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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 484

February 2, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to public safety; controlled substances; adding *Salvia divinorum* to
1.3 Schedule I of the controlled substance schedules; amending Minnesota Statutes
1.4 2008, section 152.02, subdivision 2.

1.5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

1.6 Section 1. Minnesota Statutes 2008, section 152.02, subdivision 2, is amended to read:

1.7 Subd. 2. **Schedule I.** The following items are listed in Schedule I:

1.8 (1) Any of the following substances, including their isomers, esters, ethers, salts, and
1.9 salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of
1.10 such isomers, esters, ethers and salts is possible within the specific chemical designation:

1.11 Acetylmethadol; Allylprodine; Alphacetylmethadol; Alphameprodine; Alphamethadol;
1.12 Benzethidine; Betacetylmethadol; Betameprodine; Betamethadol; Betaprodine;
1.13 Clonitazene; Dextromoramide; Dextrorphan; Diampromide; Diethylambutene;
1.14 Dimenoxadol; Dimepheptanol; Dimethylambutene; Dioxaphetyl butyrate; Dipipanone;
1.15 Ethylmethylthiambutene; Etonitazene; Etoxeridine; Furethidine; Hydroxypethidine;
1.16 Ketobemidone; Levomoramide; Levophenacilmorphan; Morpheridine; Noracymethadol;
1.17 Norlevorphanol; Normethadone; Norpipanone; Phenadoxone; Phenampromide;
1.18 Phenomorphan; Phenoperidine; Piritramide; Proheptazine; Properidine; Racemoramide;
1.19 Trimeperidine.

1.20 (2) Any of the following opium derivatives, their salts, isomers and salts of
1.21 isomers, unless specifically excepted, whenever the existence of such salts, isomers
1.22 and salts of isomers is possible within the specific chemical designation: Acetorphine;
1.23 Acetyldihydrocodeine; Acetylcodone; Benzylmorphine; Codeine methylbromide;
1.24 Codeine-N-Oxide; Cyprenorphine; Desomorphine; Dihydromorphine; Etorphine; Heroin;

2.1 Hydromorphenol; Methyldesorphine; Methylhydromorphenol; Morphine methylbromide;
2.2 Morphine methylsulfonate; Morphine-N-Oxide; Myrophine; Nicocodeine; Nicomorphine;
2.3 Normorphine; Pholcodine; Thebacon.

2.4 (3) Any material, compound, mixture or preparation which contains any quantity of
2.5 the following hallucinogenic substances, their salts, isomers and salts of isomers, unless
2.6 specifically excepted, whenever the existence of such salts, isomers, and salts of isomers
2.7 is possible within the specific chemical designation: 3,4-methylenedioxy amphetamine;
2.8 3,4-methylenedioxymethamphetamine; 4-bromo-2,5-dimethoxyamphetamine;
2.9 2,5-dimethoxyamphetamine; 4-methoxyamphetamine; 5-methoxy-3, 4-methylenedioxy
2.10 amphetamine; Bufotenine; Diethyltryptamine; Dimethyltryptamine; 3,4,5-trimethoxy
2.11 amphetamine; 4-methyl-2, 5-dimethoxyamphetamine; Ibogaine; Lysergic acid
2.12 diethylamide; marijuana; Mescaline; N-ethyl-3-piperidyl benzilate; N-methyl-3-piperidyl
2.13 benzilate; Psilocybin; Psilocyn; Tetrahydrocannabinols; 1-(1-(2-thienyl) cyclohexyl)
2.14 piperidine; n-ethyl-1-phenyl-cyclohexylamine; 1-(1-phenylcyclohexyl) pyrrolidine;
2.15 Salvia divinorum.

2.16 (4) Peyote, providing the listing of peyote as a controlled substance in schedule I
2.17 does not apply to the nondrug use of peyote in bona fide religious ceremonies of the
2.18 American Indian Church, and members of the American Indian Church are exempt
2.19 from registration. Any person who manufactures peyote for or distributes peyote to the
2.20 American Indian Church, however, is required to obtain federal registration annually and
2.21 to comply with all other requirements of law.

2.22 (5) Unless specifically excepted or unless listed in another schedule, any material
2.23 compound, mixture, or preparation which contains any quantity of the following
2.24 substances having a depressant effect on the central nervous system, including its salts,
2.25 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of
2.26 isomers is possible within the specific chemical designation:

2.27 Mecloqualone;

2.28 Flunitrazepam.

2.29 (6) Unless specifically excepted or unless listed in another schedule, any material
2.30 compound, mixture, or preparation which contains any quantity of the following
2.31 substances having a stimulant effect on the central nervous system, including its salts,
2.32 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of
2.33 isomers is possible within the specific chemical designation:

2.34 Cathinone;

2.35 Methcathinone.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes
3.2 committed on or after that date.