

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1772

By: Lowe

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 2-204, as last amended by
9 Section 3, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
10 2016, Section 2-204), which relates to the Uniform
11 Controlled Dangerous Substances Act; adding synthetic
12 opioid to Schedule I; amending 63 O.S. 2011, Section
13 2-402, as last amended by Section 3, State Question
14 780, Petition No. 404, which relates to prohibited
15 acts and penalties for possessing controlled
16 dangerous substances; making possession of certain
17 synthetic opioid a felony; providing penalty;
18 providing an effective date; and declaring an
19 emergency.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-204, as
22 last amended by Section 3, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
23 2016, Section 2-204), is amended to read as follows:

24 Section 2-204. The controlled substances listed in this section
are included in Schedule I.

A. Any of the following opiates, including their isomers,
esters, ethers, salts, and salts of isomers, esters, and ethers,
unless specifically excepted, when the existence of these isomers,

1 esters, ethers, and salts is possible within the specific chemical
2 designation:

- 3 1. Acetylmethadol;
- 4 2. Allylprodine;
- 5 3. Alphacetylmethadol;
- 6 4. Alphameprodine;
- 7 5. Alphamethadol;
- 8 6. Benzethidine;
- 9 7. Betacetylmethadol;
- 10 8. Betameprodine;
- 11 9. Betamethadol;
- 12 10. Betaprodine;
- 13 11. Clonitazene;
- 14 12. Dextromoramide;
- 15 13. Dextrorphan (except its methyl ether);
- 16 14. Diampromide;
- 17 15. Diethylthiambutene;
- 18 16. Dimenoxadol;
- 19 17. Dimepheptanol;
- 20 18. Dimethylthiambutene;
- 21 19. Dioxaphetyl butyrate;
- 22 20. Dipipanone;
- 23 21. Ethylmethylthiambutene;
- 24 22. Etonitazene;

- 1 23. Etoperidine;
- 2 24. Furethidine;
- 3 25. Hydroxypethidine;
- 4 26. Ketobemidone;
- 5 27. Levomoramide;
- 6 28. Levophenacymorphan;
- 7 29. Morpheridine;
- 8 30. Noracymethadol;
- 9 31. Norlevorphanol;
- 10 32. Normethadone;
- 11 33. Norpipanone;
- 12 34. Phenadoxone;
- 13 35. Phenampromide;
- 14 36. Phenomorphan;
- 15 37. Phenoperidine;
- 16 38. Piritramide;
- 17 39. Proheptazine;
- 18 40. Properidine;
- 19 41. Racemoramide; or
- 20 42. Trimeperidine.

21 B. Any of the following opium derivatives, their salts,
22 isomers, and salts of isomers, unless specifically excepted, when
23 the existence of these salts, isomers, and salts of isomers is
24 possible within the specific chemical designation:

- 1 1. Acetorphine;
- 2 2. Acetyldihydrocodeine;
- 3 3. Benzylmorphine;
- 4 4. Codeine methylbromide;
- 5 5. Codeine-N-Oxide;
- 6 6. Cyprenorphine;
- 7 7. Desomorphine;
- 8 8. Dihydromorphine;
- 9 9. Etorphine;
- 10 10. Heroin;
- 11 11. Hydromorphinol;
- 12 12. Methyldesorphine;
- 13 13. Methylhydromorphine;
- 14 14. Morphine methylbromide;
- 15 15. Morphine methylsulfonate;
- 16 16. Morphine-N-Oxide;
- 17 17. Myrophine;
- 18 18. Nicocodeine;
- 19 19. Nicomorphine;
- 20 20. Normorphine;
- 21 21. Phoclodine; or
- 22 22. Thebacon.
- 23 C. Any material, compound, mixture, or preparation which
- 24 contains any quantity of the following hallucinogenic substances,

1 their salts, isomers, and salts of isomers, unless specifically
2 excepted, when the existence of these salts, isomers, and salts of
3 isomers is possible within the specific chemical designation:

- 4 1. Methcathinone;
- 5 2. 3, 4-methylenedioxy amphetamine;
- 6 3. 3, 4-methylenedioxy methamphetamine;
- 7 4. 5-methoxy-3, 4-methylenedioxy amphetamine;
- 8 5. 3, 4, 5-trimethoxy amphetamine;
- 9 6. Bufotenine;
- 10 7. Diethyltryptamine;
- 11 8. Dimethyltryptamine;
- 12 9. 4-methyl-2, 5-dimethoxyamphetamine;
- 13 10. Ibogaine;
- 14 11. Lysergic acid diethylamide;
- 15 12. Marihuana;
- 16 13. Mescaline;
- 17 14. N-benzylpiperazine;
- 18 15. N-ethyl-3-piperidyl benzilate;
- 19 16. N-methyl-3-piperidyl benzilate;
- 20 17. Psilocybin;
- 21 18. Psilocyn;
- 22 19. 2, 5 dimethoxyamphetamine;
- 23 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 24 21. 4 methoxyamphetamine;

- 1 22. Cyclohexamine;
- 2 23. Salvia Divinorum;
- 3 24. Salvinorin A;
- 4 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-
- 5 thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine;
- 6 TPCP, TCP;
- 7 26. Phencyclidine (PCP);
- 8 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-
- 9 Phenylcyclohexyl) - Pyrrolidine, PCPy, PHP;
- 10 28. 1-(3-trifluoromethylphenyl) piperazine;
- 11 29. Flunitrazepam;
- 12 30. B-hydroxy-amphetamine;
- 13 31. B-ketoamphetamine;
- 14 32. 2,5-dimethoxy-4-nitroamphetamine;
- 15 33. 2,5-dimethoxy-4-bromophenethylamine;
- 16 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 17 35. 2,5-dimethoxy-4-iodoamphetamine;
- 18 36. 2,5-dimethoxy-4-iodophenethylamine;
- 19 37. 2,5-dimethoxy-4-methylphenethylamine;
- 20 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 21 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 22 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 23 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 24 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;

- 1 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 2 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 3 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 4 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 5 47. 5-methoxy-N, N-dimethyltryptamine;
- 6 48. N-methyltryptamine;
- 7 49. A-ethyltryptamine;
- 8 50. A-methyltryptamine;
- 9 51. N, N-diethyltryptamine;
- 10 52. N, N-diisopropyltryptamine;
- 11 53. N, N-dipropyltryptamine;
- 12 54. 5-methoxy- α -methyltryptamine;
- 13 55. 4-hydroxy-N, N-diethyltryptamine;
- 14 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 15 57. 5-methoxy-N, N-diisopropyltryptamine;
- 16 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 17 59. 3,4-Methylenedioxy-methcathinone (Mephedrone);
- 18 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 19 61. 4-Methylmethcathinone (Mephedrone);
- 20 62. 4-methoxymethcathinone;
- 21 63. 4-Fluoromethcathinone;
- 22 64. 3-Fluoromethcathinone;
- 23 65. 1-(8-bromobenzo 1,2-b;4,5-b' difuran-4-yl)-2-aminopropane;
- 24 66. 2,5-Dimethoxy-4-chloroamphetamine;

- 1 67. 4-Methylethcathinone;
- 2 68. Pyrovalerone;
- 3 69. N,N-diallyl-5-methoxytryptamine;
- 4 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 5 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone);
- 6 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone);
- 7 73. Alpha-Pyrrolidinopentiophenone;
- 8 74. 4-Fluoroamphetamine;
- 9 75. Pentredone;
- 10 76. 4'-Methyl-a-pyrrolidinohexaphenone;
- 11 77. 2,5-dimethoxy-4-(n)-propylphenethylamine;
- 12 78. 2,5-dimethoxyphenethylamine;
- 13 79. 1,4-Dibenzylpiperazine;
- 14 80. N,N-Dimethylamphetamine;
- 15 81. 4-Fluoromethamphetamine;
- 16 82. 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 17 (25C-NBOMe);
- 18 83. 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 19 (25I-NBOMe);
- 20 84. 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzy)phenethylamine
- 21 (25B-NBOMe);
- 22 85. 1-(4-Fluorophenyl)piperazine; ~~or~~
- 23 86. Methoxetamine; or
- 24

1 87. 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
2 methylbenzamide (U-47700).

3 D. Unless specifically excepted or unless listed in a different
4 schedule, any material, compound, mixture, or preparation which
5 contains any quantity of the following substances having stimulant
6 or depressant effect on the central nervous system:

7 1. Fenethylline;

8 2. Mecloqualone;

9 3. N-ethylamphetamine;

10 4. Methaqualone;

11 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-
12 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium
13 oxybate, and sodium oxybutyrate;

14 6. Gamma-Butyrolactone (GBL) as packaged, marketed,
15 manufactured or promoted for human consumption, with the exception
16 of legitimate food additive and manufacturing purposes;

17 7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or
18 manufactured for human consumption, with the exception of legitimate
19 food additive and manufacturing purposes;

20 8. Gamma Valerolactone (GVL) as packaged, marketed, or
21 manufactured for human consumption, with the exception of legitimate
22 food additive and manufacturing purposes; or

1 9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed,
2 manufactured, or promoted for human consumption with the exception
3 of legitimate manufacturing purposes.

4 E. 1. The following industrial uses of Gamma-Butyrolactone,
5 Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are
6 excluded from all schedules of controlled substances under this
7 title:

- 8 a. pesticides,
- 9 b. photochemical etching,
- 10 c. electrolytes of small batteries or capacitors,
- 11 d. viscosity modifiers in polyurethane,
- 12 e. surface etching of metal coated plastics,
- 13 f. organic paint disbursements for water soluble inks,
- 14 g. pH regulators in the dyeing of wool and polyamide
15 fibers,
- 16 h. foundry chemistry as a catalyst during curing,
- 17 i. curing agents in many coating systems based on
18 urethanes and amides,
- 19 j. additives and flavoring agents in food, confectionary,
20 and beverage products,
- 21 k. synthetic fiber and clothing production,
- 22 l. tetrahydrofuran production,
- 23 m. gamma butyrolactone production,
- 24 n. polybutylene terephthalate resin production,

- 1 o. polyester raw materials for polyurethane elastomers
- 2 and foams,
- 3 p. coating resin raw material, and
- 4 q. as an intermediate in the manufacture of other
- 5 chemicals and pharmaceuticals.

6 2. At the request of any person, the Director may exempt any
7 other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate,
8 Gamma Valerolactone, or 1,4 Butanediol from being included as a
9 Schedule I controlled substance if such product is labeled,
10 marketed, manufactured and distributed for legitimate industrial use
11 in a manner that reduces or eliminates the likelihood of abuse.

12 3. In making a determination regarding an industrial product,
13 the Director, after notice and hearing, shall consider the
14 following:

- 15 a. the history and current pattern of abuse,
- 16 b. the name and labeling of the product,
- 17 c. the intended manner of distribution, advertising and
- 18 promotion of the product, and
- 19 d. other factors as may be relevant to and consistent
- 20 with the public health and safety.

21 4. The hearing shall be held in accordance with the procedures
22 of the Administrative Procedures Act.

23 F. Any material, compound, mixture, or preparation, whether
24 produced directly or indirectly from a substance of vegetable origin

1 or independently by means of chemical synthesis, or by a combination
2 of extraction and chemical synthesis, that contains any quantity of
3 the following substances, or that contains any of their salts,
4 isomers, and salts of isomers when the existence of these salts,
5 isomers, and salts of isomers is possible within the specific
6 chemical designation:

- 7 1. JWH-004;
- 8 2. JWH-007;
- 9 3. JWH-009;
- 10 4. JWH-015;
- 11 5. JWH-016;
- 12 6. JWH-018;
- 13 7. JWH-019;
- 14 8. JWH-020;
- 15 9. JWH-030;
- 16 10. JWH-046;
- 17 11. JWH-047;
- 18 12. JWH-048;
- 19 13. JWH-049;
- 20 14. JWH-050;
- 21 15. JWH-070;
- 22 16. JWH-071;
- 23 17. JWH-072;
- 24 18. JWH-073;

- 1 19. JWH-076;
- 2 20. JWH-079;
- 3 21. JWH-080;
- 4 22. JWH-081;
- 5 23. JWH-082;
- 6 24. JWH-094;
- 7 25. JWH-096;
- 8 26. JWH-098;
- 9 27. JWH-116;
- 10 28. JWH-120;
- 11 29. JWH-122;
- 12 30. JWH-145;
- 13 31. JWH-146;
- 14 32. JWH-147;
- 15 33. JWH-148;
- 16 34. JWH-149;
- 17 35. JWH-150;
- 18 36. JWH-156;
- 19 37. JWH-167;
- 20 38. JWH-175;
- 21 39. JWH-180;
- 22 40. JWH-181;
- 23 41. JWH-182;
- 24 42. JWH-184;

- 1 43. JWH-185;
- 2 44. JWH-189;
- 3 45. JWH-192;
- 4 46. JWH-193;
- 5 47. JWH-194;
- 6 48. JWH-195;
- 7 49. JWH-196;
- 8 50. JWH-197;
- 9 51. JWH-198;
- 10 52. JWH-199;
- 11 53. JWH-200;
- 12 54. JWH-201;
- 13 55. JWH-202;
- 14 56. JWH-203;
- 15 57. JWH-204;
- 16 58. JWH-205;
- 17 59. JWH-206;
- 18 60. JWH-207;
- 19 61. JWH-208;
- 20 62. JWH-209;
- 21 63. JWH-210;
- 22 64. JWH-211;
- 23 65. JWH-212;
- 24 66. JWH-213;

- 1 67. JWH-234;
- 2 68. JWH-235;
- 3 69. JWH-236;
- 4 70. JWH-237;
- 5 71. JWH-239;
- 6 72. JWH-240;
- 7 73. JWH-241;
- 8 74. JWH-242;
- 9 75. JWH-243;
- 10 76. JWH-244;
- 11 77. JWH-245;
- 12 78. JWH-246;
- 13 79. JWH-248;
- 14 80. JWH-249;
- 15 81. JWH-250;
- 16 82. JWH-251;
- 17 83. JWH-252;
- 18 84. JWH-253;
- 19 85. JWH-262;
- 20 86. JWH-292;
- 21 87. JWH-293;
- 22 88. JWH-302;
- 23 89. JWH-303;
- 24 90. JWH-304;

- 1 91. JWH-305;
- 2 92. JWH-306;
- 3 93. JWH-307;
- 4 94. JWH-308;
- 5 95. JWH-311;
- 6 96. JWH-312;
- 7 97. JWH-313;
- 8 98. JWH-314;
- 9 99. JWH-315;
- 10 100. JWH-316;
- 11 101. JWH-346;
- 12 102. JWH-348;
- 13 103. JWH-363;
- 14 104. JWH-364;
- 15 105. JWH-365;
- 16 106. JWH-367;
- 17 107. JWH-368;
- 18 108. JWH-369;
- 19 109. JWH-370;
- 20 110. JWH-371;
- 21 111. JWH-373;
- 22 112. JWH-386;
- 23 113. JWH-387;
- 24 114. JWH-392;

- 1 115. JWH-394;
- 2 116. JWH-395;
- 3 117. JWH-397;
- 4 118. JWH-398;
- 5 119. JWH-399;
- 6 120. JWH-400;
- 7 121. JWH-412;
- 8 122. JWH-413;
- 9 123. JWH-414;
- 10 124. JWH-415;
- 11 125. CP-55, 940;
- 12 126. CP-47, 497;
- 13 127. HU-210;
- 14 128. HU-211;
- 15 129. WIN-55, 212-2;
- 16 130. AM-2201;
- 17 131. AM-2233;
- 18 132. JWH-018 adamantyl-carboxamide;
- 19 133. AKB48;
- 20 134. JWH-122 N-(4-pentenyl) analog;
- 21 135. MAM2201;
- 22 136. URB597;
- 23 137. URB602;
- 24 138. URB754;

- 1 139. UR144;
- 2 140. XLR11;
- 3 141. A-796,260;
- 4 142. STS-135;
- 5 143. AB-FUBINACA;
- 6 144. AB-PINACA;
- 7 145. PB-22;
- 8 146. AKB48 N-5-Fluoropentyl;
- 9 147. AM1248;
- 10 148. FUB-PB-22;
- 11 149. ADB-FUBINACA;
- 12 150. BB-22;
- 13 151. 5-Fluoro PB-22; or
- 14 152. 5-Fluoro AKB-48.

15 G. In addition to those substances listed in subsection F of
16 this section, unless specifically excepted or unless listed in
17 another schedule, any material, compound, mixture, or preparation
18 which contains any quantity of a synthetic cannabinoid found to be
19 in any of the following chemical groups:

- 20 1. Naphthoylindoles: any compound containing a 3-(1-
21 naphthoyl)indole structure with or without substitution at the
22 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not further substituted on the indole
4 ring to any extent, and whether or not substituted on the naphthyl
5 ring to any extent. Naphthoylindoles include, but are not limited
6 to:

- 7 a. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-
8 200),
- 9 b. 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201),
- 10 c. 1-pentyl-3-(1-naphthoyl)indole (JWH-018),
- 11 d. 1-butyl-3-(1-naphthoyl)indole (JWH-073),
- 12 e. 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081),
- 13 f. 1-propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015),
- 14 g. 1-hexyl-3-(1-naphthoyl)indole (JWH-019),
- 15 h. 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122),
- 16 i. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210),
- 17 j. 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398),
- 18 k. 1-pentyl-2-methyl-3-(1-naphthoyl)indole (JWH-007),
- 19 l. 1-pentyl-3-(7-methoxy-1-naphthoyl)indole (JWH-164),
- 20 m. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
21 (JWH-098),
- 22 n. 1-pentyl-3-(4-fluoro-1-naphthoyl)indole (JWH-412),
- 23 o. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-
24 naphthoyl)indole (AM-1220),

1 p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole
2 (MAM-2201), or

3 q. 1-(4-cyanobutyl)-3-(1-naphthoyl)indole (AM-2232);

4 2. Naphthylmethylindoles: any compound containing a 1H-indol-3-
5 yl-(1-naphthyl)methane structure with or without substitution at the
6 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
7 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
8 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
9 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
10 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
11 halophenyl group, whether or not further substituted on the indole
12 ring to any extent, and whether or not substituted on the naphthyl
13 ring to any extent. Naphthylmethylindoles include, but are not
14 limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175);

15 3. Naphthoylpyrroles: any compound containing a 3-(1-
16 naphthoyl)pyrrole structure with or without substitution at the
17 nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
18 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
19 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
20 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
21 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
22 phenyl, or halophenyl group, whether or not further substituted on
23 the pyrrole ring to any extent, and whether or not substituted on
24

1 the naphthyl group to any extent. Naphthoylpyrroles include, but are
2 not limited to:

3 a. 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147),

4 b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole
5 (JWH-370),

6 c. 1-pentyl-3-(1-naphthoyl)pyrrole (JWH-030), or

7 d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole (JWH-147);

8 4. Naphthylideneindenes: any compound containing a 1-(1-
9 naphthylmethylene)indene structure with or without substitution at
10 the 3-position of the indene ring by an alkyl, haloalkyl,
11 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
12 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
13 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
14 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
15 phenyl, or halophenyl group, whether or not further substituted on
16 the indene group to any extent, and whether or not substituted on
17 the naphthyl group to any extent. Naphthylmethylindenes include,
18 but are not limited to, (1-[(3-pentyl)-1H-inden-1-
19 ylidene)methyl]naphthalene (JWH-176);

20 5. Phenylacetylindoles: any compound containing a 3-
21 phenylacetylindole structure with or without substitution at the
22 nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not further substituted on the indole
4 ring to any extent, and whether or not substituted on the phenyl
5 ring to any extent. Phenylacetylindoles include, but are not
6 limited to:

- 7 a. 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250),
- 8 b. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole
9 (RCS-8),
- 10 c. 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203),
- 11 d. 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251),
- 12 e. 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201), or
- 13 f. 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302);

14 6. Cyclohexylphenols: any compound containing a 2-(3-
15 hydroxycyclohexyl)phenol structure with or without substitution at
16 the 5-position of the phenolic ring by an alkyl, haloalkyl,
17 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
18 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
19 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
20 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
21 phenyl, or halophenyl group, and whether or not further substituted
22 on the cyclohexyl ring to any extent. Cyclohexylphenols include,
23 but are not limited to:

24

- 1 a. 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-
2 hydroxycyclohexyl]-phenol (CP-47,497),
3 b. 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-
4 phenol (cannabicyclohexanol; CP-47,497 C8 homologue),
5 or
6 c. 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-
7 hydroxypropyl)cyclohexyl]-phenol (CP 55, 940);

8 7. Benzoylindoles: any compound containing a 3-(benzoyl)indole
9 structure with or without substitution at the nitrogen atom of the
10 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
11 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
12 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
13 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
14 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
15 halophenyl group, whether or not further substituted on the indole
16 ring to any extent, and whether or not substituted on the phenyl
17 group to any extent. Benzoylindoles include, but are not limited
18 to:

- 19 a. 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4),
20 b. 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-
21 methoxybenzoyl)indole (Pravadoline or WIN 48, 098),
22 c. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694),
23 d. 1-pentyl-3-(2-iodobenzoyl)indole (AM-679), or
24

1 e. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-
2 iodobenzoyl)indole (AM-2233);

3 8. Cyclopropoylindoles: Any compound containing a 3-
4 (cyclopropoyl)indole structure with substitution at the nitrogen
5 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
6 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
7 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
8 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, whether or not further substituted in the indole
11 ring to any extent and whether or not substituted in the
12 cyclopropoyl ring to any extent. Cyclopropoylindoles include, but
13 are not limited to:

14 a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole
15 (UR-144),

16 b. 1-(5-chloropentyl)-3-(2,2,3,3-
17 tetramethylcyclopropoyl)indole (5Cl-UR-144), or

18 c. 1-(5-fluoropentyl)-3-(2,2,3,3-
19 tetramethylcyclopropoyl)indole (XLR11);

20 9. Indole Amides: Any compound containing a 1H-Indole-3-
21 carboxamide structure with or without substitution at the nitrogen
22 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
23 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
24 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-

1 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not substituted at the carboxamide
4 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
5 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
6 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
7 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
8 further substituted in the indole, adamantyl, naphthyl, phenyl,
9 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole
10 Amides include, but are not limited to:

- 11 a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide
12 (2NE1),
- 13 b. N-(1-adamantyl)-1-(5-fluoropentyl-1H-indole-3-
14 carboxamide (STS-135),
- 15 c. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
16 indole-3-carboxamide (ADBICA),
- 17 d. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-
18 fluoropentyl)-1H-indole-3-carboxamide (5F-ADBICA),
- 19 e. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide
20 (NNE1),
- 21 f. 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-
22 carboxamide (5F-NNE1),
- 23 g. N-benzyl-1-pentyl-1H-indole-3-carboxamide (SDB-006),
24 or

- 1 d. naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-
2 carboxylate (FDU-PB-22), or
3 e. naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
4 carboxylate (NM2201);

5 11. Adamantanoylindoles: Any compound containing an
6 adamantanyl-(1H-indol-3-yl)methanone structure with or without
7 substitution at the nitrogen atom of the indole ring by an alkyl,
8 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
9 benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
10 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
11 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
12 phenyl, or halophenyl group, whether or not further substituted in
13 the indole ring to any extent and whether or not substituted in the
14 adamantyl ring to any extent. Adamantanoylindoles include, but are
15 not limited to:

- 16 a. adamantan-1-yl[1-[(1-methyl-2-piperidinyl)methyl]-1H-
17 indol-3-yl]methanone (AM1248), or
18 b. adamantan-1-yl-(1-pentyl-1H-indol-3-yl)methanone (AB-
19 001);

20 12. Carbazole Ketone: Any compound containing (9H-carbazole-3-
21 yl) methanone structure with or without substitution at the nitrogen
22 atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, with substitution at the carbon of the methanone
4 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
5 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
6 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
7 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
8 further substituted at the carbazole, adamantyl, naphthyl, phenyl,
9 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole
10 Ketones include, but are not limited to, naphthalen-1-yl(9-pentyl-
11 9H-carbazol-3-yl)methanone (EG-018);

12 13. Benzimidazole Ketone: Any compound containing
13 (benzimidazole-2-yl) methanone structure with or without
14 substitution at either nitrogen atom of the benzimidazole ring by an
15 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
16 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-
17 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
18 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
19 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
20 halophenyl group, with substitution at the carbon of the methanone
21 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
22 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
23 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
24 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not

1 further substituted in the benzimidazole, adamantyl, naphthyl,
2 phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent.

3 Benzimidazole Ketones include, but are not limited to:

- 4 a. naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-
5 1)methanone (JWH-018 benzimidazole analog), or
- 6 b. (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-
7 yl)(naphthalen-1-yl)methanone (FUBIMINA); and

8 14. Modified by Replacement: any compound defined in this
9 subsection that is modified by replacement of a carbon with nitrogen
10 in the indole, naphthyl, indene, benzimidazole, or carbazole ring.

11 SECTION 2. AMENDATORY 63 O.S. 2011, Section 2-402, as
12 last amended by Section 3, State Question No. 780, Initiative
13 Petition No. 404, is amended to read as follows:

14 Section 2-402. A. 1. It shall be unlawful for any person
15 knowingly or intentionally to possess a controlled dangerous
16 substance unless such substance was obtained directly, or pursuant
17 to a valid prescription or order from a practitioner, while acting
18 in the course of his or her professional practice, or except as
19 otherwise authorized by this act.

20 2. It shall be unlawful for any person to purchase any
21 preparation excepted from the provisions of the Uniform Controlled
22 Dangerous Substances Act pursuant to Section 2-313 of this title in
23 an amount or within a time interval other than that permitted by
24 Section 2-313 of this title.

1 3. It shall be unlawful for any person or business to sell,
2 market, advertise or label any product containing ephedrine, its
3 salts, optical isomers, or salts of optical isomers, for the
4 indication of stimulation, mental alertness, weight loss, appetite
5 control, muscle development, energy or other indication which is not
6 approved by the pertinent federal OTC Final Monograph, Tentative
7 Final Monograph, or FDA-approved new drug application or its legal
8 equivalent. In determining compliance with this requirement, the
9 following factors shall be considered:

- 10 a. the packaging of the product,
- 11 b. the name of the product, and
- 12 c. the distribution and promotion of the product,
13 including verbal representations made at the point of
14 sale.

15 B. Any Except as provided for in subsection D of this section,
16 any person who violates this section is guilty of a misdemeanor
17 punishable by confinement for not more than one (1) year and by a
18 fine not exceeding One Thousand Dollars (\$1,000.00).

19 C. Any person convicted of any offense described in this
20 section shall, in addition to any fine imposed, pay a special
21 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
22 deposited into the Trauma Care Assistance Revolving Fund created in
23 Section 1-2530.9 of this title.

1 D. Any person who violates this section with respect to 3,4-
2 Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (U-
3 47700), a substance included in subsection C of Section 2-204 of
4 this title, is guilty of a felony punishable by imprisonment for not
5 less than one (1) year nor more than five (5) years and by a fine
6 not exceeding Five Thousand Dollars (\$5,000.00).

7 SECTION 3. This act shall become effective July 1, 2017.

8 SECTION 4. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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13 56-1-5454 GRS 01/05/17

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