

CONTROLLED SUBSTANCES REVISIONS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: _____

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 4 absent

General Description:

This bill amends the list of controlled substances and the composition of the Controlled Substances Advisory Committee.

Highlighted Provisions:

This bill:

- ▶ adds a substance to the listed controlled substances in the Utah Controlled Substances Act;
- ▶ amends the composition of the Controlled Substances Advisory Committee; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-37-4.2, as last amended by Laws of Utah 2018, Chapter 146

58-38a-201, as last amended by Laws of Utah 2011, Chapter 60



28 **58-38a-202**, as last amended by Laws of Utah 2011, Chapter 60

29

30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **58-37-4.2** is amended to read:

32 **58-37-4.2. Listed controlled substances.**

33 The following substances, their analogs, homologs, and synthetic equivalents are listed
34 controlled substances:

35 (1) AB-001;

36 (2) AB-PINACA;

37 N-[1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide;

38 (3) AB-FUBINACA; N-[1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)
39 methyl]-1H-indazole-3-carboxamide;

40 (4) AB-CHMINACA

41 (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide);

42 (5) ADB-CHMINACA (N-[(2S)-1-amino-3,3-dimethyl-1-oxobutan-2-yl]-1-
43 (cyclohexylmethyl)indazole-3-carboxamide);

44 (6) ADB-FUBINACA (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
45 (4-fluorobenzyl)-1H-indazole-3-carboxamide);

46 (7) AKB48;

47 (8) alpha-Pyrrolidinohexanophenone (alpha-PHP)

48 (1-Phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

49 (9) alpha-Pyrrolidinovalerophenone (alpha-PVP);

50 (10) AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone);

51 (11) AM-1248;

52 (12) AM-2201 (1-(5-fluoropentyl)-3-(1-naphthoyl)indole);

53 (13) AM-2233;

54 (14) AM-679;

55 (15) A796,260;

56 (16) Butylone;

57 (17) CP 47,497 and its C6, C8, and C9 homologs (2-[(1R,3S)-3-hydroxycyclohexyl]
58 -5-(2-methyloctan-2-yl)phenol);

- 59 (18) Diisopropyltryptamine (DiPT);
60 (19) Ethylone;
61 (20) Ethylphenidate;
62 (21) Fluoroisocathinone;
63 (22) Fluoromethamphetamine;
64 (23) Fluoromethcathinone;
65 (24) FUB-AMB; methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)valinate;
66 (25) HU-210; (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
67 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
68 (26) HU-211; Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
69 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
70 (27) JWH-015; (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone;
71 (28) JWH-018; Naphthalen-1-yl-(pentylindol-3-yl)methanone {also known as
72 1-Pentyl-3-(1-naphthoyl)indole};
73 (29) JWH-019; 1-hexyl-3-(1-naphthoyl)indole;
74 (30) JWH-073; Naphthalen-1-yl(1-butylyndol-3-yl)methanone {also known as
75 1-Butyl-3-(1-naphthoyl)indole};
76 (31) JWH-081; 4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone;
77 (32) JWH-122; CAS#619294-47-2; (1-Pentyl-3-(4-methyl-1-naphthoyl)indole);
78 (33) JWH-200; 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
79 (34) JWH-203; 1-pentyl-3-(2-chlorophenylacetyl)indole;
80 (35) JWH-210; 4-ethyl-1-naphthalenyl(1-pentyl-1H-indol-3-yl)-methanone;
81 (36) JWH-250; 1-pentyl-3-(2-methoxyphenylacetyl)indole;
82 (37) JWH-251; 2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone;
83 (38) JWH-398; 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
84 (39) MAM-2201;
85 (40) MAM-2201;
86 (1-(5-fluoropentyl)-1H-indol-3-yl)(4-ethyl-1-naphthalenyl)-methanone;
87 (41) Methoxetamine;
88 (42) Naphyrone;
89 (43) PB-22; 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester;

- 90 (44) Pentedrone;
- 91 (45) Pentylone;
- 92 (46) RCS-4; 1-pentyl-3-(4-methoxybenzoyl)indole;
- 93 (47) RCS-8; 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole {also known as
- 94 BTW-8 and SR-18};
- 95 (48) STS-135;
- 96 (49) UR-144;
- 97 (50) UR-144 N-(5-chloropentyl) analog;
- 98 (51) XLR11;
- 99 (52) 2C-C;
- 100 (53) 2C-D;
- 101 (54) 2C-E;
- 102 (55) 2C-H;
- 103 (56) 2C-I;
- 104 (57) 2C-N;
- 105 (58) 2C-P;
- 106 (59) 2C-T-2;
- 107 (60) 2C-T-4;
- 108 (61) 2NE1;
- 109 (62) 25I-NBOMe;
- 110 (63) 2,5-Dimethoxy-4-chloroamphetamine (DOC);
- 111 (64) 4-Fluoro MDMB-BUTINACA (Methyl
- 112 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate);
- 113 [~~64~~] (65) 4-methylmethcathinone {also known as mephedrone};
- 114 [~~65~~] (66) 3,4-methylenedioxypropylamphetamine {also known as MDPV};
- 115 [~~66~~] (67) 3,4-Methylenedioxymethcathinone {also known as methylone};
- 116 [~~67~~] (68) 4-methoxymethcathinone;
- 117 [~~68~~] (69) 4-Methyl-alpha-pyrrolidinopropiophenone;
- 118 [~~69~~] (70) 4-Methylethcathinone;
- 119 [~~70~~] (71) 5F-AKB48;
- 120 1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3- carboxamide;

121 [~~(71)~~] (72) 5-Fluoro ADB (Methyl
 122 N- {[1-(5-fluoropentyl)-1H-indazol-3-yl]carbonyl}-3-methyl-valinate);
 123 [~~(72)~~] (73) 5-Fluoro AMB (Methyl
 124 N- {[1-(5-fluoropentyl)-1H-indazol-3-yl]carbonyl} valinate);
 125 [~~(73)~~] (74) 5-fluoro-PB-22; 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid
 126 8-quinolinyl ester;
 127 [~~(74)~~] (75) 5-Iodo-2-aminoindane (5-IAI);
 128 [~~(75)~~] (76) 5-MeO-DALT;
 129 [~~(76)~~] (77) 25B-NBOMe; 2-(*r*-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
 130 methyl]ethanamine;
 131 [~~(77)~~] (78) 25C-NBOMe; 2-(4Chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
 132 methyl]ethanamine; and
 133 [~~(78)~~] (79) 25H-NBOMe;
 134 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine.
 135 Section 2. Section **58-38a-201** is amended to read:
 136 **58-38a-201. Controlled Substances Advisory Committee.**
 137 There is created within the Division of Occupational and Professional Licensing the
 138 Controlled Substances Advisory Committee. The committee consists of:
 139 (1) the director of the Department of Health or the director's designee;
 140 (2) the State Medical Examiner or the examiner's designee;
 141 (3) the commissioner of the Department of Public Safety or the commissioner's
 142 designee;
 143 (4) the director of the Bureau of Forensic Services created in Section [53-10-401](#), or the
 144 director's designee;
 145 (5) the director of the Utah Poison Control Center or the director's designee;
 146 [~~(4)~~] (6) one physician who is a member of the Physicians Licensing Board and is
 147 designated by that board;
 148 [~~(5)~~] (7) one pharmacist who is a member of the Utah State Board of Pharmacy and is
 149 designated by that board;
 150 [~~(6)~~] (8) one dentist who is a member of the Dentist and Dental Hygienist Licensing
 151 Board and is designated by that board;

152 ~~[(7)]~~ (9) one physician who is currently licensed and practicing in the state, to be
153 appointed by the governor;

154 ~~[(8)]~~ (10) one psychiatrist who is currently licensed and practicing in the state, to be
155 appointed by the governor;

156 ~~[(9)]~~ (11) one individual with expertise in substance abuse addiction, to be appointed
157 by the governor;

158 ~~[(10)]~~ (12) one representative from the Statewide Association of Prosecutors, to be
159 designated by that association;

160 ~~[(11)]~~ (13) one naturopathic physician who is currently licensed and practicing in the
161 state, to be appointed by the governor;

162 ~~[(12)]~~ (14) one advanced practice registered nurse who is currently licensed and
163 practicing in this state, to be appointed by the governor; and

164 ~~[(13)]~~ (15) one member of the public, to be appointed by the governor.

165 Section 3. Section **58-38a-202** is amended to read:

166 **58-38a-202. Terms of committee service.**

167 (1) (a) Members of the advisory committee shall serve terms of four years, except that
168 the members under Subsections **58-38a-201**(1), (2), ~~[and]~~ (3), and (4) shall serve during their
169 terms as appointed officials.

170 (b) Vacancies in the committee occurring otherwise than by the expiration of a term
171 shall be filled for the unexpired term in the same manner as original appointments.

172 (2) A member may not receive compensation or benefits for the member's service, but
173 may receive per diem and travel expenses in accordance with:

174 (a) Section **63A-3-106**;

175 (b) Section **63A-3-107**; and

176 (c) rules made by the Division of Finance pursuant to Sections **63A-3-106** and
177 **63A-3-107**.

178 (3) (a) The director of the Department of Health, or the director's designee, is the chair
179 of the committee.

180 (b) The advisory committee meets at the call of the chair or at the call of a majority of
181 the committee members.

182 (c) The advisory committee meets annually and more often as required to carry out its

183 duties under this chapter.

184 (d) Seven members of the advisory committee constitute a quorum.

185 (e) Action by the committee requires a majority vote of a quorum.