

# SENATE BILL No. 1082

April 19, 2012, Introduced by Senator HILDENBRAND and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2011 PA 88, and by adding section 7417.

**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:

8 Acetylmethadol                   Difenoxin                   Noracymethadol

1	Allylprodine	Dimenoxadol	Norlevorphanol
2	Alpha-acetylmethadol	Dimepheptanol	Normethadone
3	Alphameprodine	Dimethylthiambutene	Norpipanone
4	Alphamethadol	Dioxaphetyl butyrate	Phenadoxone
5	Benzethidine	Dipipanone	Phenampride
6	Betacetylmethadol	Ethylmethylthiambutene	Phenomorphin
7	Betameprodine	Etonitazene	Phenoperidine
8	Betamethadol	Etoxidine	Piritramide
9	Betaprodine	Furethidine	Proheptazine
10	Clonitazene	Hydroxypethidine	Properidine
11	Dextromoramide	Ketobemidone	Propiram
12	Diampride	Levomoramide	Racemoramide
13	Diethylthiambutene	Levophenacymorphin	Trimeperidine
14		Morpheridine	

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

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

27 (c) Any material, compound, mixture, or preparation which  
 28 contains any quantity of the following hallucinogenic substances,

1 their salts, isomers, and salts of isomers, unless specifically  
2 excepted, when the existence of these salts, isomers, and salts  
3 of isomers is possible within the specific chemical designation:

4 2-Methylamino-1-phenylpropan-1-one

5       Some trade and other names:

6       Methcathinone

7       Cat

8       Ephedrone

9 3, 4-methylenedioxy amphetamine

10       5-methoxy-3, 4-methylenedioxy

11       amphetamine

12 3, 4, 5-trimethoxy amphetamine

13       Bufotenine

14       Some trade and other names:

15       3-(B-dimethylaminoethyl)-5 hydroxyindole

16       3-(2-dimethylaminoethyl)-5 indolol

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

18       Mappine

19 2, 5-Dimethoxyamphetamine

20       Some trade or other names:

21 2, 5-Dimethoxy-a-methylphenethylamine; 2,5-DMA

22 4-Bromo-2, 5-Dimethoxyamphetamine

23       Some trade or other names:

24       4-bromo-2, 5 dimethoxy-a-methylphenethylamine; 4-bromo

25       2,5-DMA

26 Diethyltryptamine

27       Some trade and other names:

28       N,N-Diethyltryptamine; DET

29 Dimethyltryptamine

- 1           Some trade or other names:
- 2           DMT
- 3   4-methyl-2, 5-dimethoxyamphetamine
- 4           Some trade and other names:
- 5           4-methyl-2, 5-dimethoxy- $\alpha$ -methyl-phenethylamine
- 6           DOM, STP
- 7   4-methoxyamphetamine
- 8           Some trade or other names:
- 9           4-methoxy- $\alpha$ -methylphenethylamine; paramethoxy amphetamine;
- 10          PMA
- 11   Ibogaine
- 12          Some trade and other names:
- 13          7-Ethyl-6,6a,7,8,9,10,12,13
- 14          Octahydro-2-methoxy-6,9-methano-5H-
- 15          pyrido (1, 2:1, 2 azepino 4, 5-b) indole
- 16          tabernanthe iboga
- 17   Lysergic acid diethylamide
- 18   Marihuana
- 19   Mecloqualone
- 20   Mescaline
- 21   Peyote
- 22   N-ethyl-3 piperidyl benzilate
- 23   N-methyl-3 piperidyl benzilate
- 24   Psilocybin
- 25   Psilocyn
- 26   Thiophene analog of phencyclidine
- 27          Some trade or other names:
- 28          1-(1-(2-thienyl)cyclohexyl) piperidine)
- 29          2-thienyl analog of phencyclidine; TPCP
- 30   ~~—————(d) Synthetic equivalents of the substances contained in the~~

1 ~~plant, or in the resinous extractives of cannabis and synthetic~~  
2 ~~substances, derivatives, and their isomers with similar chemical~~  
3 ~~structure or pharmacological activity, or both, such as the~~  
4 ~~following, are included in schedule 1:~~

5 ~~—— (i)  $\Delta^{\pm}$ -cis or trans tetrahydrocannabinol, and their optical~~  
6 ~~isomers.~~

7 ~~—— (ii)  $\Delta^6$ -cis or trans tetrahydrocannabinol, and their optical~~  
8 ~~isomers.~~

9 ~~—— (iii)  $\Delta^{3,4}$ -cis or trans tetrahydrocannabinol, and their~~  
10 ~~optical isomers.~~

11 (D) SYNTHETIC CANNABINOIDS. AS USED IN THIS SUBDIVISION,  
12 "SYNTHETIC CANNABINOIDS" INCLUDES ANY MATERIAL, COMPOUND,  
13 MIXTURE, OR PREPARATION THAT IS NOT LISTED AS A CONTROLLED  
14 SUBSTANCE IN THIS SCHEDULE OR IN SCHEDULES II THROUGH V, IS NOT  
15 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION AS A DRUG,  
16 AND CONTAINS ANY QUANTITY OF THE FOLLOWING SUBSTANCES, THEIR  
17 SALTS, ISOMERS (WHETHER OPTICAL, POSITIONAL, OR GEOMETRIC),  
18 HOMOLOGUES (ANALOGS), AND SALTS OF ISOMERS AND  
19 HOMOLOGUES (ANALOGS), UNLESS SPECIFICALLY EXCEPTED, WHENEVER THE  
20 EXISTENCE OF THESE SALTS, ISOMERS, HOMOLOGUES (ANALOGS), AND SALTS  
21 OF ISOMERS AND HOMOLOGUES (ANALOGS) IS POSSIBLE WITHIN THE  
22 SPECIFIC CHEMICAL DESIGNATION:

23 (i) ANY COMPOUND CONTAINING A 3-(1-NAPHTHOYL) INDOLE STRUCTURE  
24 WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING BY AN  
25 ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL, CYCLOALKYLETHYL, 1-  
26 (N-METHYL-2-PIPERIDINYL)METHYL, OR 2-(4-MORPHOLINYL)ETHYL GROUP,  
27 WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY

1 EXTENT AND WHETHER OR NOT SUBSTITUTED IN THE NAPHTHYL RING TO ANY  
2 EXTENT. EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT  
3 LIMITED TO: JWH 015, JWH 018, JWH 019, JWH 073, JWH 081, JWH 122,  
4 JWH 200, JWH 210, JWH 398, AM 2201, AND WIN 55 212-2.

5 (ii) ANY COMPOUND CONTAINING A 1H-INDOL-3-YL- (1-  
6 NAPHTHYL)METHANE STRUCTURE WITH SUBSTITUTION AT THE NITROGEN ATOM  
7 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  
10 NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY EXTENT AND  
11 WHETHER OR NOT SUBSTITUTED IN THE NAPHTHYL RING TO ANY EXTENT.  
12 EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT LIMITED TO:  
13 JWH-175, AND JWH-184.

14 (iii) ANY COMPOUND CONTAINING A 3- (1-NAPHTHOYL)PYRROLE  
15 STRUCTURE WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE PYRROLE  
16 RING BY AN ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL,  
17 CYCLOALKYLETHYL, 1- (N-METHYL-2- PIPERIDINYL)METHYL, OR 2- (4-  
18 MORPHOLINYL)ETHYL GROUP, WHETHER OR NOT FURTHER SUBSTITUTED IN  
19 THE PYRROLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED IN  
20 THE NAPHTHYL RING TO ANY EXTENT. EXAMPLES OF THIS STRUCTURAL  
21 CLASS INCLUDE BUT ARE NOT LIMITED TO: JWH 307.

22 (iv) ANY COMPOUND CONTAINING A NAPHTHYLIDENEINDENE STRUCTURE  
23 WITH SUBSTITUTION AT THE 3-POSITION OF THE INDENE RING BY AN  
24 ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL, CYCLOALKYLETHYL, 1-  
25 (N-METHYL-2-PIPERIDINYL)METHYL, OR 2- (4-MORPHOLINYL)ETHYL GROUP,  
26 WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDENE RING TO ANY  
27 EXTENT AND WHETHER OR NOT SUBSTITUTED IN THE NAPHTHYL RING TO ANY

1 EXTENT. EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT  
2 LIMITED TO: JWH-176.

3 (v) ANY COMPOUND CONTAINING A 3-PHENYLACETYLINDOLE STRUCTURE  
4 WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING BY AN  
5 ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL, CYCLOALKYLETHYL, 1-  
6 (N-METHYL-2-PIPERIDINYL)METHYL, OR 2-(4-MORPHOLINYL)ETHYL GROUP,  
7 WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY  
8 EXTENT AND WHETHER OR NOT SUBSTITUTED IN THE PHENYL RING TO ANY  
9 EXTENT. EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT  
10 LIMITED TO: RCS-8 (SR-18), JWH 250, JWH 203, JWH-251, AND JWH-  
11 302.

12 (vi) ANY COMPOUND CONTAINING A 2-(3-HYDROXYCYCLOHEXYL)PHENOL  
13 STRUCTURE WITH SUBSTITUTION AT THE 5-POSITION OF THE PHENOLIC  
14 RING BY AN ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL,  
15 CYCLOALKYLETHYL, 1-(N-METHYL-2-PIPERIDINYL)METHYL, OR 2-(4-  
16 MORPHOLINYL)ETHYL GROUP, WHETHER OR NOT SUBSTITUTED IN THE  
17 CYCLOHEXYL RING TO ANY EXTENT. EXAMPLES OF THIS STRUCTURAL CLASS  
18 INCLUDE BUT ARE NOT LIMITED TO: CP 47,497 (AND  
19 HOMOLOGUES (ANALOGS)), CANNABICYCLOHEXANOL, AND CP 55, 940.

20 (vii) ANY COMPOUND CONTAINING A 3-(BENZOYL)INDOLE STRUCTURE  
21 WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING BY AN  
22 ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL, CYCLOALKYLETHYL, 1-  
23 (N-METHYL-2-PIPERIDINYL)METHYL, OR 2-(4-MORPHOLINYL)ETHYL GROUP,  
24 WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY  
25 EXTENT AND WHETHER OR NOT SUBSTITUTED IN THE PHENYL RING TO ANY  
26 EXTENT. EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT  
27 LIMITED TO: AM 694, PRAVADOLINE (WIN 48,098), RCS 4, AND AM-679.

1 (viii) (6AR,10AR)-9-(HYDROXYMETHYL)-6, 6-DIMETHYL-3-(2-  
2 METHYLOCTAN-2-YL) - 6A,7,10,10A-TETRAHYDROBENZO[C]CHROMEN-L-OL  
3 7370. EXAMPLES OF THIS STRUCTURAL CLASS INCLUDE BUT ARE NOT  
4 LIMITED TO: HU-210.

5 (ix) ANY COMPOUND CONTAINING A 3-(L- ADAMANTOYL)INDOLE  
6 STRUCTURE WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE  
7 RING BY AN ALKYL, HALOALKYL, ALKENYL, CYCLOALKYLMETHYL,  
8 CYCLOALKYLETHYL, 1-(N-METHYL-2- PIPERIDINYL)METHYL, OR 2-(4-  
9 MORPHOLINYL)ETHYL GROUP, WHETHER OR NOT FURTHER SUBSTITUTED IN  
10 THE ADAMANTYL RING SYSTEM TO ANY EXTENT. EXAMPLES OF THIS  
11 STRUCTURAL CLASS INCLUDE BUT ARE NOT LIMITED TO: AM-1248.

12 (x) ANY OTHER SYNTHETIC CHEMICAL COMPOUND THAT IS A  
13 CANNABINOID RECEPTOR AGONIST AND MIMICS THE PHARMACOLOGICAL  
14 EFFECT OF NATURALLY OCCURRING CANNABINOIDS THAT IS NOT LISTED IN  
15 SCHEDULES II THROUGH V AND IS NOT APPROVED BY THE FEDERAL FOOD  
16 AND DRUG ADMINISTRATION AS A DRUG.

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

20 (f) Gamma-hydroxybutyrate and any isomer, salt, or salt of  
21 isomer of gamma-hydroxybutyrate.

22 Some trade and other names:

23 Sodium oxybate

24 4-hydroxybutanoic acid monosodium salt

25 (g) 3,4-methylenedioxymethamphetamine.



1 Some trade and other names:

2 Ecstasy

3 MDMA

4 (h) N-Benzylpiperazine

5 Some trade and other names:

6 BZP

7 Benzylpiperazine

8 1-(phenylmethyl)-piperazine

9 (i) 3-Chlorophenylpiperazine

10 Some trade and other names:

11 MCPP

12 (j) 1-(3-Trifluoromethylphenyl)piperazine

13 Some trade and other names:

14 TFMPP

15 (k) 4-Bromo-2,5-dimethoxybenzylpiperazine

16 Some trade and other names:

17 2C-B-BZP

18 ~~—— (l) 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:~~

- 1 ~~———— HU 210~~
- 2 ~~———— (ii) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-~~  
3 ~~yl)phenol and its side chain homologues.~~
- 4 ~~———— Some trade and other names:~~
- 5 ~~———— CP47,497~~
- 6 ~~———— (iii) 1-pentyl-3-(1-naphthoyl)indole.~~
- 7 ~~———— Some trade and other names:~~
- 8 ~~———— JWH 018~~
- 9 ~~———— (iv) 1-butyl-3-(1-naphthoyl)indole.~~
- 10 ~~———— Some trade and other names:~~
- 11 ~~———— JWH 073~~
- 12 ~~———— (v) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-~~  
13 ~~methanone.~~
- 14 ~~———— Some trade and other names:~~
- 15 ~~———— JWH 015~~
- 16 ~~———— (vi) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-~~  
17 ~~naphthalenyl-methanone.~~
- 18 ~~———— Some trade and other names:~~
- 19 ~~———— JWH 200~~
- 20 ~~———— (vii) 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-~~

- 1 ~~ethanone.~~
- 2 ~~Some trade and other names:~~
- 3 ~~JWH-250~~
- 4 (I) ~~(m)~~—Mephedrone (4-methylmethcathinone).
- 5 Some trade and other names:
- 6 4-MMC, M-Cat, meow meow, miaow miaow, bounce, bubbles, bubble
- 7 love, mad cow, plant food, drone, and neo doves
- 8 (M) ~~(n)~~—4-Methyl-alpha-pyrrolidinobutyrophenone.
- 9 Some trade and other names:
- 10 MPBP
- 11 (N) ~~(e)~~—Methylenedioxypropylone
- 12 Some trade and other names:
- 13 MDPV, Bath salts, charge plus, cloud nine, hurricane Charlie,
- 14 ivory wave, ocean, red dove, scarface, sonic, white dove,
- 15 white lightning
- 16 (O) ~~(p)~~—5,6-Methylenedioxy-2-aminoindane
- 17 Some trade and other names:
- 18 MDAI
- 19 Woof-woof
- 20 (P) ~~(q)~~—Naphyrone (Naphthylpyrovalerone)

1 Some trade and other names:

2 NRG-1

3 Rave

4 (Q) ~~(r)~~—Pyrovalerone (1-(4-Methylphenyl)-2-(1-pyrrolidinyl)-  
5 1-pentanone)

6 (R) ~~(s)~~—Catha edulis; except as provided in subdivision ~~(t)~~  
7 (S) and section 7218, all parts of the plant presently classified  
8 botanically as catha edulis, whether growing or not; the leaves  
9 and seeds of that plant; any extract from any part of that plant;  
10 and every compound, salt, derivative, mixture, or preparation of  
11 that plant or its leaves, seeds, or extracts.

12 Some trade and other names:

13 Khat

14 Qat

15 (S) ~~(t)~~—Cathinone.

16 (T) ~~(u)~~—Salvia divinorum; except as provided in subdivision  
17 ~~(v)~~, (U), all parts of the plant presently classified botanically  
18 as salvia divinorum, whether growing or not; the leaves and seeds  
19 of that plant; any extract from any part of that plant; and every  
20 compound, salt, derivative, mixture, or preparation of that plant  
21 or its leaves, seeds, or extracts.

22 (U) ~~(v)~~—Salvinorin A.

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

25 **SEC. 7417. (1) A PERSON SHALL NOT DO EITHER OF THE**

1 FOLLOWING:

2 (A) KNOWING THAT A NAMED PRODUCT PREVIOUSLY CONTAINED AN  
3 INGREDIENT THAT WAS DESIGNATED TO BE A SCHEDULE 1 CONTROLLED  
4 SUBSTANCE, BUT THAT NO LONGER CONTAINS THAT INGREDIENT, SELL OR  
5 OFFER TO SELL THAT NAMED PRODUCT WITHOUT DISCLOSING THAT IT NO  
6 LONGER CONTAINS THAT SCHEDULED INGREDIENT.

7 (B) KNOWING THAT A NAMED PRODUCT CONTAINS OR PREVIOUSLY  
8 CONTAINED AN INGREDIENT THAT WAS DESIGNATED TO BE A SCHEDULE 1  
9 CONTROLLED SUBSTANCE, SELL OR OFFER TO SELL ANY OTHER PRODUCT  
10 WHILE REPRESENTING THAT IT CONTAINS THE SAME SCHEDULED INGREDIENT  
11 AS THE NAMED PRODUCT OR THAT IT CONTAINS AN INGREDIENT THAT  
12 PRODUCES THE SAME OR A SUBSTANTIALLY SIMILAR PHYSIOLOGICAL OR  
13 PSYCHOLOGICAL EFFECT AS THAT SCHEDULED INGREDIENT.

14 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
15 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS  
16 OR A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

17 (3) AS USED IN THIS SECTION, "NAMED PRODUCT" MEANS EITHER OF  
18 THE FOLLOWING:

19 (A) A PRODUCT HAVING A DESIGNATED BRAND NAME.

20 (B) A PRODUCT HAVING A STREET OR COMMON NAME WITH  
21 APPLICATION SUFFICIENT TO IDENTIFY THE PRODUCT AS A SPECIFIC  
22 PRODUCT WITHIN THIS STATE OR WITHIN A LOCAL UNIT OF GOVERNMENT.

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