphthylideneindene structure with substitution at the 3-position of the indene
8.22 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
8.23 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further
8.24 substituted in the indene ring to any extent, whether or not substituted in the naphthyl
8.25 ring to any extent. Examples of naphthylmethylindenes include, but are not limited to,
8.26 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

8.27 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole
8.28 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
8.29 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
8.30 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
8.31 any extent, whether or not substituted in the phenyl ring to any extent. Examples of
8.32 phenylacetylindoles include, but are not limited to:

8.33 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

8.34 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

8.35 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);

8.36 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

9.1 (vi) Cyclohexylphenols, which are compounds containing a
9.2 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position
9.3 of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
9.4 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
9.5 substituted in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include,
9.6 but are not limited to:

9.7 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

9.8 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

9.9 (Cannabicyclohexanol or CP 47,497 C8 homologue);

9.10 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
9.11 -phenol (CP 55,940).

9.12 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
9.13 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
9.14 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
9.15 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
9.16 any extent and whether or not substituted in the phenyl ring to any extent. Examples of
9.17 benzoylindoles include, but are not limited to:

9.18 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

9.19 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

9.20 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
9.21 (WIN 48,098 or Pravadoline).

9.22 (viii) Others specifically named:

9.23 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
9.24 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);

9.25 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
9.26 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);

9.27 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
9.28 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);

9.29 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

9.30 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
9.31 (XLR-11);

9.32 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
9.33 (AKB-48(APINACA));

9.34 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
9.35 (5-Fluoro-AKB-48);

9.36 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22); and

- 10.1 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro
10.2 PB-22).
- 10.3 (i) A controlled substance analog, to the extent that it is implicitly or explicitly
10.4 intended for human consumption.