

By: Peña

H.B. No. 49

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the addition of certain synthetic derivatives of  
3 marihuana to Penalty Group 2 of the Texas Controlled Substances  
4 Act.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 481.103(a), Health and Safety Code, is  
7 amended to read as follows:

8 (a) Penalty Group 2 consists of:

9 (1) any quantity of the following hallucinogenic  
10 substances, their salts, isomers, and salts of isomers, unless  
11 specifically excepted, if the existence of these salts, isomers,  
12 and salts of isomers is possible within the specific chemical  
13 designation:

14 alpha-ethyltryptamine;

15 alpha-methyltryptamine;

16 4-bromo-2, 5-dimethoxyamphetamine (some trade or  
17 other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethylamine;  
18 4-bromo-2, 5-DMA);

19 4-bromo-2, 5-dimethoxyphenethylamine;

20 Bufotenine (some trade and other names: 3-(beta-  
21 Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)- 5-  
22 indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-  
23 dimethyltryptamine; mappine);

24 Diethyltryptamine (some trade and other names: N,

1 N-Diethyltryptamine, DET);  
2                   2, 5-dimethoxyamphetamine (some trade or other  
3 names: 2, 5-dimethoxy-alpha-methylphenethylamine; 2, 5-DMA);  
4                   2, 5-dimethoxy-4-ethylamphetamine (trade or other  
5 name: DOET);  
6                   2,     5-dimethoxy-4-(n)-propylthiophenethylamine  
7 (trade or other name: 2C-T-7);  
8                   Dimethyltryptamine (trade or other name: DMT);  
9                   Dronabinol (synthetic) in sesame oil and  
10 encapsulated in a soft gelatin capsule in a U.S. Food and Drug  
11 Administration approved drug product (some trade or other names for  
12 Dronabinol: (a6aR-trans)-6a,7,8,10a-tetrahydro-     6,6,     9-  
13 trimethyl-3-pentyl-6H- dibenzo [b,d]pyran-1-ol or (-)-delta-9-  
14 (trans)- tetrahydrocannabinol);  
15                   Ethylamine Analog of Phencyclidine (some trade or  
16 other           names:     N-ethyl-1-phenylcyclohexylamine,     (1-  
17 phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,  
18 cyclohexamine, PCE);  
19                   Ibogaine (some trade or other names: 7-Ethyl-6, 6,  
20 beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-  
21 pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);  
22                   Mescaline;  
23                   5-methoxy-N, N-diisopropyltryptamine;  
24                   5-methoxy-3, 4-methylenedioxy amphetamine;  
25                   4-methoxyamphetamine (some trade or other names:  
26 4-methoxy-alpha-methylphenethylamine;     paramethoxyamphetamine;  
27 PMA);

1                   1-methyl- 4-phenyl-4-propionoxypiperidine (MPPP,  
2 PPMP);

3                   4-methyl-2, 5-dimethoxyamphetamine (some trade  
4 and other names: 4-methyl-2, 5-dimethoxy-alpha-  
5 methylphenethylamine; "DOM"; "STP");

6                   3,4-methylenedioxy methamphetamine (MDMA, MDM);  
7                   3,4-methylenedioxy amphetamine;  
8                   3,4-methylenedioxy N-ethylamphetamine (Also  
9 known as N-ethyl MDA);

10                  Nabilone (Another name for nabilone: (+)-trans-  
11 3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1-hydroxy- 6,  
12 6-dimethyl-9H-dibenzo[b,d] pyran-9-one;

13                  N-benzylpiperazine (some trade or other names:  
14 BZP; 1-benzylpiperazine);

15                  N-ethyl-3-piperidyl benzilate;

16                  N-hydroxy-3,4-methylenedioxyamphetamine (Also  
17 known as N-hydroxy MDA);

18                  4-methylaminorex;

19                  N-methyl-3-piperidyl benzilate;

20                  Parahexyl (some trade or other names: 3-Hexyl-1-  
21 hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d]  
22 pyran; Synhexyl);

23                  1-Phenylcyclohexylamine;

24                  1-Piperidinocyclohexanecarbonitrile (PCC);

25                  Psilocin;

26                  Psilocybin;

27                  Pyrrolidine Analog of Phencyclidine (some trade

1 or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);

2 Synthetic cannabinoids that are structurally and  
3 clinically similar to marihuana and their analogues and homologues,  
4 such as:

5 Dexanabinol,  
6 (6aS,10aS)-9-(hydroxymethyl)-6,  
7 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]  
8 chromen-1-ol;

9 Indole, or 1-butyl-3(1-naphthoyl)indole;

10 Indole, or 1-pentyl-3(1-naphthoyl)indole;

11 Phenol, CP 47, 497 and homologues, or  
12 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol),  
13 where side chain n=5, and homologues where side chain n=4,6, or 7;

14 Tetrahydrocannabinols, other than marihuana, and  
15 synthetic equivalents of the substances contained in the plant, or  
16 in the resinous extractives of Cannabis, or synthetic substances,  
17 derivatives, and their isomers with similar chemical structure and  
18 pharmacological activity such as:

19 delta-1 cis or trans tetrahydrocannabinol,  
20 and their optical isomers;

21 delta-6 cis or trans tetrahydrocannabinol,  
22 and their optical isomers;

23 delta-3, 4 cis or trans  
24 tetrahydrocannabinol, and its optical isomers;

25 compounds of these structures, regardless of  
26 numerical designation of atomic positions, since nomenclature of  
27 these substances is not internationally standardized;

1 Thiophene Analog of Phencyclidine (some trade or  
2 other names: 1-[1-(2-thienyl) cyclohexyl] piperidine; 2-Thienyl  
3 Analog of Phencyclidine; TPCP, TCP);

4 1-pyrrolidine (some trade or other name: TCPy);

5 1-(3-trifluoromethylphenyl)piperazine (trade or  
6 other name: TFMPP); and

7 3,4,5-trimethoxy amphetamine;

8 (2) Phenylacetone (some trade or other names:  
9 Phenyl-2-propanone; P2P, Benzylmethyl ketone, methyl benzyl  
10 ketone); and

11 (3) unless specifically excepted or unless listed in  
12 another Penalty Group, a material, compound, mixture, or  
13 preparation that contains any quantity of the following substances  
14 having a potential for abuse associated with a depressant or  
15 stimulant effect on the central nervous system:

16 Aminorex (some trade or other names: aminoxaphen;  
17 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-  
18 phenyl-2-oxazolamine);

19 Amphetamine, its salts, optical isomers, and  
20 salts of optical isomers;

21 Cathinone (some trade or other names: 2-amino-1-  
22 phenyl-1-propanone, alpha-aminopropiophenone, 2-  
23 aminopropiophenone);

24 Etorphine Hydrochloride;

25 Fenethylline and its salts;

26 Lisdexamfetamine, including its salts, isomers,  
27 and salts of isomers;

1                   Mecloqualone and its salts;  
2                   Methaqualone and its salts;  
3                   Methcathinone (some trade or other names: 2-  
4 methylamino-propiofenone;        alpha-(methylamino)propiofenone;  
5 2-(methylamino)-1-phenylpropan-1-one;                    alpha-N-  
6 methylaminopropiofenone; monomethylpropion; ephedrone, N-  
7 methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR  
8 1431);

9                   N-Ethylamphetamine, its salts, optical isomers,  
10 and salts of optical isomers; and

11                   N,N-dimethylamphetamine (some trade or other  
12 names:                    N,N,alpha-trimethylbenzeneethaneamine;  
13 N,N,alpha-trimethylphenethylamine), its salts, optical isomers,  
14 and salts of optical isomers.

15                   SECTION 2. This Act takes effect September 1, 2011.