

HOUSE BILL NO. 4089

February 03, 2021, Introduced by Reps. Allor, Markkanen, Borton and Rendon and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7212 (MCL 333.7212), as amended by 2013 PA 268.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7212. (1) The following controlled substances are
2 included in schedule 1:

3 (a) Any of the following opiates, including their isomers,
4 esters, the ethers, salts, and salts of isomers, esters, and
5 ethers, unless specifically excepted, when the existence of these
6 isomers, esters, ethers, and salts is possible within the specific

1 chemical designation:

| | | | |
|----|----------------------|------------------------|----------------|
| 2 | Acetylmethadol | Difenoxin | Noracymethadol |
| 3 | Allylprodine | Dimenoxadol | Norlevorphanol |
| 4 | Alpha-acetylmethadol | Dimepheptanol | Normethadone |
| 5 | Alphameprodine | Dimethylthiambutene | Norpipanone |
| 6 | Alphamethadol | Dioxaphetyl butyrate | Phenadoxone |
| 7 | Benzethidine | Dipipanone | Phenampramide |
| 8 | Betacetylmethadol | Ethylmethylthiambutene | Phenomorphin |
| 9 | Betameprodine | Etonitazene | Phenoperidine |
| 10 | Betamethadol | Etoxeridine | Piritramide |
| 11 | Betaprodine | Furethidine | Proheptazine |
| 12 | Clonitazene | Hydroxypethidine | Properidine |
| 13 | Dextromoramide | Ketobemidone | Propiram |
| 14 | Diampramide | Levomoramide | Racemoramide |
| 15 | Diethylthiambutene | Levophenacylmorphin | Trimeperidine |
| 16 | | Morpheridine | |

17 (b) Any of the following opium derivatives, their salts,
 18 isomers, and salts of isomers, unless specifically excepted, when
 19 the existence of these salts, isomers, and salts of isomers is
 20 possible within the specific chemical designation:

| | | | |
|----|-----------------------|--------------------------|--------------|
| 21 | Acetorphine | Drotebanol | Morphine-N- |
| 22 | | | Oxide |
| 23 | Acetyldihydrocodeine | Etorphine | Myrophine |
| 24 | Benzylmorphine | Heroin | Nicocodeine |
| 25 | Codeine methylbromide | Hydromorphinol | Nicomorphine |
| 26 | Codeine-N-Oxide | Methyldesorphine | Normorphine |
| 27 | Cyprenorphine | Methyldihydromorphine | Pholcodine |
| 28 | Desomorphine | Morphine methylbromide | Thebacon |
| 29 | Dihydromorphine | Morphine methylsulfonate | |

1 (c) Any material, compound, mixture, or preparation ~~which~~**that**
 2 contains any quantity of the following hallucinogenic substances,
 3 their salts, isomers, and salts of isomers, unless specifically
 4 excepted, when the existence of these salts, isomers, and salts of
 5 isomers is possible within the specific chemical designation:

6 2-Methylamino-1-phenylpropan-1-one

7 Some trade and other names:

8 Methcathinone

9 Cat

10 Ephedrone

11 3, 4-methylenedioxy amphetamine

12 5-methoxy-3, 4-methylenedioxy

13 amphetamine

14 3, 4, 5-trimethoxy amphetamine

15 Bufotenine

16 Some trade and other names:

17 3-(B-dimethylaminoethyl)-5 hydroxyindole

18 3-(2-dimethylaminoethyl)-5 indolol

19 N,N-dimethylserotonin; 5-hydroxy-N-dimethyltryptamine

20 Mappine

21 2, 5-Dimethoxyamphetamine

22 Some trade or other names:

23 2, 5-Dimethoxy-a-methylphenethylamine; 2,5-DMA

24 4-Bromo-2, 5-Dimethoxyamphetamine

25 Some trade or other names:

26 4-bromo-2, 5 dimethoxy-a-methylphenethylamine; 4-bromo

27 2,5-DMA

28 Diethyltryptamine

29 Some trade and other names:

1 N,N-Diethyltryptamine; DET
2 Dimethyltryptamine
3 Some trade or other names:
4 DMT
5 4-methyl-2, 5-dimethoxyamphetamine
6 Some trade and other names:
7 4-methyl-2, 5-dimethoxy- α -methyl-phenethylamine
8 DOM, STP
9 4-methoxyamphetamine
10 Some trade or other names:
11 4-methoxy- α -methylphenethylamine; paramethoxy amphetamine;
12 PMA
13 Ibogaine
14 Some trade and other names:
15 7-Ethyl-6,6a,7,8,9,10,12,13
16 Octahydro-2-methoxy-6,9-methano-5H-
17 pyrido (1, 2:1, 2 azepino 4, 5-b) indole
18 tabernanthe iboga
19 Lysergic acid diethylamide
20 Except as provided in subsection (2), Marihuana, including
21 pharmaceutical-grade cannabis
22 Mecloqualone
23 Mescaline
24 Peyote
25 N-ethyl-3 piperidyl benzilate
26 N-methyl-3 piperidyl benzilate
27 Psilocybin
28 Psilocyn
29 Thiophene analog of phencyclidine

1 Some trade or other names:

2 1-(1-(2-thienyl)cyclohexyl) piperidine

3 2-thienyl analog of phencyclidine; TCP

4 (d) Synthetic equivalents of the substances contained in the
5 plant, or in the resinous extractives of cannabis and synthetic
6 substances, derivatives, and their isomers with similar chemical
7 structure or pharmacological activity, or both, such as the
8 following, are included in schedule 1:

9 (i) Δ^1 cis or trans tetrahydrocannabinol, and their optical
10 isomers.

11 (ii) Δ^6 cis or trans tetrahydrocannabinol, and their optical
12 isomers.

13 (iii) $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and their optical
14 isomers.

15 (e) Synthetic cannabinoids. As used in this subdivision,
16 "synthetic cannabinoids" includes any material, compound, mixture,
17 or preparation that is not otherwise listed as a controlled
18 substance in this schedule or in schedules ~~II-2~~ through ~~V, 5~~, is
19 not approved by the ~~federal food and drug administration~~ **United**
20 **States Food and Drug Administration** as a drug, and contains any
21 quantity of the following substances, their salts, isomers (whether
22 optical, positional, or geometric), homologues (analogs), and salts
23 of isomers and homologues (analogs), unless specifically excepted,
24 ~~whenever~~ **when** the existence of these salts, isomers, homologues
25 (analogs), and salts of isomers and homologues (analogs) is
26 possible within the specific chemical designation:

27 (i) Any compound containing a 3-(1-naphthoyl)indole structure,
28 also known as naphthoylindoles, with substitution at the nitrogen
29 atom of the indole ring by an alkyl, haloalkyl, alkenyl,

1 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
2 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not
3 further substituted on the indole ring to any extent and whether or
4 not substituted on the naphthyl ring to any extent. Examples of
5 this structural class include, but are not limited to: JWH-007,
6 JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, JWH-
7 210, JWH-398, AM-1220, AM-2201, and WIN-55, 212-2.

8 (ii) Any compound containing a 1H-indol-3-yl-(1-
9 naphthyl)methane structure, also known as naphthylmethyloindoles,
10 with substitution at the nitrogen atom of the indole ring by an
11 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
12 methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
13 whether or not further substituted on the indole ring to any extent
14 and whether or not substituted on the naphthyl ring to any extent.
15 Examples of this structural class include, but are not limited to:
16 JWH-175, and JWH-184.

17 (iii) Any compound containing a 3-(1-naphthoyl)pyrrole
18 structure, also known as naphthoylpyrroles with substitution at the
19 nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl,
20 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
21 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not
22 further substituted on the pyrrole ring to any extent and whether
23 or not substituted on the naphthyl ring to any extent. Examples of
24 this structural class include, but are not limited to: JWH-370,
25 JWH-030.

26 (iv) Any compound containing a naphthylideneindene structure
27 with substitution at the 3-position of the indene ring by an alkyl,
28 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-
29 2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or

1 not further substituted on the indene ring to any extent and
2 whether or not substituted on the naphthyl ring to any extent.
3 Examples of this structural class include, but are not limited to:
4 JWH-176.

5 (v) Any compound containing a 3-phenylacetylindole structure,
6 also known as phenacetylindoles, with substitution at the nitrogen
7 atom of the indole ring by an alkyl, haloalkyl, alkenyl,
8 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
9 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not
10 further substituted on the indole ring to any extent and whether or
11 not substituted on the phenyl ring to any extent. Examples of this
12 structural class include, but are not limited to: RCS-8 (SR-18),
13 JWH-250, JWH-203, JWH-251, and JWH-302.

14 (vi) Any compound containing a 2-(3-hydroxycyclohexyl)phenol
15 structure, also known as cyclohexylphenols, with substitution at
16 the 5-position of the phenolic ring by an alkyl, haloalkyl,
17 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
18 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not
19 substituted on the cyclohexyl ring to any extent. Examples of this
20 structural class include, but are not limited to: CP-47,497 (and
21 homologues(analogs)), cannabicyclohexanol, and CP-55,940.

22 (vii) Any compound containing a 3-(benzoyl)indole structure,
23 also known as benzoylindoles, with substitution at the nitrogen
24 atom of the indole ring by an alkyl, haloalkyl, alkenyl,
25 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
26 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not
27 further substituted on the indole ring to any extent and whether or
28 not substituted on the phenyl ring to any extent. Examples of this
29 structural class include, but are not limited to: AM-694,

1 pravadoline (WIN-48,098), RCS-4, AM-630, AM-679, AM-1241, and AM-
2 2233.

3 (viii) Any compound containing a 11-hydroxy- Δ^8 -
4 tetrahydrocannabinol structure, also known as dibenzopyrans, with
5 further substitution on the 3-pentyl group by an alkyl, haloalkyl,
6 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
7 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group. Examples of
8 this structural class include, but are not limited to: HU-210, JWH-
9 051, JWH-133.

10 (ix) Any compound containing a ~~3-(1-adamantoyl)indole-3-(1-~~
11 **adamantoyl)indole** structure, also known as adamantoylindoles, with
12 substitution at the nitrogen atom of the indole ring by an alkyl,
13 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-
14 2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or
15 not further substituted on the adamantyl ring system to any extent.
16 Examples of this structural class include, but are not limited to:
17 AM-1248.

18 (x) Any other synthetic chemical compound that is a
19 cannabinoid receptor agonist and mimics the pharmacological effect
20 of naturally occurring cannabinoids that is not listed in schedules
21 ~~II-2~~ through ~~V-5~~ and is not approved by the ~~federal food and drug~~
22 ~~administration~~ **United States Food and Drug Administration** as a
23 drug.

24 (f) Compounds of structures referred to in subdivision (d),
25 regardless of numerical designation of atomic positions, are
26 included.

27 (g) Gamma-hydroxybutyrate and any isomer, salt, or salt of
28 isomer of gamma-hydroxybutyrate.

29 Some trade and other names:

1 Sodium oxybate
2 4-hydroxybutanoic acid monosodium salt
3 (h) 3,4-methylenedioxymethamphetamine.
4 Some trade and other names:
5 Ecstasy
6 MDMA
7 (i) N-Benzylpiperazine
8 Some trade and other names:
9 BZP
10 Benzylpiperazine
11 1-(phenylmethyl)-piperazine
12 (j) 3-Chlorophenylpiperazine
13 Some trade and other names:
14 MCPP
15 (k) 1-(3-Trifluoromethylphenyl)piperazine
16 Some trade and other names:
17 TFMPP
18 (l) 4-Bromo-2,5-dimethoxybenzylpiperazine
19 Some trade and other names:
20 2C-B-BZP
21 (m) All of the following:
22 (i) (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-
23 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol.
24 Some trade and other names:
25 HU-210
26 (ii) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
27 yl)phenol and its side chain homologues.
28 Some trade and other names:
29 CP47,497

1 (iii) 1-pentyl-3-(1-naphthoyl)indole.

2 Some trade and other names:

3 JWH-018

4 (iv) 1-butyl-3-(1-naphthoyl)indole.

5 Some trade and other names:

6 JWH-073

7 (v) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-
8 methanone.

9 Some trade and other names:

10 JWH-015

11 (vi) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-
12 methanone.

13 Some trade and other names:

14 JWH-200

15 (vii) 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-ethanone.

16 Some trade and other names:

17 JWH-250

18 (n) Mephedrone (4-methylmethcathinone).

19 Some trade and other names:

20 4-MMC, M-Cat, meow meow, miaow miaow, bounce, bubbles,
21 bubble love, mad cow, plant food, drone, and neo doves

22 (o) 4-Methyl-alpha-pyrrolidinobutyrophenone.

23 Some trade and other names:

24 MPBP

25 (p) Methylenedioxypropylone

26 Some trade and other names:

27 MDPV, Bath salts, charge plus, cloud nine, hurricane Charlie,
28 ivory wave, ocean, red dove, scarface, sonic, white dove,
29 white lightning

1 (q) 5,6-Methylenedioxy-2-aminoindane

2 Some trade and other names:

3 MDAI

4 Woof-woof

5 (r) Naphyrone (Naphthylpyrovalerone)

6 Some trade and other names:

7 NRG-1

8 Rave

9 (s) Pyrovalerone (1-(4-Methylphenyl)-2-(1-pyrrolidinyl)-1-
10 pentanone)

11 (t) *Catha edulis*; except as provided in subdivision (u) and
12 section 7218, all parts of the plant presently classified
13 botanically as *catha edulis*, whether growing or not; the leaves and
14 seeds of that plant; any extract from any part of that plant; and
15 every compound, salt, derivative, mixture, or preparation of that
16 plant or its leaves, seeds, or extracts.

17 Some trade and other names:

18 Khat

19 Qat

20 (u) Cathinone.

21 (v) *Salvia divinorum*; except as provided in subdivision (w),
22 all parts of the plant presently classified botanically as *salvia*
23 *divinorum*, whether growing or not; the leaves and seeds of that
24 plant; any extract from any part of that plant; and every compound,
25 salt, derivative, mixture, or preparation of that plant or its
26 leaves, seeds, or extracts.

27 (w) Salvinorin A.

28 (x) Synthetic cathinones. As used in this subdivision,
29 "synthetic cathinones" includes any material, compound, mixture, or

1 preparation that is not otherwise listed as a controlled substance
2 in this schedule or in schedules ~~II-2~~ through ~~V, 5~~, is not approved
3 by the ~~federal food and drug administration~~ **United States Food and**
4 **Drug Administration** as a drug, and contains any quantity of the
5 following substances, their salts, isomers (whether optical,
6 positional, or geometric), homologues (analog), and salts of
7 isomers and homologues (analog), unless specifically excepted,
8 ~~whenever~~ **when** the existence of these salts, isomers, homologues
9 (analog), and salts of isomers and homologues (analog) is
10 possible within the specific chemical designation:

11 (i) Any compound containing a 2-amino-1-propanone structure
12 with substitution at the 1-position with a monocyclic or fused
13 polycyclic ring system and a substitution at the nitrogen atom by
14 an alkyl group, cycloalkyl group, or incorporation into a
15 heterocyclic structure. Examples of this structural class include,
16 but are not limited to, dimethylcathinone, ethcathinone, and alpha-
17 pyrrolidinopropiophenone.

18 (ii) Any compound containing a 2-amino-1-propanone structure
19 with substitution at the 1-position with a monocyclic or fused
20 polycyclic ring system and a substitution at the 3-position carbon
21 with an alkyl, haloalkyl, or alkoxy group. Examples of this
22 structural class include, but are not limited to, naphyrone.

23 (iii) Any compound containing a 2-amino-1-propanone structure
24 with substitution at the 1-position with a monocyclic or fused
25 polycyclic ring system and a substitution at any position of the
26 ring system with an alkyl, haloalkyl, halogen, alkylenedioxy, or
27 alkoxy group, whether or not further substituted at any position on
28 the ring system to any extent. Examples of this structural class
29 include, but are not limited to, mephedrone, methylone, and 3-

1 fluoromethylone.

2 (y) Etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-
3 thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine).

4 Some trade and other names:

5 **Etilaam, Etizest, Depas, Etizola, Sedekopan, Pasaden**

6 (2) Marihuana, including pharmaceutical-grade cannabis, is a
7 schedule 2 controlled substance if it is manufactured, obtained,
8 stored, dispensed, possessed, grown, or disposed of in compliance
9 with this act and as authorized by federal authority.

10 (3) For purposes of subsection (1), "isomer" includes the
11 optical, ~~position,~~ **positional**, and geometric isomers.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.