

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6038**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 7212 and 7218 (MCL 333.7212 and 333.7218),
section 7212 as amended by 2002 PA 710 and section 7218 as
amended by 1998 PA 319.

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
7 specific chemical designation:

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

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

20	Acetorphine	Drotebanol	Morphine-N-Oxide
21	Acetyldihydrocodeine	Etorphine	Myrophine
22	Benzylmorphine	Heroin	Nicocodeine
23	Codeine methylbromide	Hydromorphanol	Nicomorphine
24	Codeine-N-Oxide	Methyldesorphine	Normorphine
25	Cyprenorphine	Methyldihydromorphine	Pholcodine
26	Desomorphine	Morphine methylbromide	Thebacon

1 Dihydromorphine Morphine methylsulfonate

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

7 2-Methylamino-1-phenylpropan-1-one

8 Some trade and other names:

9 Methcathinone

10 Cat

11 Ephedrone

12 3, 4-methylenedioxy amphetamine

13 5-methoxy-3, 4-methylenedioxy

14 amphetamine

15 3, 4, 5-trimethoxy amphetamine

16 Bufotenine

17 Some trade and other names:

18 3-(B-dimethylaminoethyl)-5 hydroxyindole

19 3-(2-dimethylaminoethyl)-5 indolol

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

21 Mappine

22 2, 5-Dimethoxyamphetamine

23 Some trade or other names:

24 2, 5-Dimethoxy-a-methylphenethylamine; 2,5-DMA

25 4-Bromo-2, 5-Dimethoxyamphetamine

26 Some trade or other names:

27 4-bromo-2, 5 dimethoxy-a-methylphenethylamine; 4-bromo

28 2,5-DMA

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

1 1-(1-(2-thienyl)cyclohexyl) piperidine)
2 2-thienyl analog of phencyclidine; TCP

3 (d) ~~Except as provided in subsection (2), synthetic~~
4 **SYNTHETIC** equivalents of the substances contained in the plant,
5 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
14 optical isomers.

15 (e) Compounds of structures of substances referred to in
16 subdivision (d), regardless of numerical designation of atomic
17 positions, are included.

18 (f) Gamma-hydroxybutyrate and any isomer, salt, or salt of
19 isomer of gamma-hydroxybutyrate.

20 Some trade and other names:

21 Sodium oxybate

22 4-hydroxybutanoic acid monosodium salt

23 (g) 3,4-methylenedioxymethamphetamine.

24 Some trade and other names:

25 Ecstasy

1 MDMA
2 N-BENZYLPIPERAZINE
3
4 SOME TRADE AND OTHER NAMES:
5 BZP
6 BENZYLPIPERAZINE
7 1-(PHENYLMETHYL)-PIPERAZINE
8
9 3-CHLOROPHENYLPIPERAZINE
10 SOME TRADE AND OTHER NAMES:
11 MCPP
12 1-(3-TRIFLUOROMETHYLPHENYL) PIPERAZINE
13 SOME TRADE AND OTHER NAMES:
14 TFMPP
15 4-BROMO-2,5-DIMETHOXYBENZYLPIPERAZINE
16 SOME TRADE AND OTHER NAMES:
17 2C-B-BZP

18 (H) ALL OF THE FOLLOWING:
19 (i) (6AR,10AR)-9-(HYDROXYMETHYL)-6,6-DIMETHYL-3-(2-
20 METHYLOCTAN-2-YL)-6A,7,10,10A-TETRAHYDROBENZO[C] CHROMEN-1-OL.

21 SOME TRADE AND OTHER NAMES:
22 HU-210

23 (ii) 2-[(1R,3S)-3-HYDROXYCYCLOHEXYL]-5-(2-METHYLOCTAN-2-
24 YL) PHENOL AND ITS SIDE CHAIN HOMOLOGUES.

25 SOME TRADE AND OTHER NAMES:
26 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-
12 NAPHTHALENYL-METHANONE.

13 SOME TRADE AND OTHER NAMES:

14 JWH-200

15 (vii) 1-(1-PENTYL-1H-INDOL-3-YL)-2-(2-METHOXYPHENYL)-
16 ETHANONE.

17 SOME TRADE AND OTHER NAMES:

18 JWH-250

19 (I) MEPHRADONE (4-METHYLMETHCATHINONE).

20 SOME TRADE AND OTHER NAMES:

1 4-MMC, M-CAT, MEOW MEOW, BOUNCE, BUBBLES, AND MAD COW

2 (J) 4-METHYL-ALPHA-PYRROLIDINOBTYROPHENONE.

3 SOME TRADE AND OTHER NAMES:

4 MPBP

5 (K) CATHA EDULIS; EXCEPT AS PROVIDED IN SUBDIVISION (I) AND
6 SECTION 7218, ALL PARTS OF THE PLANT PRESENTLY CLASSIFIED
7 BOTANICALLY AS CATHA EDULIS, WHETHER GROWING OR NOT; THE LEAVES
8 AND SEEDS OF THAT PLANT; ANY EXTRACT FROM ANY PART OF THAT PLANT,
9 AND EVERY COMPOUND, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF
10 THAT PLANT OR ITS LEAVES, SEEDS, OR EXTRACTS.

11 SOME TRADE AND OTHER NAMES:

12 KHAT

13 QAT

14 (I) CATHINONE.

15 (M) SALVIA DIVINORUM; EXCEPT AS PROVIDED IN SUBDIVISION (N),
16 ALL PARTS OF THE PLANT PRESENTLY CLASSIFIED BOTANICALLY AS SALVIA
17 DIVINORUM, WHETHER GROWING OR NOT; THE LEAVES AND SEEDS OF THAT
18 PLANT; ANY EXTRACT FROM ANY PART OF THAT PLANT; AND EVERY
19 COMPOUND, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THAT PLANT
20 OR ITS LEAVES, SEEDS, OR EXTRACTS.

21 (N) SALVINORIN A.

22 ~~—— (2) Marihuana and the substances described in subsection (1)~~
23 ~~(d) and (e) in schedule 1 shall be regulated as provided in~~
24 ~~schedule 2, if they are dispensed in the manner provided in~~

1 ~~sections 7335 and 7336.~~

2 (2) ~~(3)~~ For purposes of subsection (1), "isomer" includes
3 the optical, position, and geometric isomers.

4 Sec. 7218. (1) The following controlled substances are
5 included in schedule 4:

6 (a) Any material, compound, mixture, or preparation
7 containing any quantity of the following substances having a
8 potential for abuse associated with a depressant effect on the
9 central nervous system, including their salts, isomers, and salts
10 of isomers if the existence of the salts, isomers, and salts of
11 isomers is possible within the specific chemical designation:

12	Barbital	Flurazepam
13	Chloral Betaine	Lorazepam
14	Chloral Hydrate	Mebutamate
15	Chlordiazepoxide	Meprobamate
16	Clonazepam	Methohexital
17	Clorazepate	Methylphenobarbital
18	Dextropropoxyphene	Oxazepam
19	Diazepam	Paraldehyde
20	Ethchlorvynol	Petrichloral
21	Ethinamate	Phenobarbital
22	Flunitrazepam	Prazepam

23 (b) Any material, compound, mixture, or preparation
24 containing any quantity of the following substances having a
25 potential for abuse associated with an effect on the central
26 nervous system, including their salts, optical, positional, or
27 geometric isomers, and salts of the isomers if the existence of

1 the salts, isomers, and salts of isomers is possible.

2 Fenfluramine

3 (c) Any material, compound, mixture, or preparation
4 containing any quantity of the following substances having a
5 potential for abuse associated with a stimulant effect on the
6 central nervous system, including their salts, optical,
7 positional, or geometric isomers, and salts of the isomers if the
8 existence of the salts, isomers, and salts of isomers is possible
9 within the specific chemical designation.

10 Diethylpropion

11 Phentermine

12 Pemoline, including organometallic complexes and chelates of
13 pemoline.

14 **CATHINE**

15 **SOME TRADE AND OTHER NAMES:**

16 **D-NORPSEUDOEPHEDRINE**

17 (2) The administrator may except by rule any compound,
18 mixture or preparation containing any substance listed in
19 subsection (1) from the application of all or any part of this
20 article if the compound, mixture or preparation contains 1 or
21 more active medicinal ingredients not having a depressant or
22 stimulant effect on the central nervous system and if the
23 admixtures are in combinations, quantity, proportion, or
24 concentration that vitiate the potential for abuse of the
25 substances having a depressant or stimulant effect on the central
26 nervous system.

27 Enacting section 1. This amendatory act takes effect October

1 1, 2010.

2 Enacting section 2. This amendatory act does not take effect
3 unless House Bill No. 6226 of the 95th Legislature is enacted
4 into law.