

By: Miles

S.B. No. 1646

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the controlled substances listed in Penalty Groups 1,  
3 2, and 2-A under the Texas Controlled Substances Act.

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

5 SECTION 1. Section 481.102, Health and Safety Code, is  
6 amended to read as follows:

7 Sec. 481.102. PENALTY GROUP 1. Penalty Group 1 consists  
8 of:

9 (1) the following opiates, including their isomers,  
10 esters, ethers, salts, and salts of isomers, esters, and ethers,  
11 unless specifically excepted, if the existence of these isomers,  
12 esters, ethers, and salts is possible within the specific chemical  
13 designation:

- 14 Alfentanil;
- 15 Allylprodine;
- 16 Alphacetylmethadol;
- 17 Benzethidine;
- 18 Betaprodine;
- 19 Clonitazene;
- 20 Diampromide;
- 21 Diethylthiambutene;
- 22 Difenoxin not listed in Penalty Group 3 or 4;
- 23 Dimenoxadol;
- 24 Dimethylthiambutene;

- 1                   Dioxaphetyl butyrate;
- 2                   Dipipanone;
- 3                   Ethylmethylthiambutene;
- 4                   Etonitazene;
- 5                   Etoxeridine;
- 6                   Furethidine;
- 7                   Hydroxypethidine;
- 8                   Ketobemidone;
- 9                   Levophenacylmorphane;
- 10                  Meprodine;
- 11                  Methadol;
- 12                  Moramide;
- 13                  Morpheridine;
- 14                  Noracymethadol;
- 15                  Norlevorphanol;
- 16                  Normethadone;
- 17                  Norpipanone;
- 18                  Phenadoxone;
- 19                  Phenampramide;
- 20                  Phenomorphane;
- 21                  Phenoperidine;
- 22                  Piritramide;
- 23                  Proheptazine;
- 24                  Properidine;
- 25                  Propiram;
- 26                  Sufentanil;
- 27                  Tilidine; and

1 Trimeperidine;

2 (2) the following opium derivatives, their salts,  
3 isomers, and salts of isomers, unless specifically excepted, if the  
4 existence of these salts, isomers, and salts of isomers is possible  
5 within the specific chemical designation:

6 Acetorphine;

7 Acetyldihydrocodeine;

8 Benzylmorphine;

9 Codeine methylbromide;

10 Codeine-N-Oxide;

11 Cyprenorphine;

12 Desomorphine;

13 Dihydromorphine;

14 Drotebanol;

15 Etorphine, except hydrochloride salt;

16 Heroin;

17 Hydromorphenol;

18 Methyldesorphine;

19 Methyldihydromorphine;

20 Monoacetylmorphine;

21 Morphine methylbromide;

22 Morphine methylsulfonate;

23 Morphine-N-Oxide;

24 Myrophine;

25 Nicocodeine;

26 Nicomorphine;

27 Normorphine;

1                   Pholcodine; and

2                   Thebacon;

3                   (3) the following substances, however produced,  
4 except those narcotic drugs listed in another group:

5                   (A) Opium and opiate not listed in Penalty Group  
6 3 or 4, and a salt, compound, derivative, or preparation of opium or  
7 opiate, other than thebaine derived butorphanol, nalmefene and its  
8 salts, naloxone and its salts, and naltrexone and its salts, but  
9 including:

10                               Codeine not listed in Penalty Group 3 or 4;

11                               Dihydroetorphine;

12                               Ethylmorphine not listed in Penalty Group 3  
13 or 4;

14                               Granulated opium;

15                               Hydrocodone not listed in Penalty Group 3;

16                               Hydromorphone;

17                               Metopon;

18                               Morphine not listed in Penalty Group 3;

19                               Opium extracts;

20                               Opium fluid extracts;

21                               Oripavine;

22                               Oxycodone;

23                               Oxymorphone;

24                               Powdered opium;

25                               Raw opium;

26                               Thebaine; and

27                               Tincture of opium;

1 (B) a salt, compound, isomer, derivative, or  
2 preparation of a substance that is chemically equivalent or  
3 identical to a substance described by Paragraph (A), other than the  
4 isoquinoline alkaloids of opium;

5 (C) Opium poppy and poppy straw;

6 (D) Cocaine, including:

7 (i) its salts, its optical, position, and  
8 geometric isomers, and the salts of those isomers;

9 (ii) coca leaves and a salt, compound,  
10 derivative, or preparation of coca leaves; and

11 (iii) a salt, compound, derivative, or  
12 preparation of a salt, compound, or derivative that is chemically  
13 equivalent or identical to a substance described by Subparagraph  
14 (i) or (ii), other than decocainized coca leaves or extractions of  
15 coca leaves that do not contain cocaine or ecgonine; and

16 (E) concentrate of poppy straw, meaning the crude  
17 extract of poppy straw in liquid, solid, or powder form that  
18 contains the phenanthrine alkaloids of the opium poppy;

19 (4) the following opiates and opioids, including their  
20 isomers, esters, ethers, salts, and salts of isomers, if the  
21 existence of these isomers, esters, ethers, and salts is possible  
22 within the specific chemical designation:

23 (A) [~~Acetyl-alpha-methylfentanyl~~  
24 ~~(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide),~~  
25 [~~Alpha-methylthiofentanyl~~ (N-[1-methyl-2-(2-  
26 thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide),]

27 Alphaprodine;

1 Anileridine;

2 [~~Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-~~

3 ~~phenethyl)-4-piperidinyl]-N-phenylpropanamide),~~

4 [~~Beta-hydroxy-3-methylfentanyl,~~

5 Bezitramide;

6 [~~Carfentanil,~~

7 Dihydrocodeine not listed in Penalty Group 3 or 4;

8 Diphenoxylate not listed in Penalty Group 3 or 4;

9 Fentanyl [~~or alpha-methylfentanyl, or any other~~

10 ~~derivative of Fentanyl]~~;

11 Isomethadone;

12 Levomethorphan;

13 Levorphanol;

14 Metazocine;

15 Methadone;

16 Methadone-Intermediate, 4-cyano-2-dimethylamino-

17 4, 4-diphenyl butane;

18 [~~3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)-~~

19 ~~4-piperidyl]-N-phenylpropanamide),~~

20 [~~3-methylthiofentanyl(N-[3-methyl-1-(2-thienyl)-~~

21 ~~ethyl-4-piperidinyl]-N-phenylpropanamide),~~

22 Moramide-Intermediate, 2-methyl-3-morpholino-1,

23 1-diphenyl-propane-carboxylic acid;

24 Para-fluorofentanyl(N-(4-fluorophenyl)-N-1-(2-

25 phenylethyl)-4-piperidinylpropanamide);

26 PEPAP (1-(2-phenethyl)-4-phenyl-4-

27 acetoxypiperidine);

1 Pethidine (Meperidine);  
2 Pethidine-Intermediate-A, 4-cyano-1-methyl-4-  
3 phenylpiperidine;  
4 Pethidine-Intermediate-B, ethyl-4-  
5 phenylpiperidine-4 carboxylate;  
6 Pethidine-Intermediate-C, 1-methyl-4-  
7 phenylpiperidine-4-carboxylic acid;  
8 Phenazocine;  
9 Piminodine;  
10 Racemethorphan; and  
11 Racemorphan[+  
12 ~~Remifentanil; and~~  
13 ~~Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4-~~  
14 ~~piperidinyl]-propanamide)]; and~~

15 (B) a substance related to fentanyl, unless  
16 specifically excepted or controlled in another Penalty Group,  
17 including any substance that is structurally related to fentanyl by  
18 one or more of the following modifications:

19 (i) substitution on or replacement of the  
20 phenethyl group, such as:

- 21 Alpha methyl fentanyl;
- 22 Benzyl fentanyl; and
- 23 Thionyl fentanyl (HCl);

24 (ii) substitution on the piperidine ring,  
25 such as:

- 26 Carfentanil;
- 27 3-Fluorofentanyl (HCl); and

1                   4-Phenyl fentanyl (HCl);  
2                   (iii) substitution on the aniline ring,  
3 such as:

4                   para-Fluorofentanyl;  
5                   meta-Fluorofentanyl; and  
6                   ortho-Fluorofentanyl; and  
7                   (iv) substitution or replacement of the  
8 N-propionyl group, such as:

9                   Acetyl fentanyl (HCL);  
10                   Benzodioxole fentanyl; and  
11                   Furanyl fentanyl (HCl);

- 12                   (5) Flunitrazepam (trade or other name: Rohypnol);
- 13                   (6) Methamphetamine, including its salts, optical
- 14 isomers, and salts of optical isomers;
- 15                   (7) Phenylacetone and methylamine, if possessed
- 16 together with intent to manufacture methamphetamine;
- 17                   (8) Phencyclidine, including its salts;
- 18                   (9) Gamma hydroxybutyric acid (some trade or other
- 19 names: gamma hydroxybutyrate, GHB), including its salts;
- 20                   (10) Ketamine;
- 21                   (11) Phenazepam;
- 22                   (12) U-47700;
- 23                   (13) AH-7921;
- 24                   (14) ADB-FUBINACA;
- 25                   (15) AMB-FUBINACA; and
- 26                   (16) MDMB-CHMICA.

27                   SECTION 2. Section [481.103](#)(a), Health and Safety Code, is



1 amended to read as follows:

2 (a) Penalty Group 2 consists of:

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

- 8 5-(2-aminopropyl)benzofuran (5-APB);  
9 6-(2-aminopropyl)benzofuran (6-APB);  
10 5-(2-aminopropyl)-2,3-dihydrobenzofuran  
11 (5-APDB);  
12 6-(2-aminopropyl)-2,3-dihydrobenzofuran  
13 (6-APDB);  
14 5-(2-aminopropyl)indole (5-IT,5-API);  
15 6-(2-aminopropyl)indole (6-IT,6-API);  
16 1-(benzofuran-5-yl)-N-methylpropan-2-amine  
17 (5-MAPB);  
18 1-(benzofuran-6-yl)-N-methylpropan-2-amine  
19 (6-MAPB);  
20 Benzothiophenylcyclohexylpiperidine (BTCP);  
21 8-bromo-alpha-methyl-benzo[1,2-b:4,5-b']difuran-  
22 4-ethanamine (trade or other name: Bromo-DragonFLY);  
23 Desoxypipradrol (2-benzhydrylpiperidine);  
24 2, 5-dimethoxyamphetamine (some trade or other  
25 names: 2, 5-dimethoxy-alpha-methylphenethylamine; 2, 5-DMA);  
26 Diphenylprolinol (diphenyl(pyrrolidin-2-yl)  
27 methanol, D2PM);

1                   Dronabinol (synthetic) in sesame oil and  
2 encapsulated in a soft gelatin capsule in a U.S. Food and Drug  
3 Administration approved drug product (some trade or other names for  
4 Dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-  
5 trimethyl-3-pentyl-6H-dibenzo [b,d]pyran-1-ol or (-)-delta-9-  
6 (trans)-tetrahydrocannabinol);

7                   Ethylamine Analog of Phencyclidine (some trade or  
8 other names: N-ethyl-1-phenylcyclohexylamine, (1-  
9 phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,  
10 cyclohexamine, PCE);

11                   2-ethylamino-2-(3-methoxyphenyl)cyclohexanone  
12 (trade or other name: methoxetamine);

13                   Ibogaine (some trade or other names: 7-Ethyl-6,  
14 6, beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-  
15 pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);

16                   5-iodo-2-aminoindane (5-IAI);

17                   Mescaline;

18                   5-methoxy-3, 4-methylenedioxy amphetamine;

19                   4-methoxyamphetamine (some trade or other  
20 names: 4-methoxy-alpha-methylphenethylamine;  
21 paramethoxyamphetamine; PMA);

22                   4-methoxymethamphetamine (PMMA);

23                   2-(2-methoxyphenyl)-2-(methylamino)cyclohexanone  
24 (some trade and other names: 2-MeO-ketamine; methoxyketamine);

25                   1-methyl-4-phenyl-4-propionoxypiperidine (MPPP,  
26 PPMP);

27                   4-methyl-2, 5-dimethoxyamphetamine (some trade

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

1 derivatives, and their isomers with similar chemical structure,  
2 [~~and pharmacological activity~~] such as:

3 delta-9-tetrahydrocannabinolic acid (some  
4 trade name or other name: THCA-A and THCA-B);

5 delta-9-tetrahydrocannabinol, and its  
6 optical isomers;

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; or

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);

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 Etaqualone and its salts;

13 Etorphine Hydrochloride;

14 Fenethylamine and its salts;

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

17 Mecloqualone and its salts;

18 Methaqualone and its salts;

19 Methcathinone (some trade or other names: 2-  
20 methylamino-propionophenone; alpha-(methylamino)propionophenone;  
21 2-(methylamino)-1-phenylpropan-1-one; alpha-N-  
22 methylaminopropionophenone; monomethylpropion; ephedrone, N-  
23 methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR  
24 1431);

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

27 N,N-dimethylamphetamine (some trade or other

1 names: N,N,alpha-trimethylbenzeneethanamine;  
2 N,N,alpha-trimethylphenethylamine), its salts, optical isomers,  
3 and salts of optical isomers;

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

7 (A) compounds further modified by:

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

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

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

17 (B) by example, compounds such as:

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

20 3,4-Dimethylmethcathinone (Also known as  
21 3,4-DMMC);

22 3-Fluoromethcathinone (Also known as 3-FMC);

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

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

27 3,4-Methylenedioxypropylone (Also known

1 as MDPV);  
2 alpha-Pyrrolidinopentiophenone (Also known  
3 as alpha-PVP);  
4 Naphthylpyrovalerone (Also known as  
5 Naphyrone);  
6 alpha-Methylamino-valerophenone (Also known  
7 as Pentedrone);  
8 beta-Keto-N-methylbenzodioxolylpropylamine  
9 (Also known as Butylone);  
10 beta-Keto-N-methylbenzodioxolylpentanamine  
11 (Also known as Pentylone);  
12 beta-Keto-Ethylbenzodioxolylbutanamine  
13 (Also known as Eutylone); and  
14 3,4-methylenedioxy-N-ethylcathinone (Also  
15 known as Ethylone);  
16 (5) any compound structurally derived from tryptamine  
17 (3-(2-aminoethyl)indole) or a ring-hydroxy tryptamine:  
18 (A) by modification in any of the following ways:  
19 (i) by substitution at the amine nitrogen  
20 atom of the sidechain to any extent with alkyl or alkenyl groups or  
21 by inclusion of the amine nitrogen atom of the side chain (and no  
22 other atoms of the side chain) in a cyclic structure;  
23 (ii) by substitution at the carbon atom  
24 adjacent to the nitrogen atom of the side chain (alpha-position)  
25 with an alkyl or alkenyl group;  
26 (iii) by substitution in the 6-membered  
27 ring to any extent with alkyl, alkoxy, haloalkyl, thioalkyl,

1 alkylendioxy, or halide substituents; or

2 (iv) by substitution at the 2-position of  
3 the tryptamine ring system with an alkyl substituent; and

4 (B) including:

5 (i) ethers and esters of the controlled  
6 substances listed in this subdivision; and

7 (ii) by example, compounds such as:

8 alpha-ethyltryptamine;

9 alpha-methyltryptamine;

10 Bufotenine (some trade and other names:

11 3-(beta-Dimethylaminoethyl)-5-hydroxyindole;

12 3-(2-dimethylaminoethyl)- 5- indolol; N, N-dimethylserotonin;

13 5-hydroxy-N, N- dimethyltryptamine; mappine);

14 Diethyltryptamine (some trade and  
15 other names: N, N-Diethyltryptamine, DET);

16 Dimethyltryptamine (trade or other  
17 name: DMT);

18 5-methoxy-N, N-diisopropyltryptamine  
19 (5-MeO-DiPT);

20 O-Acetylpsilocin (Trade or other name:  
21 4-Aco-DMT);

22 Psilocin; and

23 Psilocybin;

24 (6) 2,5-Dimethoxyphenethylamine and any compound  
25 structurally derived from 2,5-Dimethoxyphenethylamine by  
26 substitution at the 4-position of the phenyl ring to any extent  
27 (including alkyl, alkoxy, alkylendioxy, haloalkyl, or halide



1 substituents), including, by example, compounds such as:

2                   4-Bromo-2,5-dimethoxyphenethylamine (trade or  
3 other name: 2C-B);

4                   4-Chloro-2,5-dimethoxyphenethylamine (trade or  
5 other name: 2C-C);

6                   2,5-Dimethoxy-4-methylphenethylamine (trade or  
7 other name: 2C-D);

8                   4-Ethyl-2,5-dimethoxyphenethylamine (trade or  
9 other name: 2C-E);

10                   4-Iodo-2,5-dimethoxyphenethylamine (trade or  
11 other name: 2C-I);

12                   2,5-Dimethoxy-4-nitrophenethylamine (trade or  
13 other name: 2C-N);

14                   2,5-Dimethoxy-4-(n)-propylphenethylamine (trade  
15 or other name: 2C-P);

16                   4-Ethylthio-2,5-dimethoxyphenethylamine (trade  
17 or other name: 2C-T-2);

18                   4-Isopropylthio-2,5-dimethoxyphenethylamine  
19 (trade or other name: 2C-T-4); and

20                   2,5-Dimethoxy-4-(n)-propylthiophenethylamine  
21 (trade or other name: 2C-T-7); and

22                   (7) 2,5-Dimethoxyamphetamine and any compound  
23 structurally derived from 2,5-Dimethoxyamphetamine by substitution  
24 at the 4-position of the phenyl ring to any extent (including alkyl,  
25 alkoxy, alkylendioxy, haloalkyl, or halide substituents),  
26 including, by example, compounds such as:

27                   4-Ethylthio-2,5-dimethoxyamphetamine (trade or

1 other name: Aleph-2);  
2 4-Isopropylthio-2,5-dimethoxyamphetamine (trade  
3 or other name: Aleph-4);  
4 4-Bromo-2,5-dimethoxyamphetamine (trade or other  
5 name: DOB);  
6 4-Chloro-2,5-dimethoxyamphetamine (trade or  
7 other name: DOC);  
8 2,5-Dimethoxy-4-ethylamphetamine (trade or other  
9 name: DOET);  
10 4-Iodo-2,5-dimethoxyamphetamine (trade or other  
11 name: DOI);  
12 2,5-Dimethoxy-4-methylamphetamine (trade or  
13 other name: DOM);  
14 2,5-Dimethoxy-4-nitroamphetamine (trade or other  
15 name: DON);  
16 4-Isopropyl-2,5-dimethoxyamphetamine (trade or  
17 other name: DOIP); and  
18 2,5-Dimethoxy-4-(n)-propylamphetamine (trade or  
19 other name: DOPR).

20 SECTION 3. Section [481.1031](#), Health and Safety Code, is  
21 amended to read as follows:

22 Sec. 481.1031. PENALTY GROUP 2-A. (a) In this section:  
23 (1) "Core component" is one of the following:  
24 azaindole, beta carboline, benzimidazole, benzothiazole,  
25 carbazole, gamma carboline, imidazole, indane, indazole, indene,  
26 indole, naphthalene, pyrazole, pyrazolopyridine, pyridine, or  
27 pyrrole.

1           (2) "Group A component" is one of the following:  
2 adamantane, benzylpiperazine, benzyl, cumene [~~benzene~~],  
3 cycloalkylmethyl, cyclopropylmethyl, isoquinoline,  
4 methylpiperazine, naphthalene, pyrrolidine, phenyl, quinoline,  
5 tetrahydronaphthalene, tetramethylcyclopropane, amino oxobutane,  
6 amino methyl oxobutane, amino dimethyl oxobutane, amino phenyl  
7 oxopropane, amino oxopentane, ethoxy oxobutane, ethoxy methyl  
8 oxobutane, ethoxy dimethyl oxobutane, ethoxy phenyl oxopropane,  
9 ethoxy oxopentane, methoxy oxobutane, methoxy methyl oxobutane  
10 [~~methyl methoxy oxobutane~~], methoxy dimethyl oxobutane, methoxy  
11 phenyl oxopropane, methoxy oxopentane, or any substituted [~~an~~]  
12 amino acid.

13           (3) "Link component" is one of the following  
14 functional groups: carboxamide, carboxylate, hydrazide,  
15 methanone (ketone), ethanone, methanediyl (methylene bridge), or  
16 methine.

17           (b) Penalty Group 2-A consists of any material, compound,  
18 mixture, or preparation that contains any quantity of a natural or  
19 synthetic chemical substance, including its salts, isomers, and  
20 salts of isomers, listed by name in this subsection or contained  
21 within one of the structural classes defined in this subsection:

22           (1) WIN-55,212-2;

23           (2) Cyclohexylphenol: any compound structurally  
24 derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the  
25 5-position of the phenolic ring, (N-methylpiperidin-2-yl)alkyl,  
26 (4-tetrahydropyran)alkyl, or 2-(4-morpholinyl)alkyl, whether or  
27 not substituted in the cyclohexyl ring to any extent, including:

1 JWH-337;  
2 JWH-344;  
3 CP-55,940;  
4 CP-47,497; and  
5 analogues of CP-47,497;

6 (3) Cannabinol derivatives, except where contained in  
7 marihuana, including tetrahydro derivatives of cannabinol and  
8 3-alkyl homologues of cannabinol or of its tetrahydro derivatives,  
9 such as:

10 Nabilone;  
11 HU-210; and  
12 HU-211;

13 (4) Tetramethylcyclopropyl thiazole: any compound  
14 structurally derived from 2,2,3,3-tetramethyl-N-(thiazol-  
15 2-ylidene)cyclopropanecarboxamide by substitution at the nitrogen  
16 atom of the thiazole ring, whether or not further substituted in the  
17 thiazole ring to any extent, whether or not substituted in the  
18 tetramethylcyclopropyl ring to any extent, such as ~~[including]~~:

19 A-836,339;

20 (5) any compound containing a core component  
21 substituted at the 1-position to any extent, and substituted at the  
22 3-position with a link component attached to a group A component,  
23 whether or not the core component or group A component are further  
24 substituted to any extent, such as ~~[including]~~:

25 Naphthoylindane;  
26 Naphthoylindazole (THJ-018);  
27 Naphthyl methyl indene (JWH-171);

1 Naphthoylindole (JWH-018);  
2 Quinolinoyl pyrazole carboxylate (Quinolinyl  
3 fluoropentyl fluorophenyl pyrazole carboxylate);  
4 Naphthoyl pyrazolopyridine; and  
5 Naphthoylpyrrole (JWH-030);

6 (6) any compound containing a core component  
7 substituted at the 1-position to any extent, and substituted at the  
8 2-position with a link component attached to a group A component,  
9 whether or not the core component or group A component are further  
10 substituted to any extent, such as ~~[including]~~:

11 Naphthoylbenzimidazole (JWH-018 Benzimidazole);

12 and

13 Naphthoylimidazole;

14 (7) any compound containing a core component  
15 substituted at the 3-position to any extent, and substituted at the  
16 2-position with a link component attached to a group A component,  
17 whether or not the core component or group A component are further  
18 substituted to any extent, such as ~~[including]~~:

19 Naphthoyl benzothiazole; ~~and~~

20 (8) any compound containing a core component  
21 substituted at the 9-position to any extent, and substituted at the  
22 3-position with a link component attached to a group A component,  
23 whether or not the core component or group A component are further  
24 substituted to any extent, including:

25 Naphthoylcarbazole (EG-018); and

26 Synthetic chemical compounds with a carbazole  
27 core structure, regardless of numerical designation of atomic

1 positions, since this core structure is symmetrical;

2 (9) any compound containing a core component  
3 substituted at the 1-position to any extent and substituted at the  
4 5-position with a link component attached to a group A component,  
5 regardless of whether the core component or group A component are  
6 further substituted to any extent, such as:

7 5-fluoro-3,5-ADB-PFUPPYCA (5f-AB-PFUPPYCA);

8 (10) any compound containing a core component  
9 substituted at the 2-position to any extent and substituted at the  
10 3-position with a link component attached to a group A component,  
11 regardless of whether the core component or group A component are  
12 further substituted to any extent, such as:

13 AB-CHMINACA (2H) indazole; and

14 (11) any compound containing a core component  
15 substituted at the 5-position to any extent and substituted at the  
16 2-position with a group A component, regardless of whether the core  
17 component or group A component are further substituted to any  
18 extent, such as:

19 Cumyl-PeGACLONE.

20 (c) In this section, a synthetic chemical substance  
21 analogue is:

22 (1) any substance, unless specifically excepted, that  
23 has two of the three components as defined by Subsection (a) and a  
24 numerical core-link position that is listed in Subsection (b)(5),  
25 (6), (7), (8), (9), or (10);

26 (2) any substance, unless specifically excepted, that  
27 has a core, link, and group A component as defined by Subsection (a)

1 but does not have a numerical core-link position that is listed in  
2 Subsection (b)(5), (6), (7), (8), (9), or (10); or  
3 (3) any substance, unless specifically excepted, that  
4 has a core component or group A component as defined by Subsection  
5 (a) and a numerical core-group A position that is listed in  
6 Subsection (b)(11).

7 SECTION 4. The change in law made by this Act applies only  
8 to an offense committed on or after the effective date of this Act.  
9 An offense committed before the effective date of this Act is  
10 governed by the law in effect on the date the offense was committed,  
11 and the former law is continued in effect for that purpose. For  
12 purposes of this section, an offense was committed before the  
13 effective date of this Act if any element of the offense occurred  
14 before that date.

15 SECTION 5. This Act takes effect September 1, 2019.