



Synthetic & Novel Psychoactive Substances: 2016 Legislative Session Bill Status Update

Research current through November 2, 2016.

This project was supported by Grant No. G15599ONDCP03A, awarded by the Office of National Drug Control Policy. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the Office of National Drug Control Policy or the United States Government.

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Enacted Legislation and Adopted Regulations

<u>State and Bill Number</u>	<u>Description</u>	<u>Status and Date of Last Action</u>
U.S. 81 FR 6175	DEA extends the temporary scheduling of the following four NPS in schedule I for one year beginning 2/5/2016: <ul style="list-style-type: none"> • quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC); • quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22); • N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); • N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA). 	2/5/2016 – adopted.
U.S. 81 FR 11429	DEA extends the temporary scheduling of the following ten NPS in federal schedule I for one year beginning 3/4/2016: <ul style="list-style-type: none"> • 4-methyl-N-ethylcathinone (4-MEC); • 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP); • alpha-pyrrolidinopentiophenone (α-PVP); • 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone); • 2-(methylamino)-1-phenylpentan-1-one (pentedrone); • 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone); • 4-fluoro-N-methylcathinone (4-FMC); • 3-fluoro-N-methylcathinone (3-FMC); • 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); • alpha-pyrrolidinobutiophenone (α-PBP). 	3/4/2016 – adopted
U.S. 81 FR 22023	DEA places AH-7921 (3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide,) into schedule I.	5/16/2016 – adopted.

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State and Bill Number	Description	Status and Date of Last Action
<p>U.S.</p> <p>81 FR 29492</p>	<p>DEA temporarily places the following two NPS in federal schedule I beginning 5/12/2016:</p> <ul style="list-style-type: none"> • N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl); • N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide, (beta-hydroxythiofentanyl). 	<p>5/12/2016 – adopted.</p>
<p>U.S.</p> <p>81 FR 61636</p>	<p>DEA temporarily schedules the synthetic opioid, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (also known as U-47700), into schedule I.</p>	<p>9/7/2016 – adopted.</p>
<p>Alabama</p> <p>2016 SB 226</p>	<p>Adds Mitragynine and Hydroxymitragynine to the state’s list of “synthetic controlled substances” in schedule I.</p>	<p>5/10/2016 – adopted (2016 Laws Act 2016-279); effective 5/10/2016.</p>
<p>Alabama</p> <p>Ala. Admin. Code r. Ch. 420-7-2, Appendix</p>	<p>Regulation containing Alabama’s controlled substances updated to include the following six NPS in schedule I:</p> <ul style="list-style-type: none"> • AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl] benzamide; • N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, (Other names: butyryl fentanyl); • N-[1-[2-hydroxy-2-(truophen-2-yl)ethyl]piperidm-4-yl]-N-phenylpropionannde, (Other names: beta-hydroxythiofentayl); • AB-CHMINACA; • Naphthalen-1-yl 1-(5-fluoroPentyl)-1H-indole-3-carboxylate; some trade or other names: NM-2201, CBL-2201; • N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide; some trade or other names: AB-PINACA. 	<p>2/1/2016; 6/11/2016; 6/16/2016.</p>

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State and Bill Number	Description	Status and Date of Last Action
California 2015 SB 139	Existing law makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic stimulant compound or any specified synthetic stimulant derivative. Existing law also makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic cannabinoid compound or any synthetic cannabinoid derivative. Existing law, beginning January 1, 2016, makes it an infraction to use or possess those drugs. This bill expands the definition of a synthetic stimulant compound and a synthetic cannabinoid compound for purposes of existing law. The bill provides that a first offense of using or possessing these substances is punishable as an infraction, a 2nd offense is punishable as an infraction or a misdemeanor, and a 3rd or subsequent offense is punishable as a misdemeanor.	9/25/2016 – enacted (2016 Laws Chapter 624); effective 1/1/2017.
California 2015 SB 1036	Existing law provides that a controlled substance analog includes a substance the chemical structure of which is substantially similar to the chemical structure of a Schedule I or Schedule II controlled substance. This bill would expand the definition of a controlled substance analog to include a substance the chemical structure of which is substantially similar to the chemical structure of a synthetic cannabinoid compound and would require the controlled substance analogs of synthetic cannabinoid compounds to be treated the same as the synthetic cannabinoid compound of which it is an analog for the purpose of the provisions criminalizing synthetic cannabinoid compounds.	9/25/2016 – enacted (2016 Laws Chapter 627); effective 1/1/2017.
California City of Oceanside Ordinance No. 16-0116-1	Provides that it is unlawful for any person to publicly possess or be under the influence of any synthetic drug within the City of Oceanside. In addition, it is a public nuisance for any person to provide, display for sale, distribute or sell any synthetic drug or any mislabeled/misbranded product within the City of Oceanside. Provides for criminal and civil penalties.	3/2/2016 – adopted.

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State and Bill Number	Description	Status and Date of Last Action
<p>California San Diego Ordinances O-20660 (emergency); O-20657</p>	<p>Provides that it is unlawful to manufacture, sell, offer to sell, offer for sale, distribute, possess for sale, or possess any “Federal Schedule I Drug,” “Novel Synthetic Drug,” or “Novel Psychoactive Drug,” as those terms are defined in the ordinance. The ordinance also provides that it is a public nuisance for a person to manufacture, sell, offer for sale, distribute or possess for sale one or more of these substances.</p>	<p>6/15/2016 – adopted; effective 7/15/2016.</p>
<p>California San Luis Obispo County Ordinance No. 3315</p>	<p>Provides that it is unlawful for any person: (1) to provide, distribute, or sell any synthetic drug; (2) to claim or represent that a product that the person is providing, distributing, or selling is a synthetic drug; and (3) to possess any synthetic drug for the purpose of providing, distributing, or selling the synthetic drug. The ordinance also contains public nuisance provisions.</p>	<p>2/1/2016 – adopted.</p>
<p>Delaware 2015 HB 239</p>	<p>Creates the Class B felony of “drug dealing – resulting in death.” An offender is guilty if he or she “delivers a Schedule I or II controlled substance in Tier 1 or greater quantity to another person, and said controlled substance thereafter causes the death of another person who uses or consumes it.” There is an affirmative defense to the crime if the person made a good faith effort to promptly seek, provide, or obtain emergency medical or law enforcement assistance for the person harmed.</p>	<p>7/21/2016 – enacted (2016 Laws Chapter 330); effective 7/21/2016.</p>
<p>Delaware 2015 SB 174</p>	<p>The bill creates the Drug Overdose Fatality Review Commission (“Commission”), similar to commissions that the state has in place to review child deaths and the deaths of domestic violence victims. The purpose of the Commission is to “investigate and review the facts and circumstances of all overdose deaths involving opiates, fentanyl or heroin which occur in Delaware” and “make recommendations to the Governor and General Assembly, at least annually, regarding those practices or conditions which impact the frequency of overdose deaths involving opiates, fentanyl or heroin, and steps that can be taken to reduce the frequency of such overdose deaths.”</p>	<p>4/21/2016 – enacted (2016 Laws Chapter 220); effective 4/21/2016.</p>

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District of Columbia 2015 LB 633	Emergency version of 2015 LB 634.	4/26/2016 – enacted (A21-0360); effective 4/26/2016; expired 7/25/2016.
District of Columbia 2015 LB 634	“Revised Synthetics Abatement and Full Enforcement Drug Control Temporary Amendment of 2016.” Criminalizes synthetic cannabinoids and cathinones based on the class of the chemical compound, not the individual compound. Adds additional categories and substances to District controlled substance schedules.	5/4/2016 – enacted (L21-0121); after transmission to Congress, effective from 7/1/2016 to 2/11/2017.
District of Columbia 2015 LB 734	To amend, on an emergency basis, Section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee’s premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 85 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee’s premises.	5/19/2016 – enacted (A21-0400); effective 5/19/2016; expired 8/17/2016.
District of Columbia 2015 LB 735	Amends, on a temporary basis, Section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee’s premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 85 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee’s premises.	6/30/2016 – enacted (L21-0149); after transmission to Congress, effective from 8/20/2016 to 4/2/2017.

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District of Columbia 2015 LB 819	Amends, on an emergency basis, due to congressional review, Section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.	7/21/2016 – enacted (A21-0473); effective 7/21/2016; expired 10/18/2016.
District of Columbia 2015 LR 584	To declare the existence of an emergency with respect to the need to amend the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances. Provides that the Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2016 will reform the existing classification system in a way that enhances the effectiveness of prosecutions for the possession and distribution of synthetic drugs.	4/5/2016 – approved (R21-0455).
District of Columbia 2015 LR 700	To declare the existence of an emergency with respect to the need to amend section -2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 85 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.	5/3/2016 – approved (R21-0474).

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District of Columbia 2015 LR 847	To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.	7/12/2016 – approved (R21-0552).
District of Columbia 22-B DCMR § 1201	Regulation containing the state's list of schedule I controlled substances amended by emergency action. Approximately 40 NPS added to list of hallucinogenic substances. Changes and additions made to sections listing stimulants, synthetic cannabinoids, substituted tryptamines, and unclassified NPS.	2/22/2016 – emergency regulation adopted; expired 6/21/2016.
District of Columbia 22-B DCMR § 1201	Regulation containing the state's list of schedule I controlled substances amended by emergency action. Approximately 180 NPS added to list of hallucinogenic substances. Changes and additions made to sections listing depressants, stimulants, synthetic cannabinoids, unclassified synthetic cannabinoids, substituted tryptamines, and unclassified NPS.	5/9/2016 – emergency regulation adopted; expired 9/6/2016.
District of Columbia 22-B DCMR § 2039	Testing for Synthetic Cannabinoid Surveillance regulations. Under the regulations: (1) hospitals are required to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (2) it is recommended that hospitals collect blood samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (3) hospitals are required to store urine and blood samples in accordance with protocols provided by the Department of Health; and, (4) hospitals are required to turn over the urine and blood samples for testing by the Office of the Chief Medical Examiner.	3/29/2016 – adopted (emergency); expired on 8/31/2016.

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<p>Florida</p> <p>2016 HB 1347</p>	<p>Adds the following 12 NPS to the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • Acetylfentanyl (opioid analgesic); • Butyrylfentanyl (synthetic fentanyl opioid); • Beta-Hydroxythiofentanyl (opioid analgesic); • AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol) (synthetic cannabinoid); • AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol)(synthetic cannabinoid); • AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol)(synthetic cannabinoid); • AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9 diol) (synthetic cannabinoid); • HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-tetrahydro-6aH-benzo[c]chromen-1-ol) (synthetic cannabinoid); • HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione) (synthetic cannabinoid); • MAPB ((2-Methylaminopropyl)benzofuran) (synthetic stimulant); • 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine) (synthetic stimulant); • 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine) (synthetic stimulant). 	<p>3/24/2016 – enacted (2016 Laws Chapter 105); effective 7/1/2016.</p>

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Florida 2016 HB 1347 (continued)	Adds the following six general substance classes to Schedule: (1) Synthetic Cannabinoids; (2) Substituted Cathinones; (3) Substituted Phenethylamines; (4) N-Benzyl Phenethylamines Compounds; (5) Substituted Tryptamines; and (6) Substituted Phenylcyclohexylamines. The bill makes technical corrections to the names of 113 substances, adds definitions, and makes conforming changes. The bill also revises various criminal penalties that apply to controlled substance violations.	3/24/2016 – enacted (2016 Laws Chapter 105); effective 7/1/2016.
Florida Fla. Admin. Code r. 2ER16-1	By emergency rule, adds U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) to the state’s list of schedule I controlled substances.	9/27/2016 – adopted.
Georgia 2015 HB 783	Adds the following three NPS to the state’s list of schedule I controlled substances: <ul style="list-style-type: none"> • Methoxyphenacyclidine (MeO-PCP); • 4-hydroxy-N-methyl-N-isopropyltryptamine (4-OH-MiPT); • N,α-dimethyl-5-benzofuranethanamine (5-MAPB). Removes certain listed substances and replaces them with the following classes of substances: (1) Indole carboxamides; (2) Indole carboxylates; (3) Indazole carboxylates; (4) Indole tetramethylcyclopropanecarbonyls; (5) Naphthoylbenzimidazoles; and (6) Naphthoylindazoles.	5/3/2016 – enacted (2016 Laws Act 603); effective 5/3/2016.
Georgia Ga Comp. R. & Regs. 480-34-.04 and 480-34.07	Twenty synthetic cannabinoids added by regulation to state’s list of schedule I controlled substances.	2/9/2016 – regulation adopted.
Georgia Ga Comp. R. & Regs. 480-34-.10	Adds trans-3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide (U-47700) to the state’s list of schedule I controlled substances.	7/12/2016 – adopted.

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Hawaii 2015 SB 2915	Among other things, adds acetyl fentanyl to the state's list of schedule I controlled substances.	7/6/2016 – enacted (2016 Laws Act 218); effective 7/1/2016.
Hawaii	Two NPS added to state's list of schedule I controlled substances through emergency rulemaking: <ul style="list-style-type: none"> • N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl); • N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide, (beta-hydroxythiofentanyl). 	5/18/2016 – adopted; effective 6/18/2016.
Idaho IDAPA 27.01.01.211	Temporarily places U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-benzamide) into the state's list of schedule I controlled substances.	9/2/2016 – adopted; effective 8/3/2016.
Illinois 2015 SB 210	Creates the Bath Salts Prohibition Act. Provides that a person may not sell or offer for sale any bath salts in a retail mercantile establishment located within Illinois. Provides that a violation is a Class 3 felony for which a fine not exceeding \$150,000 may be imposed. Provides that in addition to any other penalty that may be imposed for a violation of the Act, the unit of local government that issued a retailer's license for the retail mercantile establishment whose merchant violated the Act may revoke the retailer's license of that retail mercantile establishment upon conviction for a violation. Defines "bath salts" as any synthetic or natural material containing any quantity of a cathinone chemical structure, including any analogs, salts, isomers, or salts of isomers of any synthetic or natural material containing a cathinone chemical structure. Provides that this includes, but is not limited to, synthetic cathinones as defined in the Illinois Controlled Substances Act, and any related "controlled substance analog" as defined in the Illinois Controlled Substances Act, regardless of how the product is labeled or marketed.	7/18/2016 – enacted (Public Act 99-0585); effective 1/1/2017.

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Illinois IL ADC 2070.271	By emergency regulation, temporarily adds U-47700 (3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-methylbenzamide) to the state's list of schedule I controlled substances.	9/30/2016 – adopted; effective 9/13/2016 (expires after 150 days)
Indiana 2016 HB 1272	Among other things, adds 20 NPS substances to the state law definition of “synthetic drug.”	3/23/2016 – enacted (2016 Public Law 168); effective 7/1/2016.
Indiana 856 IAC 2-2-2	Temporarily adds U-47700 (Other names include: (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N]methylbenzamide) to the state's list of schedule I controlled substances.	10/5/2016 – adopted; effective 10/29/2016.
Iowa 2015 SF 2116	Adds 10 NPS to the hallucinogenic substance section of the state's controlled substance schedule I. Adds nine NPS to the “other substances” section of the state's controlled substance schedule I.	4/13/2016 – enacted (2016 S.F. 1186); effective 7/1/2016.
Iowa IA ADC 657-10.38(124)	<p>Adds the following four NPS to the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers. Other names: AB-CHMINACA; • N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers. Other names: AB-PINACA; • [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, its optical, positional, and geometric isomers, salts, and salts of isomers. Other names: THJ-2201; • N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric isomers, salts, and salts of isomers. Other names: acetyl fentanyl. 	2/17/2016 – adopted; effective 3/23/2016.
Kansas 2015 HB 2018	Among other things, adds Acetyl fentanyl and 25N-NBOMe / 2C-N-NBOMe to the state's list of schedule I controlled substances.	5/17/2016 – enacted (2016 Laws Chapter 95); effective 5/26/2016.

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State and Bill Number	Description	Status and Date of Last Action
Kentucky 2016 HB 4	Amends KRS 218A.1430 to provide an increased penalty structure for trafficking in or possession of synthetic drugs. Synthetic drugs are defined as “any synthetic cannabinoids or piperazines or any synthetic cathinones.”	4/27/2016 – enacted (2016 Laws Chapter 135); effective 4/27/2016.
Kentucky 2016 HCR 187	Urges and petitions the United States Customs and Border Protection Agency and the Department of Homeland Security to require advance electronic data screening of all inbound shipments to the United States to facilitate identification and interception of illegal synthetic drugs and chemicals.	4/8/2016 – adopted (2016 Laws Chapter 49).
Kentucky 902 KAR 55:015	<p>Adds the following 11 NPS to the state’s list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • 2-(2,5-dimethoxyphenyl)-N-{(2-methoxyphenyl)methyl}ethanamine (2,5H-NBOMe); • 2-(4-iodo-2,5-dimethoxyphenyl)-N-{(2-methoxyphenyl)methyl}ethanamine (2,5I-NBOMe); • 2-(4-bromo-2,5-dimethoxyphenyl)-N-{(2-methoxyphenyl)methyl}ethanamine (2,5B-NBOMe); • 2-(4-chloro-2,5-dimethoxyphenyl)-N-{(2-methoxyphenyl)methyl}ethanamine (2,5C-NBOMe); • Paramethoxymethamphetamine (PMMA); • Paramethoxyamphetamine (PMA); • 1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (THJ-2201); • 1-naphthalenyl(1-pentyl-1H-indazol-3-yl)-methanone (THJ-018); • (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone (AM2201-benzimidazole analog, FUBIMINA); • Indole-3-carboxylate esters (class definition); • Indazole-3-carboxamides (class definitions). 	4/1/2016 – adopted; effective 3/4/2016.
Massachusetts 2015 HB 4056	Among other things, adds acetyl fentanyl to state’s list of Class B drugs.	3/14/2016 – enacted (2016 Laws Chapter 52); effective 6/14/2016.

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<u>State and Bill Number</u>	<u>Description</u>	<u>Status and Date of Last Action</u>
<p>Minnesota</p> <p>2015 HF 3333</p>	<p>The bill adds the following 14 NPS to the state’s list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • N,N-Dipropyltryptamine (DPT); • 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP); • N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE); • 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo); • 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP); • 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine, ethketamine, NENK); • methylenedioxy-N,N-dimethylamphetamine (MDDMA); • 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine, methoxyketamine); • 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8); • N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1 H-indazole-3-carboxamide (MAB-CHMINACA); • N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA); • methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB); • N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-3-carboxamide. (APP-CHMINACA); • quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22). 	<p>5/31/2016 – enacted (2016 Laws Chapter 182); effective 8/1/2016.</p>
<p>Mississippi</p> <p>2016 HB 1369</p>	<p>Adds acetyl fentanyl and the following 10 synthetic cathinones to the list of stimulants in the state’s controlled substance schedule I:</p> <ul style="list-style-type: none"> • 4-methyl-N-ethylcathinone (“4-MEC”); • 4-methyl-alpha-pyrrolidinopropiophenone (“4-MePPP”); 	<p>4/7/2016 – enacted (2016 Laws Chapter 392); effective 4/7/2016.</p>

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State and Bill Number	Description	Status and Date of Last Action
Mississippi 2016 HB 1369 (continued)	<ul style="list-style-type: none"> • (alpha-pyrrolidinopentiophenone (“a-PVP”); • 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (“butylone”); • 2-(methylamino)-1-phenylpentan-1-one (“pentedrone”); • 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (“pentylone”); • 4-fluoro-N-methylcathinone (“4-FMC”); • 3-fluoro-N-methylcathinone (“3-FMC”); • 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (“naphyrone”); • alpha-pyrrolidinobutiophenone (“a-PBP”). 	4/7/2016 – enacted (2016 Laws Chapter 392); effective 4/7/2016.
Mississippi 2016 SB 2169	The bill raises penalties for growing, possessing, selling or trafficking synthetic cannabinoids and classifies synthetic cannabinoids in the state’s list of schedule I controlled substances. The law provides that selling 10 or fewer grams of synthetic cannabinoids could earn a maximum \$3,000 fine and maximum three years in prison. The penalties increase for larger amounts of the drug. Selling or trafficking 40 grams could earn a minimum \$20,000 fine and prison sentence of between five to 20 years.	5/12/2016 – enacted (2016 Laws Chapter 482); effective 7/1/2016.
Nebraska 2015 LB 1009	Prohibits a person from offering, displaying, marketing, advertising for sale, or selling a “look-alike substance.” The legislation defines “look-alike substance” as a product or substance, not specifically designated as a controlled substance, that is either portrayed in such a manner by a person to lead another person to reasonably believe that it produces effects on the human body that replicate, mimic, or are intended to simulate the effects produced by a controlled substance or that it possesses certain characteristics involving packaging. The penalty for selling or marketing a lookalike substance is a Class 4 felony.	3/30/2016 – enacted; effective 3/30/2016.
New Hampshire 2015 SB 576	Among other things, adds the possession and use of “fentanyl-class drugs” for the purposes of the penalties under the controlled drug act.	1/21/2016 – enacted (2016 Laws Chapter 3); effective 1/21/2016.

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State and Bill Number	Description	Status and Date of Last Action
New Mexico NMAC 16.19.20.65	Adds 10 substances, including NPS, to the opium derivatives section of the state's list of schedule I controlled substances. Adds nine NPS to the synthetic cannabinoid section of the state's list of schedule I controlled substances.	10/14/2016 – adopted; effective 10/16/2016.
Ohio OAC 4729-11-02	Adds, by regulation, the following NPS to the state's list of schedule I controlled substances: “any compound that meets the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, is a schedule I controlled substance: (1) A chemical scaffold consisting of a five, six or seven member ring structure containing a nitrogen, whether or not further substituted; (2) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen; (3) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide or ester; (4) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and (5) The compound has not been approved for medical use by the United States food and drug administration.”	12/29/2015 – adopted; effective 1/15/2016.
Ohio OAC 4729-11-02	Adds 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-benzamide (U-47700) to the state's list of schedule I controlled substances as an opium derivative by emergency regulation.	5/4/2016 – adopted.

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State and Bill Number	Description	Status and Date of Last Action
Ohio OAC 4729-11-02	Adds 6-monoacetylmorphine (6-MAM) to the state's list of schedule I controlled substances as an opium derivative by regulation. Also, the provision added to the regulation effective 1/15/2016 is amended to read: "any compound that meets the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, is a schedule I controlled substance opiate: (1) A chemical scaffold consisting of: (a) a five, six or seven member ring structure containing a nitrogen, whether or not further substituted; and (b) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen; (2) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide or ester; (3) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and (4) The compound has not been approved for medical use by the United States food and drug administration."	6/16/2016 – adopted; effective 6/26/2016.
Oregon OAR 855-080-0021	Regulation temporarily listing certain synthetic opioids and fentanyl analogues as schedule I controlled substances.	10/1/2016 – adopted; effective 8/22/2016.
Pennsylvania 2015 HB 608	Among other things, adds "fentanyl derivatives" to the state's list of schedule I controlled substances, which include: ACETYL FENTANYL, BUTYRYL FENTANYL, PARA-FLUOROFENTANYL, PARA-FLUOROBUTYRYL FENTANYL, FURANYL FENTANYL, HYDROXYTHIOFENTANYL, ISOBUTYRYLFENTANYL, 4-METHOXY-BUTYRYL FENTANYL, 3-METHYL FENTANYL, OCFENTANYL, VALERYL FENTANYL. Also adds 3,4-Methylenedioxymethamphetamine, Methoxetamine, and sections on indole carboxaldehydes, Indole carboxamides, and Indole carboxylic acids to the state's list of schedule I controlled substances.	6/8/2016 – enacted (Act Number 2016-37); effective 8/8/2016.

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South Carolina	Through regulatory order, the following NPS are placed in the state's list of schedule I controlled substances: 4-MePPP, 4-FMC, 3-FMC, and a-PBP.	3/10/2016 – adopted.
South Carolina	Through regulatory order, the following NPS is permanently placed in the state's list of schedule I controlled substances: AH-7921. In addition, the following NPS are temporarily placed in schedule I: butyryl fentanyl and beta-hydroxythiofentanyl.	5/12/2016 – adopted.
South Dakota 2016 HB 1025	Among other things, adds fentanyl analogs, including acetyl fentanyl, N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide to the state's list of schedule I controlled substances.	2/18/2016 – enacted (2016 Laws Chapter 175); effective 2/16/2016.
Tennessee TN ADC 0940-06-01-.01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13	Revises Tennessee's list of scheduled controlled substances to be consistent with federal controlled substance schedules.	3/4/2016 – adopted; effective 6/2/2016.
Texas	Places the following NPS into the state's list of schedule I controlled substances: N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (common names: MAB-CHMINACA and ABD-CHMINACA).	3/22/2016 – adopted.
Texas	Annual publication of state's list of controlled substance schedules.	5/25/2016 – adopted.

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State and Bill Number	Description	Status and Date of Last Action
Texas	<p>Places the following three NPS into the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144 and 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole); • [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144 and 5-F-UR-144 and XLR11 and 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole); • N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA and AKB48). 	8/29/2016 – adopted.
Texas	<p>Places the following four NPS into the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC); • quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22); • N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA); • N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA). 	10/12/2016 – adopted.
Texas	Thiafentanil (4-(methoxycarbonyl)-4-(N-phenmethoxyacetamido)-1-[2-(thienyl)ethyl]piperadine) added to state's list of schedule II controlled substances.	10/12/2016 – adopted.
Vermont Vt. Admin. Code 12-5-23:7.0	<p>Regulation containing state's listing of regulated drugs amended as follows:</p> <ul style="list-style-type: none"> • 14 NPS added to stimulant section; • Acetyl fentanyl added to narcotic section; • 54 NPS added to section containing hallucinogenic drugs, synthetic cannabinoids, tryptamines, cannabinimimetics, mescaline analogs and dissociatives. 	1/27/2016 – adopted; effective 1/1/2016.

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<p>Virginia</p> <p>2016 HB 1077</p>	<p>Adds the following 11 NPS to state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • 4-bromomethcathinone (other name: 4-BMC); • 4-chloromethcathinone (other name: 4-CMC); • 4-Iodo-2,5-dimethoxy-N-[(2-hydroxyphenyl)methyl]-benzeneethanamine (other name: 25I-NBOH); • Alpha-Pyrrolidinohexiophenone (other name: alpha-PHP); • Alpha-Pyrrolidinoheptiophenone (other name: PV8); • Acetyl fentanyl (other name: desmethyl fentanyl); • N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other names: ADB-CHMINACA, MAB-CHMINACA); • Methyl-2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (other name: 5-fluoro-AMB); • 1-naphthalenyl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (other name: NM-2201); • 1-(4-fluorobenzyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: FUB-144); • 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole (other name MAM-2201). 	<p>3/1/2016 – enacted (2016 Laws Chapter 103); effective 7/1/2016.</p>
<p>Virginia</p> <p>2016 SB 480</p>	<p>Identical to 2016 HB 1077.</p>	<p>3/1/2016 – enacted (2016 Laws Chapter 112); effective 7/1/2016.</p>

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State and Bill Number	Description	Status and Date of Last Action
<p>Virginia</p> <p>18 VAC 110-20-322</p>	<p>The following six NPS temporarily scheduled until 12/14/2017 in the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: butyryl fentanyl); • Flubromazolam; • 5-methoxy-N,N-methylisopropyltryptamine (Other name: 5-MeO-MIPT); • N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide (other name: ADB-FUBINACA); • Methyl 2-[1-(4-fluorophenyl)methyl]-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: MDMB-FUBINACA); • Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5-fluoro-ADB, 5-Fluoro-MDMB-PINACA). 	<p>5/16/2016 – adopted; effective 6/15/2016.</p>
<p>Virginia</p> <p>18 VAC 110-20-322</p>	<p>By regulation, 17 NPS are temporarily scheduled until 3/7/2018 in the state's list of schedule I controlled substances.</p>	<p>8/8/2016 – adopted; effective 9/7/2016.</p>
<p>Virginia</p> <p>18 VAC 110-20-322</p>	<p>The following five NPS are temporarily scheduled until 5/10/2018 in the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • 1-propionyl lysergic acid diethylamide (other name: 1P-LSD); • (2-Methylaminopropyl)benzofuran (other name: MAPB); • Ethyl phenyl(piperidin-2-yl)acetate (other name: Ethylphenidate); • 2-(3-fluorophenyl)-3-methylmorpholine (other name: 3-fluorophenmetrazine); • N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: para-fluorobutyrylfentanyl). 	<p>10/17/2016 – adopted; effective 11/16/2016.</p>

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Wisconsin WI ADC s CSB 2.41	Affirmative Action Order scheduling Butyryl Fentanyl and Beta-Hydroxythiofentanyl as Schedule I of the Federal Controlled Substances Act.	7/18/2016 – adopted.
Wisconsin WI ADC s CSB 2.42	Emergency scheduling of NPS furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide) in schedule I of state’s list of controlled substance schedules.	9/16/2016 – adopted.
Wyoming WY ADC ATTG SICS Ch. 1 s 4	Emergency rule adding the following two NPS to the state’s list of schedule I controlled substances: <ul style="list-style-type: none"> • (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, commonly known as 5F-AMB; • [N-[1-(aminocarbonyl)-2,2-dimethylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide, commonly known as ADB-FUBINACA. 	3/31/2016 – adopted; effective 3/9/2016.
Wyoming WY ADC ATTG SICS Ch. 2 s 3	Emergency rule adding the following four NPS to the state’s list of schedule I controlled substances: <ul style="list-style-type: none"> • 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]-benzenesulfonamide, commonly known as W-18; • trans-3,4-dichloro-N-[2-dimethylamino)cyclohexyl]-N-methyl-benzamide, commonly known as U-47700; • para-fluorobutyryl fentanyl, commonly known as p-FBF; • [Methyl 2-({ 1-[(4-fluorophenyl)methyl]-1H-indazole-3-carbonyl}amino)-3-methylbutanoate], commonly known as FUB-AMB. 	4/28/2016 – adopted; effective 4/12/2016.

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<p>Wyoming</p> <p>WY ADC ATTG SICS Ch. 1 s 3</p>	<p>Emergency rule adding the following eight NPS to the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, commonly known as 5F-AMB; • [N-[1-(aminocarbonyl)-2,2-dimethylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide, commonly known as ADB-FUBINACA; • [Methyl 2-({ 1-[(4-fluorophenyl)methyl]-1Hindazole-3-carbonyl} amino)-3-methylbutanoate], commonly known as FUB-AMB; • trans-3,4-dichloro-N-[2-dimethylamino)cyclohexyl]-N-methyl-benzamide, commonly known as U-47700; • para-fluorobutyryl fentanyl, commonly known as p-FBF; • N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, commonly known as acetyl fentanyl; • 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide), commonly known as AH-7921; • 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]-benzenesulfonamide, commonly known as W-18. 	<p>8/3/2016 – adopted; effective 7/27/2016.</p>
<p>Wyoming</p> <p>WY ADC ATTG SICS Ch. 1 s 3</p>	<p>Emergency rule adding the following two NPS to the state's list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • N-(1-phenethylpiperidin-4-yl)-Nphenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (commonly known as butyryl fentanyl); • N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-Nphenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide, (commonly known as beta-hydroxythiofentanyl). 	<p>10/5/2016 – adopted; effective 9/6/2016.</p>

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**Legislation Pending in States with Active 2016 Legislative Sessions and
Proposed but-not-yet Adopted Regulations**

State and Bill Number	Description	Status and Date of Last Action
U.S. 2015 HR 1186	<p>“Synthetic Abuse and Labeling of Toxic Substances Act of 2015.” According to the Congressional Research Service summary, the bill amends the Controlled Substances Act to authorize the following factors to be considered in determining whether a controlled substance analogue was intended for human consumption:</p> <ul style="list-style-type: none"> • the marketing, advertising, and labeling of the substance; • the known efficacy or usefulness of the substance for the marketed, advertised, or labeled purpose; • the difference between the price at which the substance is sold and the price at which the substance it is purported to be or advertised as is normally sold; • the diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance; • whether the defendant knew or should have known that the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means; and • whether the substance is manufactured, formulated, sold, distributed, or marketed with the intent to avoid the provisions of existing drug laws. <p>The bill also provides that evidence that a substance was not marketed, advertised, or labeled for human consumption is not by itself sufficient to establish that the substance was not intended for human consumption.</p>	2/27/2015 – introduced in House.
U.S. 2015 H.R. 3537	<p>“Dangerous Synthetic Drug Control Act of 2016.” Permanently adds the following 11 cannabimimetic agents to federal schedule I:</p> <ul style="list-style-type: none"> • 2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone (JWH-251); • (1-butyl-1H-indol-3-yl)(4-methylnaphthalen-1-yl)methanone (4'-methyl JWH-073); 	9/27/2016 – received in Senate, read twice, and referred to Committee on the Judiciary.

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State and Bill Number	Description	Status and Date of Last Action
<p>U.S. 2015 H.R. 3537 (continued)</p>	<ul style="list-style-type: none"> • 2-(3-methoxyphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone (JWH-302) • N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide (5F-APICA); • quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22); • N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (AB-PINACA); • N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide (MN-24); • (1-(5-fluoropentyl)-1H-indazol-3-yl)(naphthalen-1-yl)methanone (THJ-2201); • N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADBICA); • methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (5F-AMB); • methyl 2-(1-(cyclohexylmethyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (MA-CHMINACA). <p>Permanently adds the following three synthetic opioids to federal Schedule I:</p> <ul style="list-style-type: none"> • Butyryl fentanyl; • beta-Hydroxythiofentanyl; A • Acetyl fentanyl <p>Permanently adds the following eight NPS to federal Schedule I:</p> <ul style="list-style-type: none"> • 1-(naphthalen-1-yl)-2-(pyrrolidin-1-yl)pentan-1-one (a-naphyrone); • 1-(2,3-dihydrobenzofuran-5-yl)propan-2-amine (5-APDB); • 1-(2,3-dihydrobenzofuran-6-yl)propan-2-amine (6-APDB); • 6,7-dihydro-5H-indeno[5,6-d]1,3-dioxol-6-amine (MDAI); • 5-iodo-2,3-dihydro-1H-inden-2-amine (5-IAI); 	<p>9/27/2016 – received in Senate, read twice, and referred to Committee on the Judiciary.</p>

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State and Bill Number	Description	Status and Date of Last Action
U.S. 2015 H.R. 3537 (continued)	<ul style="list-style-type: none"> • 1-(4-bromofuro2,3-fbenzofuran-8-yl)propan-2-amine (bromo-dragonfly); • 1-(4-chloro-2,5-dimethoxyphenyl)propan-2-amine (DOC); • 1-(4-ethoxy-2,5-dimethoxyphenyl)propan-2-amine (MEM). 	9/27/2016 – received in Senate, read twice, and referred to Committee on the Judiciary.
U.S. 2015 HR 4229	As introduced, identical to 2015 S 36.	12/10/2015 – introduced and referred to House committees.
U.S. 2015 HR 5020	“Synthetic Drug Awareness Act of 2016.” Requires the U.S. Surgeon General to report to Congress on the public health effects of the increased use by teenagers of drugs designed to avoid control under the Controlled Substances Act.	4/21/2016 – introduced and referred to Committee on Judiciary.
U.S. 2015 HR 5934	As introduced, similar to current version of 2015 HR 3537 and identical to 2015 S 3224.	9/6/2016 – introduced in House.
U.S. 2015 HR 6065	“Synthetic Drug Overdose Prevention and Education Act.” Provides that the Director of the Centers for Disease Control and Prevention must complete a study on strategies for preventing and treating the use of synthetic recreational drugs and submit a report to Congress. Provides that the Secretary of Health, in coordination with the Administrator of the DEA, must establish and maintain a database of synthetic recreational drugs, which must include analogues of controlled substances. Provides that the Director of the Centers for Disease Control and Prevention, along with other agencies, must develop and implement a national outreach campaign to educate law enforcement personnel, State and local agencies, health care professionals, community health organizations, parents, youth, and other community members about preventing and treating the use of cannabimimetic agents.	9/15/2016 – introduced in House.

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State and Bill Number	Description	Status and Date of Last Action
U.S. 2015 HR 6158	“Help Ensure Lives are Protected Act of 2016.” Provides enhanced penalties for certain offenses relating to controlled substances containing fentanyl, and for other purposes.	9/22/2016 – introduced in House.
U.S. 2015 S 36	“Protecting Our Youth from Dangerous Synthetic Drugs Act of 2015.” According to the bill summary prepared by the Congressional Research Service, the bill amends the Controlled Substances Act to include in the definition of a “controlled substance analogue” a substance designated as such by the Controlled Substance Analogue Committee (“Committee”) established in the Act. Directs the Attorney General to establish the Committee as an interagency committee headed by the DEA and comprised of scientific experts in the fields of chemistry and pharmacology from DEA, the National Institute on Drug Abuse, the Centers for Disease Control and Prevention, and any other federal agency as appropriate. Requires the Committee to designate, and establish and maintain a list of, controlled substance analogues determined to be similar to a schedule I or II controlled substance in either chemical structure or predictive effect on the body in such a manner as to make it likely that the substance will, or can be reasonably expected to, have a potential for abuse. Directs the Administrator to publish a description of each designation made by the Committee. Amends the Controlled Substances Import and Export Act to prohibit the importation of any controlled substance analogue except as prescribed by the Attorney General. Directs the U.S. Sentencing Commission to review and, if appropriate, amend the federal sentencing guidelines and policy statements to ensure that they provide adequate penalties for any offense involving the unlawful manufacturing, importing, exporting, or trafficking of controlled substance analogues and similar offenses.	1/6/2015 – introduced in Senate.
U.S. 2015 S 1327	As introduced, similar to 2015 HR 1186.	5/13/2015 – introduced in Senate.

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U.S. 2015 S 2241	“Combat Heroin Epidemic and Backlog Act of 2015.” Amends the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Department of Justice to award grants to state and tribal governments to address the distribution, sale, and use of heroin, fentanyl, and associated synthetic drugs. These grants may be used to: (1) reimburse forensic science laboratories for efforts to address and prevent testing backlogs; (2) reimburse law enforcement agencies for equipment to identify or detect heroin, fentanyl, and associated synthetic drugs; (3) investigate, arrest, and prosecute distributors or sellers; and/or (4) support health department services for users.	11/4/2015 – introduced in Senate.
U.S. 2015 S 3224	As introduced, similar to the current version of 2015 HR 3537 and identical to 2015 HR 5934.	7/14/2016 – introduced in Senate.
U.S. 2015 S 3255	“Blocking Deadly Fentanyl Imports Act.” A bill to gather information about the production of illicit fentanyl in foreign countries and to withhold bilateral assistance from countries that do not have emergency scheduling procedures for new illicit drugs, cannot prosecute criminals for the manufacture or distribution of controlled substance analogues, or do not require the registration of tableting machines and encapsulating machines.	7/14/2016 – introduced in Senate.
U.S. 2015 S 3262	“Illegal Synthetic Drug Safety Act of 2016.” Amends the Controlled Substances Act to treat all controlled substance analogues, other than chemical substances subject to the Toxic Substances Control Act, as controlled substances in schedule I regardless of whether they are intended for human consumption.	7/14/2016 – introduced in Senate.

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<p>Arkansas</p> <p>AR ADC 007.07.2</p>	<p>Proposes to add the following 15 NPS into state's list of schedule I controlled substances.</p> <ul style="list-style-type: none"> • Acetyl fentanyl; N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide; • Butyryl fentanyl; N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide; • Beta-hydroxythiofentanyl; N-{ 1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl}-Nphenylpropionamide; • AH-7921; 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide; • W-18; 1-(4-nitrophenylethyl) piperidylidene-2-(4-chlorophenyl) sulfonamide; • Valeryl fentanyl; N-phenyl-N[1-(2-phenylethyl)-4-piperidinyl]-pentanamide monohydrochloride; • Furanyl fentanyl; N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylfuran-2-carboxamide; • Isobutyryl fentanyl; 2-methyl-N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide monohydrochloride; • Octfentanal; N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide; • 4-methoxy butyryl fentanyl. N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide monohydrochloride; • Para-flourobutyryl fentanyl. N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]- butanamide monohydrochloride; • Acetyl norfentanyl; N-phenyl-N-4-piperidinyl-acetamide monohydrochloride; • W-15; 1-phenylethylpiperidylidene-2-(4-chlorophenyl) sulfonamide; • MT-45. 1-cyclohexyl-4-(1,2-diphenylethyl) piperazine; • U-47700. trans-3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide. 	<p>9/26/2016 – public hearing scheduled (proposed effective date of 3/1/2017).</p>

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State and Bill Number	Description	Status and Date of Last Action
California Los Angeles City	City Council approved emergency motion asking city attorney to draft ordinance banning the sale, distribution, manufacture and possession of NPS.	8/26/2016 – motion approved.
California Riverside County Ordinance No. 932	The ordinance makes it unlawful to provide, distribute, sell, possess with the intent to sell, or possess with the intent of providing, distributing or selling synthetic drugs. In addition, it is a public nuisance for any person to provide, distribute, or sell any synthetic drug or any substance represented as a synthetic drug or to allow this activity to take place on his or her property. The ordinance also provides that a violation of the ordinance may result in seizure of the synthetic drugs as evidence, as well as modification, suspension, or revocation of business licenses and permits. The ordinance applies only to the unincorporated areas of the County.	10/4/2016 – preliminarily approved by Board of Supervisors.
District of Columbia 2015 LB 261	Similar to 2015 LB 735, although permanent in nature. “Sale of Synthetic Drugs Amendment Act of 2016.” Amends Section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee’s premises for up to 96 hours for the buying or selling of a synthetic drug. Amends the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premise.	11/1/2016 – first reading of legislation after committee mark-up.
District of Columbia 2015 LR 530	Similar to 2015 LR 584.	1/14/2016 – introduced.

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State and Bill Number	Description	Status and Date of Last Action
District of Columbia 2015 LR 881	“Testing for Synthetic Cannabinoid Surveillance Extension Regulation Approval Resolution of 2016.” This resolution would actively approve a proposed rulemaking that extends the District’s hospital regulations requiring hospitals to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid and to provide such samples to the District for testing.	9/20/2016 – referred to Committee on Health and Human Services.
Missouri 19 CSR 30-1.002	Proposed regulations from the Department of Health and Senior Services updating the list of controlled substances to reflect statutory changes to the schedules and actions taken by the federal Drug Enforcement Administration. Includes numerous additions of NPS into controlled substance schedule I.	11/1/2016 – proposed.
Nevada NAC 453.510	Proposes to add 14 NPS to the state’s list of schedule I controlled substances.	9/23/2016 – proposed.
New Jersey 2016 AB 2176	Criminalizes possession and sale of alpha-pyrrolidinopentiophenone (alpha-PVP), commonly known as “flakka” or “flocka.”	1/27/2016 – introduced and referred to Law & Public Safety Committee.
New Jersey 2016 AB 2425	Increases penalties for unlawfully manufacturing, distributing, or dispensing fentanyl. Under the bill, the penalties would match the penalties for manufacturing, distributing, or dispensing heroin or cocaine under current law.	2/4/2016 – introduced and referred to Judiciary Committee.
New Jersey 2016 SB 156	Similar to 2016 AB 2176.	1/12/2016 – introduced and referred to Law & Public Safety Committee.
New Jersey 2016 SB 1026	Similar to 2016 AB 2425.	9/26/2016 – referred to Budget and Appropriations Committee.

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<u>State and Bill Number</u>	<u>Description</u>	<u>Status and Date of Last Action</u>
New Jersey 2016 SR 31	Establishes the South Jersey Task Force on Heroin. The purpose of the task force is to study state law and current trends and policies concerning heroin and drug abuse and addiction, including identifying the causes of heroin abuse and addiction, the need for treatment centers in the State, alternative treatment options, and evaluating the treatment programs in other States. The task force also shall make recommendations for legislation and strategies to create more effective policies and enforceable penalties.	2/16/2016 – introduced and referred to Health, Human Services, and Senior Citizens Committee.
Ohio 2015 SB 237	Provides that five milligrams or more of fentanyl or an amount equal to or exceeding one gram of a compound, mixture, preparation, or substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses.	5/18/2016 – bill amended in Committee on Criminal Justice.
Wisconsin WI ADC s CSB 2.42	Controlled Substances Board announces that it will hold a public hearing on both a permanent rule and an emergency rule to create CSB 2.42 relating to scheduling furanyl fentanyl.	10/12/2016 – rule proposed; hearing scheduled 11/15/2016.

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Legislation Proposed in States Where 2016 Legislative Sessions Have Ended

<u>State and Bill Number</u>	<u>Description</u>	<u>Status and Date of Last Action</u>
Alabama 2016 HB 175	Similar to 2016 SB 226.	4/28/2016 – indefinitely postponed.
California 2015 SB 1367	Existing law prohibits the operation of a place of business in which drug paraphernalia is kept, displayed, or sold unless the drug paraphernalia is completely kept within a separate room or enclosure to which persons under 18 years of age are excluded. Existing law prohibits the sale of synthetic cannabinoid compounds. This bill would allow a city, county, or city and county, to regulate, by ordinance, the sale of a substance used as a recreational drug that poses a threat to human life or health and a particular risk to minors if specified conditions are met, including the fact that the substance is sold under a product name or label that is clearly identifiable, there is substantial evidence that the substance has been advertised, purchased, sold, or consumed as a recreational drug, and there is substantial evidence that the substance can cause intoxication, disability, or death if swallowed, ingested smoked, inhaled, or injected into the body. The bill would allow the city council or board of supervisors to require vendors to maintain records of sale, make inventory available for inspection by a peace officer, and store the substance in a secure place that cannot be accessed by minors. The bill would allow the city, county, or city and county, to prohibit the sale of the substance to minors and require the payment of a penalty for noncompliance with the ordinance, not to exceed \$250.	6/30/2016 – held in committee without recommendation

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State and Bill Number	Description	Status and Date of Last Action
Connecticut 2016 HB 5524	The bill amends the definition of “narcotic substance” to add fentanyl and fentanyl derivatives in order to increase penalties for dealing such substances. The bill specifies that a “narcotic substance” is a controlled substance unless modified that includes: (1) fentanyl; or (2) any salt, compound, derivative, or preparation of fentanyl that: (a) is similar in chemical structure or in physiological effect and (b) shows a similar potential for abuse. It also includes any salt, compound, isomer, derivative, or preparation of any substance that is chemically equivalent or identical to fentanyl.	5/4/2016 – favorable report; tabled for Senate calendar
Florida 2016 HB 73	The bill amends Florida’s controlled substances to add mitragyna speciosa (kratom) to Schedule I. The bill also provides that the schedule classification does not apply to any drug product approved by the U.S. F.D.A. which contains Kratom. The bill amends F.S.A. 893.13 to create a new misdemeanor offense for selling, delivering, manufacturing, or bringing Kratom into the state.	3/11/2016 – died in committee.
Florida 2016 HB 385	Creates the offense of trafficking in synthetic drugs. Provides for specified offenses involving 250 grams or more and specifies minimum terms of imprisonment and fines based on quantity involved in offense.	3/11/2016 – died in committee.
Florida 2016 SB 640	Similar to 2016 HB 385.	3/11/2016 – died in committee.
Florida 2016 SB 1182	Similar to 2016 HB 73.	3/11/2016 – died in committee.
Hawaii 2015 HB 1540	Establishes the Heroin and Opioid Abuse Task Force to develop recommendations for the prevention of and response to abuse of heroin and opioids. Requires a report.	1/25/2016 – referred to Committees on Health and Finance.
Illinois 2015 HB 6112	Amends the Illinois Controlled Substances Act to increase the penalty for the possession of any amount of cathinone and synthetic cathinone substances from a Class 4 felony to a Class X felony.	4/7/2016 – assigned to Judiciary-Criminal Committee.

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State and Bill Number	Description	Status and Date of Last Action
Illinois 2015 HB 6606	Amends the Illinois Controlled Substances Act to increase the minimum penalties by three years for knowingly manufacturing or delivering, or possessing with intent to manufacture or deliver, 15 grams or more of heroin or heroin analog.	9/23/2016 – filed.
Iowa 2015 HF 2309	Among other things, under the bill, if a person unlawfully manufactures, delivers, or possesses with the intent to deliver an “imitation controlled substance” containing any detectable amount of those substances or unlawfully acts with, enters into a common scheme or design with, or conspires with one or more persons to manufacture, deliver, or possess such imitation controlled substances, the person commits the following offense: a class “B” felony punishable by confinement of no more than 50 years and a fine of not more than \$1 million if the imitation controlled substance is more than 10 kilograms; a class “B” felony punishable by confinement of no more than 25 years and a fine of not less than \$5,000 but not more than \$100,000 if the imitation controlled substance is more than five kilograms but not more than 10 kilograms; a class “C” felony punishable by a fine of not less than \$1,000 but not more than \$50,000 if the imitation controlled substance is five kilograms or less; or an aggravated misdemeanor if the imitation controlled substance is classified in schedule IV or V; or a serious misdemeanor for a first possession offense, an aggravated misdemeanor for a second possession offense, or a class “D” felony for two or more previous possession offenses.	3/11/2016 – referred to Public Safety Committee.
Kansas 2015 SB 2 (First Special Session)	Adds U-47700 to the state’s list of schedule I controlled substances.	6/24/2016 – died in committee.
Kentucky 2016 SB 115	Amends KRS 218A.1412 to require that persons who traffic in heroin or fentanyl be charged as Class C felons for the first offense.	2/29/2016 – referred to House Judiciary Committee.

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Louisiana 2016 HB 926	Proposed law provides that with regard to heroin combined with fentanyl or any of its analogues, upon a first conviction, the offender is sentenced to a term of imprisonment at hard labor for between 20 and 50 years without benefit of parole, probation, or suspension of sentence. Proposed law provides that with regard to heroin combined with fentanyl or any of its analogues, upon conviction of a second or subsequent offense, the offender is sentenced to not less than 30 nor more than 99 years at hard labor without benefit of parole, probation, or suspension of sentence.	4/19/2016 – read second time in Senate and referred to Committee on Judiciary.
Maryland 2016 HB 99	Provides that a person may not deliberately use, ingest, possess, or inhale a synthetic cannabinoid in an amount that causes intoxication, excitement, or dulling of the brain or nervous system. A violation is a misdemeanor.	3/14/2016 – unfavorable report by Committee on Judiciary.
Maryland 2016 HB 346	This bill adds the definition of “synthetic cannabinoid” to Title 5 of the Criminal Law Article and adds synthetic cannabinoids to the state’s list of schedule I controlled dangerous substances.	3/17/2016 – first reading in Senate.
Maryland 2016 HB 372	This bill prohibits a person from purchasing, using, or possessing a “synthetic drug,” as defined in the bill. A person who violates this prohibition is guilty of a misdemeanor and if convicted is subject to imprisonment for up to 60 days and/or a fine of up to \$500. The bill also prohibits a person from distributing a synthetic drug under specified circumstances. A person who violates this prohibition is guilty of a misdemeanor and is subject to imprisonment for up to three years and/or a fine of up to \$5,000. Additionally, a person who violates any of the bill’s prohibitions must pay all administrative fees and costs to the designated law enforcement agency for the chemical testing of the substance collected as evidence and any other costs that arise from the testing.	3/14/2016 – unfavorable report by Committee on Judiciary.

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Maryland 2016 HB 881	This bill prohibits a person who holds a license to do business under Maryland law from possessing, providing, distributing, displaying, selling, or marketing a synthetic drug with the intent that it be used as a recreational drug. A person who violates this prohibition is guilty of a misdemeanor and is subject to a maximum penalty of a fine of \$1,000 or 30 days' imprisonment. Corporation agents and officers are also individually subject to these penalties if they actually engage in the business.	4/1/2016 – unfavorable report from Committee on Economic Matters.
Maryland 2016 SB 315	Prohibits a person from distributing heroin mixed with fentanyl and establishes penalties. Requires that a sentence for the distribution of heroin mixed with fentanyl be consecutive to any other sentence imposed.	1/27/2016 – hearing scheduled for 2/11/2016.
Maryland 2016 SB 740	Similar to 2016 HB 881.	3/24/2016 – unfavorable report from Committee on Finance.
Maryland 2016 SB 1037	Similar to 2016 HB 346.	2/24/2016 – scheduled for hearing on 3/1/2016.
Massachusetts 2015 HB 3947	Among other things, provides that the state Department of Public Health, in consultation with others, “shall investigate and report on: (1) the current capacity of health care facilities in the Commonwealth, including hospital emergency departments, to screen patients for non-medical use of fentanyl, and the extent to which laboratory tests commonly used in these settings are able to identify misuse of fentanyl when it is not used in concert with other substances; (2) the current capacity of medical examiners in the Commonwealth to identify and report on the number of overdose deaths associated primarily or solely with fentanyl abuse; and, (3) the feasibility and costs associated with implementing or expanding the capacity of medical facilities and medical examiners to test for abuse of fentanyl, whether or not it is used in concert with other drugs.”	1/21/2016 – reported by Conference Committee in part.

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Massachusetts 2015 HB 4088	Creates an automatic five-year driver's license suspension for anyone convicted of trafficking in heroin, fentanyl, or certain other enumerated drugs, such as alphameprodine, after which time a person may apply for reinstatement.	3/24/2016 – Conference Committee report accepted.
Massachusetts 2015 HB 4310	Removes the term “controlled substance analog” from the state’s Controlled Substances Act and replaces it with “synthetic drug,” which is defined as “a drug with properties and effects similar to a known hallucinogen or narcotic but having an altered chemical structure, including any substance within a structural group listed in “CLASS D” subsection (c) of section 31 of this chapter.” Adds numerous NPS to Class D of the state’s controlled substances list.	6/16/2016 – referred to Committee on Ways & Means.
Mississippi 2016 HB 701	Similar to 2016 SB 2169	3/22/2016 – died in committee.
Mississippi 2016 HB 702	Similar to 2016 HB 1369	2/23/2016 – died in committee.
Mississippi 2016 SB 2165	Similar to 2016 HB 1369	2/23/2016 – died in committee.
Missouri 2016 HB 1441	Requires the Missouri Division of Drug and Crime Control, in conjunction with the Crime Laboratory Division, to create a pilot program that uses technologies and protocols to instantly identify new synthetic drugs.	1/12/2016 – referred to Committee on Public Safety and Emergency Preparedness.

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Missouri 2016 SB 1067	This act imposes an excise tax on specified controlled substances possessed, transported, transferred, sold, or offered to be sold in violation of Missouri law by dealers. A “controlled substance” is defined as any drug, substance, or immediate precursor placed in Schedules I through IV, as specified in the act, but not any drug, substance, or immediate precursor possessed by any individual with a prescription from an authorized practitioner. The tax shall be paid by any “dealer,” defined as any person who actually or constructively possesses more than 35 grams of marijuana or one or more marijuana plants, one or more grams of any other unauthorized substance that is sold by weight, or one or more dosage units of any other unauthorized substance that is not sold by weight.	3/3/2016 – committee hearing conducted.
New Hampshire 2015 HB 1634	Adds fentanyl to the list of controlled drugs and controlled drug analogs penalized under the controlled drug act.	3/9/2016 – deemed inexpedient to legislate.
New Mexico 2016 HB 45	Creates a new section of the Unfair Practices Act is enacted to read: “DECEPTIVELY LABELED PRODUCTS--SYNTHETIC DRUGS--PROHIBITION.” Provides that a person “shall not sell a product for which a specific intended use is provided by the product’s label, packaging or instructions, and which use is not the production of an altered state, when the person knows or reasonably should know that the product is primarily used contrary to the specific intended use to produce an altered state through introduction into the human body.”	1/19/2016 – postponed indefinitely.
New York 2015 AB 4059	Provides that the state’s schedule of controlled substances includes “any such substances as shall be designated pursuant to the federal Analog Act (21 U.S.C. § 813) and Controlled Substances Act (21 U.S.C. §§ 801-971), or any regulations adopted pursuant to such acts, including any permanent and emergency regulations adopted by the federal Drug Enforcement Administration.”	2/1/2016 – amended and recommitted to Committee on Assembly Health.

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New York 2015 AB 8409	Criminalizes the sale and possession with intent to sell of synthetic cannabinoids.	1/12/2016 – amended and recommitted to Committee on Assembly Codes.
New York 2015 AB 8441	Establishes, within the New York Department of Health, a statewide synthetic cannabinoid surrender program, through which any individual may anonymously surrender any product containing a synthetic cannabinoid. The bills also criminalizes the sale of synthetic cannabinoids by imposing fines against the distributors and sellers of the drugs.	5/12/2016 – amended and recommitted to Committee on Assembly Codes.
New York 2015 AB 8697	This legislation amends the Public Health Law to prohibit the sale and distribution of synthetic cannabinoids and substituted cathinones by adding them to the controlled substance list. The legislation amends the Penal Law to include synthetic cannabinoids or synthetic cannabinoid analogs and substituted cathinones. Additionally, this legislation amends the General Business Law to prohibit the sale of these products based on mislabeling.	1/12/2016 – introduced and referred to Committee on Assembly Health.
New York 2015 AB 9098	Provides that “a person is guilty of criminal possession of fentanyl when he or she knowingly and unlawfully possesses, manufactures, distributes, or uses fentanyl to enhance another illegal substance. Criminal possession of fentanyl is a class E felony.”	1/26/2016 – introduced and referred to Committee on Assembly Codes.
New York 2015 AB 9133	Directs the Commissioner of Health, in conjunction with the Division of Criminal Justice Services, to establish and maintain an electronic database of known synthetic cannabinoids, published on the Department’s website so that consumers, retailers and law enforcement agencies can access information.	1/29/2016 – introduced and referred to Committee on Assembly Health.

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<p>New York 2015 AB 9469</p>	<p>Adds the following three NPS to the state’s list of schedule I controlled substances:</p> <ul style="list-style-type: none"> • Acetylfentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide); • Butyryl Fentanyl (N-(1-phenethylpiperidin-4-yl) -N-phenylbutyramide); • Beta-Hydroxythiofentanyl (N-1-2-hydroxy-2-(thiophen-2-yl) ethylpiperidin-4-yl-N-phenylpropionamide). 	<p>4/22/2016 – amended and recommitted to Committee on Assembly Health.</p>
<p>New York 2015 AB 9822</p>	<p>The bill requires the Commissioner of Health to research the availability and/or feasibility of a rapid test for synthetic marijuana and/or cannabinoids.</p>	<p>4/12/2016 – introduced and referred to Committee on Assembly Health.</p>
<p>New York 2015 AB 9944</p>	<p>Adds a new section to the state public health law which defines “Synthetic Cannabinoids” by their chemical structure. It specifically exempts any substance approved for medical use by the FDA. Adds synthetic cannabinoids to the state’s list of schedule I controlled substances. Mandates that the Commissioner of Health establish and maintain a website database of known synthetic cannabinoids, including but not limited to: a list of compounds that belong to the chemical classes of synthetic cannabinoids, and their trade names; a physical description of products which contain those compounds, and their effects; and a list of brand names of products known to contain such compounds, and images of their packaging. Amends the Penal Law to include possession of synthetic marijuana in amounts of 1/4 oz or more, or 1 oz. or more, under the crime of Criminal Possession of a Controlled Substance in the Fifth and Fourth Degree, respectively. It will add the sale of synthetic cannabinoids to the crime of Criminal Sale of a Controlled Substance in the Fourth Degree. Finally, it will add a defense for the unknowing sale or administration of samples of synthetic cannabinoids, if such knowledge was not reasonably discoverable, to the Penal Code.</p>	<p>5/2/2016 – introduced and referred to Committee on Assembly Health.</p>

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New York 2015 AB 10062	Requires the Commissioner of the New York Department of Health to make certain information pertaining to opioid overdoses available to the public and online in an easily searchable and viewable format.	5/10/2016 – introduced and referred to Committee on Assembly Health.
New York 2015 SB 1640	Similar to 2015 AB 4059.	1/25/2016 – referred to Committee on Assembly Health.
New York 2015 SB 2836	Adds synthetic cannabinoids, based on foundational chemical structures, to the state’s controlled substances act. Also adds these substances to the controlled substance possession and sale offenses.	1/25/2016 – referred to Committee on Assembly Health.
New York 2015 SB 6039	Similar to 2015 AB 8409.	1/8/2016 – amended and recommitted to Committee on Senate Codes.
New York 2015 SB 6040	The bill prohibits the sale of synthetic cannabinoids by any retailer and provides punishment to those retailers who violate this prohibition. The bill punishes retailers with civil fines for selling synthetic cannabinoids and for the most egregious violators jeopardizes their ability to sell cigarettes, alcohol, and lottery tickets. The bill also establishes a statewide synthetic cannabinoid surrender program within the New York Department of Health.	6/14/2016 – referred to Committee on Assembly Economic Development.
New York 2015 SB 6496	Similar to 2015 AB 8441.	1/25/2016 – referred to Committee on Assembly Health.
New York 2015 SB 6632	Similar to 2015 AB 9469.	5/17/2016 – referred to Committee on Assembly Health.

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New York 2015 SB 6944	Similar to 2015 AB 9469.	4/22/2016 – amended and recommitted to Committee on Senate Health.
New York 2015 SB 7169	Increases the penalties for selling heroin, compounds that include heroin, and compounds that include heroin and another narcotic.	4/5/2016 – introduced and referred to Committee on Senate Codes.
South Carolina 2015 HB 4123	Adds the following NPS to the state’s list of schedule I controlled substances: “any other material, compound, mixture, or preparation that binds to the cannabinoid receptor or mimics the pharmacological response of a Schedule I or II controlled substance, except as exempted pursuant to state law for a person or entity that possesses a chemical formula defined as a scheduled drug pursuant to this subsection for a lawful purpose.”	2/9/2016 – committed to Committee on Medical, Military, Public and Municipal Affairs.
South Carolina 2015 SB 1092	This bill amends S.C. Code § 44-53-370(e)(3) relating to drug offenses so as to conform the language of trafficking in illegal drugs to the language of the provisions concerning possession and distribution of Schedule I(b), I(c), and Schedule II narcotic drugs including opiates, heroin, and related synthetic drugs.	4/28/2016 – referred to House Committee on Judiciary.
West Virginia 2016 HB 4620	The purpose of this bill is to make unlawful the production, manufacture or possession of fentanyl or any derivative.	2/26/2016 – referred to Committee on Judiciary.

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