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BILL ANALYSIS

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Senate Bill 259 (as introduced 3-10-11)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 3-15-11

CONTENT

The bill would amend the Public Health Code to include all of the following in the list of Schedule 1 controlled substances:

- Methylenedioxypyrovalerone, also known as Bath Salts, Cloud Nine, Hurricane Charlie, Ivory Wave, MDPV, Ocean, Red Dove, Scarface, Sonic, White Dove, and White Lightning.
- 5,6-Methylenedioxy-2-aminoindane, also known as MDAI, and Woof-Woof.
- Naphyrone (Naphthylpyrovalerone), also known as NRG-1 and Rave.
- Pyrovalerone (1-(4-Methylphenyl)-2-(1-pyrrolidinyl)-1-pentanone).

The bill also would refer to Mephedrone, rather than Mephradone, in Schedule 1 and would include additional trade and other names for that substance, including Miaow Miaow, Bubble Love, Plant Food, Drone, and Neo Doves.

(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.)

MCL 333.7212

BACKGROUND

Mephedrone

According to the website of the U.S. Department of Justice Drug Enforcement Administration's Office of Diversion Control, mephedrone is a designer drug that shares structural similarities with methcathinone. Evidence of mephedrone use and associated toxicity has been increasing, particularly in the United Kingdom and other European countries. In recent years, law enforcement agencies have documented seizures associated with mephedrone in the United States, particularly in Oregon, Illinois, and Alabama.

Mephedrone is predominantly used by a youth population (15-24 years of age) from urban areas, who frequent clubs, discos, and dance events. It is sold over the internet and is promoted as a "research chemical", "bath salts", or "plant food". Mephedrone is not scheduled under the Federal Controlled Substance Act but can be considered an analogue of methcathinone, which is a Schedule I substance under Federal law and a Schedule 1 controlled substance under Michigan law.

Other Substances

The following information was gathered from the internet site Wikipedia.

Methylenedioxypyrovalerone is a psychoactive drug with stimulant properties that act as a norepinephrine-dopamine reuptake inhibitor (NDRI). In 2010, it was reportedly sold as a legal drug alternative and marketed in the United States as "bath salts" under various names. It has no history of approved medical use.

5,6-methylenedioxy-2-aminoindane (MDAI) is a drug developed in the 1990s by a team at Purdue University. It and other similar drugs have been widely used in scientific research. MDAI has been advertised as a designer drug and marketed on the internet.

Naphyrone is a drug derived from pyrovalerone that acts as a triple reuptake inhibitor, producing stimulant effects, and has been reported as a novel designer drug. It emerged as a new legal high in the United Kingdom within months after a similar drug, mephedrone, was banned.

Pyrovalerone is a psychoactive drug with stimulant effects via acting as an NDRI, and is used for the clinical treatment of chronic fatigue or lethargy and as an anorectic or appetite suppressant for weight loss purposes. Though pyrovalerone is still occasionally prescribed, it is used infrequently due to problems with abuse and dependence. It is a Schedule V controlled substance under Federal law and is the only stimulant in that category. Side effects include anorexia or loss of appetite, anxiety, fragmented sleep or insomnia, and trembling, shaking, or muscle tremors. Withdrawal following abuse upon discontinuation often results in depression. Pyrovalerone recently surfaced in "head shops" first in the United Kingdom and now in the United States, and is often sold as "bath salts".

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. To the extent that the bill increased the number of convictions related to Schedule 1 controlled substances, State and local units of government would experience an increase in enforcement and incarceration costs. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an average annual cost of \$2,500, as well as the cost of incarceration in a State facility at an average annual cost of \$35,000. Additional penal fine revenue 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.