

AN ACT

relating to adding certain synthetic compounds to Penalty Group 2 of the Texas Controlled Substances Act.

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

SECTION 1. Section 481.103, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Penalty Group 2 consists of:

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

alpha-ethyltryptamine;

alpha-methyltryptamine;

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

4-bromo-2, 5-dimethoxyphenethylamine;

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

Diethyltryptamine (some trade and other

1 names: N, 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: (6aR-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,
20 6, 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
26 names: 4-methoxy-alpha-methylphenethylamine;
27 paramethoxyamphetamine; 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
14 names: 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 Tetrahydrocannabinols, other than marihuana, and
3 synthetic equivalents of the substances contained in the plant, or
4 in the resinous extractives of Cannabis, or synthetic substances,
5 derivatives, and their isomers with similar chemical structure and
6 pharmacological activity such as:

7 delta-1 cis or trans tetrahydrocannabinol,
8 and their optical isomers;

9 delta-6 cis or trans tetrahydrocannabinol,
10 and their optical isomers;

11 delta-3, 4 cis or trans
12 tetrahydrocannabinol, and its optical isomers;

13 compounds of these structures, regardless of
14 numerical designation of atomic positions, since nomenclature of
15 these substances is not internationally standardized;

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

19 1-pyrrolidine (some trade or other name: TCPy);

20 1-(3-trifluoromethylphenyl)piperazine (trade or
21 other name: TFMPP); and

22 3,4,5-trimethoxy amphetamine;

23 (2) Phenylacetone (some trade or other
24 names: Phenyl-2-propanone; P2P, Benzylmethyl ketone, methyl benzyl
25 ketone); ~~and~~

26 (3) unless specifically excepted or unless listed in
27 another Penalty Group, a material, compound, mixture, or

1 preparation that contains any quantity of the following substances
2 having a potential for abuse associated with a depressant or
3 stimulant effect on the central nervous system:

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

7 Amphetamine, its salts, optical isomers, and
8 salts of optical isomers;

9 Cathinone (some trade or other names: 2-amino-1-
10 phenyl-1-propanone, alpha-aminopropiophenone, 2-
11 aminopropiophenone);

12 Etorphine Hydrochloride;

13 Fenethylamine and its salts;

14 Lisdexamfetamine, including its salts, isomers,
15 and salts of isomers;

16 Mecloqualone and its salts;

17 Methaqualone and its salts;

18 Methcathinone (some trade or other names: 2-
19 methylamino-propionophenone; alpha-(methylamino)propionophenone;
20 2-(methylamino)-1-phenylpropan-1-one; alpha-N-
21 methylaminopropionophenone; monomethylpropion; ephedrone, N-
22 methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR
23 1431);

24 N-Ethylamphetamine, its salts, optical isomers,
25 and salts of optical isomers; and

26 N,N-dimethylamphetamine (some trade or other
27 names: N,N,alpha-trimethylbenzeneethanamine;

1 N,N,alpha-trimethylphenethylamine), its salts, optical isomers,
2 and salts of optical isomers; and

3 (4) any compound structurally derived from
4 2-aminopropanal by substitution at the 1-position with any
5 monocyclic or fused-polycyclic ring system, including:

6 (A) compounds further modified by:

7 (i) substitution in the ring system to any
8 extent (including alkyl, alkoxy, alkylendioxy, haloalkyl, or
9 halide substituents), whether or not further substituted in the
10 ring system by other substituents;

11 (ii) substitution at the 3-position with an
12 alkyl substituent; or

13 (iii) substitution at the 2-amino nitrogen
14 atom with alkyl or dialkyl groups, or inclusion of the 2-amino
15 nitrogen atom in a cyclic structure; and

16 (B) by example, compounds such as:

17 4-Methylmethcathinone (Also known as
18 Mephedrone);

19 3,4-Dimethylmethcathinone (Also known as
20 3,4-DMMC);

21 3-Fluoromethcathinone (Also known as 3-FMC);

22 4-Fluoromethcathinone (Also known as
23 Flephedrone);

24 3,4-Methylenedioxy-N-methylcathinone (Also
25 known as Methylone);

26 3,4-Methylenedioxypropylpyrovalerone (Also known
27 as MDPV);

1 alpha-Pyrrolidinopentiophenone (Also known
2 as alpha-PVP);
3 Naphthylpyrovalerone (Also known as
4 Naphyrone);
5 beta-Keto-N-methylbenzodioxolylpropylamine
6 (Also known as Butylone);
7 beta-Keto-N-methylbenzodioxolylpentanamine
8 (Also known as Pentylone);
9 beta-Keto-Ethylbenzodioxolylbutanamine
10 (Also known as Eutylone); and
11 3,4-methylenedioxy-N-ethylcathinone (Also
12 known as Ethylone).

13 (c) To the extent Subsection (a)(4) conflicts with this
14 subtitle or another law, the subtitle or other law prevails.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2118 was passed by the House on April 26, 2011, by the following vote: Yeas 148, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2118 was passed by the Senate on May 21, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor