



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1373 (as introduced 6-8-10)  
Sponsor: Senator Mike Nofs  
Committee: Judiciary

Date Completed: 6-22-10

### **CONTENT**

**The bill would amend the Public Health Code to include certain synthetic cannabinoids in the list of Schedule 1 controlled substances, and to extend the penalties for possession and use of marihuana to the possession and use of the synthetic cannabinoids.**

Under the Code, marihuana is a Schedule 1 controlled substance. The bill would include each of the following, all of which are synthetic cannabinoids, in Schedule 1:

- (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (which is also known as HU-210).
- 2-[1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol (which is also known as CP47,497) and its side chain homologues.
- 1-Pentyl-3-(1-naphthoyl)indole (which is also known as JWH-018).
- 1-Butyl-3-(1-naphthoyl)indole (which is also known as JWH-073).

(A Schedule 1 controlled substance is a substance that has high potential for abuse and has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.)

Under the Code, a person may not knowingly or intentionally possess a controlled substance or controlled substance analogue unless it was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice. A violation involving marihuana is a misdemeanor punishable by up to one year's imprisonment, a maximum fine of \$2,000, or both. The bill would include possession of the substances described above in that penalty.

In addition, the Code prohibits a person from using a controlled substance or controlled substance analogue unless it was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice. A violation involving marihuana is a misdemeanor punishable by up to 90 days' imprisonment, a maximum fine of \$100, or both. The bill would include use of the substances described above in that penalty.

MCL 333.7212 et al.



## **BACKGROUND**

The website of the U.S. Department of Justice Drug Enforcement Administration's Office of Diversion Control contains the following information.

HU-210 is structurally and pharmacologically similar to THC, the main active ingredient of marijuana. It is used in basic scientific research to identify cannabinoid receptors in the brain and study the mechanisms of action of THC. It is a Schedule 1 controlled substance in the U.S.

CP47,497, JWH-018, and JWH-073 are synthetic cannabinoid agonists without the classical cannabinoid chemical structure. The compounds are used in scientific research as a tool to study the cannabinoid system. Although they are likely to have effects similar to THC in humans, CP47,497 and its homologues, JWH-018, and JWH-073, are not controlled substances in the U.S.

Legislative Analyst: Patrick Affholter

## **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of misdemeanor offenses due to the classification of these additional compounds as controlled substances. Local governments would incur the costs of incarceration in local facilities, which vary by county. Any additional penal fine revenue collected under this bill would benefit public libraries.

Fiscal Analyst: Matthew Grabowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.