**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4471**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Huggins, Clyburn and Long

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Companion/Similar bill(s): 1005, 4515

Introduced in the House on January 10, 2012

Currently residing in the House Committee on **Judiciary**

Summary: Bath Salts added to list of schedule 1 controlled substances

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/29/2011 House Prefiled

11/29/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 52](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 52](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[11/29/2011](file:///p:\pprever\2011-12\4471_20111129.docx)

**A** **BILL**

TO AMEND SECTION 44‑53‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I DRUGS, SO AS TO ADD SALVIA DIVINORUM AND SALVINORIN A, SYNTHETIC CANNABINOIDS, AND CATHINONES AND SUBSTITUTED CATHINONES, COMMONLY KNOWN AS “BATH SALTS” TO THE LIST OF SCHEDULE I DRUGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑53‑190(d) of the 1976 Code, as last amended by Act 267 of 2002, is further amended to read:

“(d) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of ~~such~~ these salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. 3,4‑methylenedioxy amphetamine;

2. 5‑methoxy‑3,4‑methylenedioxy amphetamine;

3. 3,4‑methylenedioxymethamphetamine (MDMA);

4. 3,4,5‑trimethoxy amphetamine;

5. Bufotenine;

6. Diethyltryptamine (DET);

7. Dimethyltryptamine (DMT);

8. 4‑methyl‑2,5‑dimethoxyamphetamine (STP);

9. Ibogaine;

10. Lysergic acid diethylamide (LSD);

11. Marijuana;

12. Mescaline;

13. Peyote;

14. N‑ethyl‑3‑piperidyl benzilate;

15. N‑methyl‑3‑piperidyl benzilate;

16. Psilocybin;

17. Psilocyn;

18. Tetrahydrocannabinol (THC);

19. 2,5‑dimethoxyamphetamine;

20. 4‑bromo‑2,5‑dimethoxyamphetamine;

21. 4‑methoxyamphetamine;

22. Thiophene analog of phencyclidine;

23. Parahexyl;

24. Salvia divinorum and Salvinorin A;

25. Synthetic cannabinoids. Any material, compound, mixture, or preparation that is not listed as a controlled substance in Schedule I through V, is not an FDA‑approved drug, and contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues, and salts of isomers and homologues, unless specifically excepted, whenever the existence of these salts, isomers, homologues, and salts of isomers and homologues is possible within the specific chemical designation:

(i) Naphthoylindoles. Any compound containing a 3‑(1‑naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl)methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Including, but not limited to, JWH‑015, JWH‑018, JWH‑019, JWH‑073, JWH‑081, JWH‑122, JWH‑200, JWH‑210, JWH‑398, AM‑2201, WIN 55‑212.

(ii) Naphthylmethylindoles. Any compound containing a 1H‑indol‑3‑yl‑(1‑naphthyl) methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl)methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(iii) Naphthoylpyrroles. Any compound containing a 3‑(1‑naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl)methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Including but not limited to JWH‑307.

(iv) Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3‑position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl)methyl, or 2‑(4‑morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(v) Phenylacetylindoles. Any compound containing a 3‑phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl) methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including but not limited to SR‑18, RCS‑8, JWH‑203, JWH‑250, JWH‑251,

(vi) Cyclohexylphenols. Any compound containing a 2‑(3‑hydroxycyclohexyl) phenol structure with substitution at the 5‑position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl) methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including but not limited to CP 47,497 (and homologues), cannabicyclohexanol.

(vii) Benzoylindoles. Any compound containing a 3‑(benzoyl) indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl) methyl, or 2‑(4‑morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent including, but not limited to, AM‑694, Pravadoline (WIN 48,098), RCS‑4.

(viii) 2,3‑Dihydro‑5‑methyl‑3‑(4‑morpholinylmethyl) pyrrolo [1,2, 3‑de]‑1, 4‑benzoxazin‑6‑yl]‑1‑napthalenylmethanone (WIN 55,212‑2).

(ix) 9‑(hydroxymethyl)‑6,6‑dimethyl‑3‑(2‑methyloctan‑2‑ yl)–6a,7,10,10a‑tetrahydrobenzo[c]chromen‑1‑ol 7370. (HU‑210, HU‑211).

(x) Adamantoylindoles. Any compound containing a 3‑(1‑adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1‑(N‑methyl‑2‑piperidinyl)methyl or 2‑(4‑morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the adamantyl ring system to any extent.”

SECTION 2. Section 44‑53‑190(f) of the 1976 Code is amended to read:

“(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Fenethylline.

(2) N‑ethylamphetamine.

(3) Cathinone.

(4) Substituted Cathinones including any compound not being bupropion structurally derived from 2‑amino‑1‑phenyl‑1‑propanone by modification in any of the following ways:

(i) by substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) by substitution at the 3‑position with an alkyl substituent;

(iii) by substitution at the nitrogen atom with alkyl or dialkyl groups, benzyl or methoxybenzyl groups;

(iv) or by inclusion of the nitrogen atom in a cyclic structure.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor.

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