

By: Taylor of Collin, et al.
(Fletcher)

S.B. No. 1583

A BILL TO BE ENTITLED

AN ACT

relating to classifying synthetic cannabinoid or cathinone as a
Schedule I controlled substance under the Texas Controlled
Substances Act; affecting the prosecution of a criminal offense.

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

SECTION 1. Subchapter B, Chapter 481, Health and Safety
Code, is amended by adding Section 481.038 to read as follows:

Sec. 481.038. SYNTHETIC CANNABINOID OR CATHINONE.

(a) Schedule I includes any synthetic cannabinoid or cathinone
designer drug that is not regulated by the United States Food and
Drug Administration or by the laws of this state but that is similar
by structure or pharmacological effect to a Schedule I or II
controlled substance that is regulated under federal law or the
laws of this state. For purposes of this section, a substance is
similar by structure or pharmacological effect to a Schedule I or II
controlled substance if the substance contains a majority of
functional features in a similar chemical structural arrangement or
otherwise mimics the pharmacological effect of a Schedule I or II
controlled substance.

(b) Any compound of a designer drug described by Subsection
(a) that is manufactured, formulated, sold, distributed, or
marketed with the intent to circumvent the law under this chapter or
federal law is a Schedule I controlled substance.

(c) Examples of synthetic cannabinoid designer drugs

1 include substances that are generated using a three-component
2 pharmacophore model. Synthetic cannabinoid designer drugs that
3 contain one or more components of a controlled substance in
4 Schedule I or II under federal or state law are analogues of
5 Schedule I or II controlled substances.

6 (d) Nothing in this section affects an exemption provided
7 under state law to a person who possesses for a lawful purpose a
8 chemical formula defined as a controlled substance.

9 SECTION 2. This Act takes effect September 1, 2015.