

By: Shapiro, et al.

S.B. No. 331

A BILL TO BE ENTITLED

1 AN ACT

2 relating to adding certain synthetic cannabinoids to Penalty Group  
3 2 of the Texas Controlled Substances Act.

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

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

7 (a) Penalty Group 2 consists of:

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

13 alpha-ethyltryptamine;

14 alpha-methyltryptamine;

15 4-bromo-2, 5-dimethoxyamphetamine (some trade or  
16 other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethylamine;  
17 4-bromo-2, 5-DMA);

18 4-bromo-2, 5-dimethoxyphenethylamine;

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

23 Diethyltryptamine (some trade and other  
24 names: N, N-Diethyltryptamine, DET);

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

1 PPMP);  
2 4-methyl-2, 5-dimethoxyamphetamine (some trade  
3 and other names: 4-methyl-2, 5-dimethoxy-alpha-  
4 methylphenethylamine; "DOM"; "STP");  
5 3,4-methylenedioxy methamphetamine (MDMA, MDM);  
6 3,4-methylenedioxy amphetamine;  
7 3,4-methylenedioxy N-ethylamphetamine (Also  
8 known as N-ethyl MDA);  
9 Nabilone (Another name for nabilone: (+)-trans-  
10 3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1-hydroxy- 6,  
11 6-dimethyl-9H-dibenzo[b,d] pyran-9-one;  
12 N-benzylpiperazine (some trade or other  
13 names: BZP; 1-benzylpiperazine);  
14 N-ethyl-3-piperidyl benzilate;  
15 N-hydroxy-3,4-methylenedioxyamphetamine (Also  
16 known as N-hydroxy MDA);  
17 4-methylaminorex;  
18 N-methyl-3-piperidyl benzilate;  
19 Parahexyl (some trade or other names: 3-Hexyl-1-  
20 hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d]  
21 pyran; Synhexyl);  
22 1-Phenylcyclohexylamine;  
23 1-Piperidinocyclohexanecarbonitrile (PCC);  
24 Psilocin;  
25 Psilocybin;  
26 Pyrrolidine Analog of Phencyclidine (some trade  
27 or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);

1                   Tetrahydrocannabinols, other than marihuana, and  
2 synthetic equivalents of the substances contained in the plant, or  
3 in the resinous extractives of Cannabis, or synthetic substances,  
4 derivatives, and their isomers with similar chemical structure and  
5 pharmacological activity such as:

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

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

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

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

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

18                  1-pyrrolidine (some trade or other name: TCPy);

19                  1-(3-trifluoromethylphenyl)piperazine (trade or  
20 other name: TFMPP); and

21                  3,4,5-trimethoxy amphetamine;

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

25                  (3) unless specifically excepted or unless listed in  
26 another Penalty Group, a material, compound, mixture, or  
27 preparation that contains any quantity of the following substances

1 having a potential for abuse associated with a depressant or  
2 stimulant effect on the central nervous system:

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

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

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

11 Etorphine Hydrochloride;

12 Fenethylline and its salts;

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

15 Mecloqualone and its salts;

16 Methaqualone and its salts;

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

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

25 N,N-dimethylamphetamine (some trade or other  
26 names: N,N,alpha-trimethylbenzeneethaneamine;

27 N,N,alpha-trimethylphenethylamine), its salts, optical isomers,

1 and salts of optical isomers; and

2 (4) any quantity of a synthetic chemical compound that  
3 is a cannabinoid receptor agonist and mimics the pharmacological  
4 effect of naturally occurring cannabinoids, including:

5 naphthoylindoles structurally derived from  
6 3-(1-naphthoyl)indole by substitution at the nitrogen atom of the  
7 indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
8 or 2-(4-morpholinyl)ethyl, whether or not further substituted in  
9 the indole ring to any extent, whether or not substituted in the  
10 naphthyl ring to any extent, including:

11 JWH-004;

12 JWH-007;

13 JWH-009;

14 JWH-015;

15 JWH-016;

16 JWH-018;

17 JWH-019;

18 JWH-020;

19 JWH-046;

20 JWH-047;

21 JWH-048;

22 JWH-049;

23 JWH-050;

24 JWH-070;

25 JWH-071;

26 JWH-072;

27 JWH-073;

- 1 JWH-076;
- 2 JWH-079;
- 3 JWH-080;
- 4 JWH-081;
- 5 JWH-082;
- 6 JWH-094;
- 7 JWH-096;
- 8 JWH-098;
- 9 JWH-116;
- 10 JWH-120;
- 11 JWH-122;
- 12 JWH-148;
- 13 JWH-149;
- 14 JWH-180;
- 15 JWH-181;
- 16 JWH-182;
- 17 JWH-189;
- 18 JWH-193;
- 19 JWH-198;
- 20 JWH-200;
- 21 JWH-210;
- 22 JWH-211;
- 23 JWH-212;
- 24 JWH-213;
- 25 JWH-234;
- 26 JWH-235;
- 27 JWH-236;

- 1                   JWH-239;
- 2                   JWH-240;
- 3                   JWH-241;
- 4                   JWH-242;
- 5                   JWH-262;
- 6                   JWH-386;
- 7                   JWH-387;
- 8                   JWH-394;
- 9                   JWH-395;
- 10                  JWH-397;
- 11                  JWH-398;
- 12                  JWH-399;
- 13                  JWH-400;
- 14                  JWH-412;
- 15                  JWH-413;
- 16                  JWH-414; and
- 17                  JWH-415;

18                   naphthylmethylindones structurally derived from  
19 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen  
20 atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl,  
21 cycloalkylethyl, or 2-(4-morpholinyl)ethyl, whether or not further  
22 substituted in the indole ring to any extent, whether or not  
23 substituted in the naphthyl ring to any extent, including:

- 24                   JWH-175;
- 25                   JWH-184;
- 26                   JWH-185;
- 27                   JWH-192;



- 1                   JWH-194;
- 2                   JWH-195;
- 3                   JWH-196;
- 4                   JWH-197; and
- 5                   JWH-199;

6                   naphthoylpyrroles structurally derived from  
7 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the  
8 pyrrole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
9 or 2-(4-morpholinyl)ethyl, whether or not further substituted in  
10 the pyrrole ring to any extent, whether or not substituted in the  
11 naphthyl ring to any extent, including:

- 12                   JWH-030;
- 13                   JWH-145;
- 14                   JWH-146;
- 15                   JWH-147;
- 16                   JWH-150;
- 17                   JWH-156;
- 18                   JWH-243;
- 19                   JWH-244;
- 20                   JWH-245;
- 21                   JWH-246;
- 22                   JWH-292;
- 23                   JWH-293;
- 24                   JWH-307;
- 25                   JWH-308;
- 26                   JWH-346;
- 27                   JWH-348;

1                   JWH-363;  
2                   JWH-364;  
3                   JWH-365;  
4                   JWH-367;  
5                   JWH-368;  
6                   JWH-369;  
7                   JWH-370;  
8                   JWH-371;  
9                   JWH-373; and  
10                  JWH-392;  
11                  naphthylmethylenes structurally derived from  
12 1-(1-naphthylmethyl)indene by substitution at the 3-position of  
13 the indene ring by alkyl, alkenyl, cycloalkylmethyl,  
14 cycloalkylethyl, or 2-(4-morpholinyl)ethyl, whether or not further  
15 substituted in the indene ring to any extent, whether or not  
16 substituted in the naphthyl ring to any extent, including JWH-176;  
17                  phenylacetylindoles structurally derived from  
18 3-phenylacetylindole by substitution at the nitrogen atom of the  
19 indole ring with alkyl, alkenyl, cycloalkylmethyl,  
20 cycloalkylethyl, or 2-(4-morpholinyl)ethyl, whether or not further  
21 substituted in the indole ring to any extent, whether or not  
22 substituted in the phenyl ring to any extent, including:  
23                   JWH-167;  
24                   JWH-201;  
25                   JWH-202;  
26                   JWH-203;  
27                   JWH-204;

1                   JWH-205;  
2                   JWH-206;  
3                   JWH-207;  
4                   JWH-208;  
5                   JWH-209;  
6                   JWH-237;  
7                   JWH-248;  
8                   JWH-249;  
9                   JWH-250;  
10                  JWH-251;  
11                  JWH-252;  
12                  JWH-253;  
13                  JWH-302;  
14                  JWH-303;  
15                  JWH-304;  
16                  JWH-305;  
17                  JWH-306;  
18                  JWH-311;  
19                  JWH-312;  
20                  JWH-313;  
21                  JWH-314;  
22                  JWH-315; and  
23                  JWH-316;  
24                  cyclohexylphenols structurally derived from  
25 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of  
26 the phenolic ring by alkyl, alkenyl, cycloalkylmethyl,  
27 cycloalkylethyl, or 2-(4-morpholinyl)ethyl, whether or not

1 substituted in the cyclohexyl ring to any extent, including:  
2 CP-55,940;  
3 CP-47,497; and  
4 analogues of CP-47,497, including VII, V,  
5 VIII, I, II, III, IV, IX, X, XI, XII, XIII, XV, and XVI; and  
6 cannabinol derivatives, except where contained in  
7 cannabis or cannabis resin, including tetrahydro derivatives of  
8 cannabinol and 3-alkyl homologues of cannabinol or of its  
9 tetrahydro derivatives, such as:  
10 delta-9-THC;  
11 delta-8-THC;  
12 Nabilone;  
13 HU-210;  
14 HU-211; and  
15 WIN-55,212-2.

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