

1 **H. B. 2505**

2
3 (By Delegates Perdue, Boggs, Hatfield, Cann, Rodighiero, Moye,
4 Poore, Border, C. Miller, Hamilton and Lawrence)

5 [Introduced January 14, 2011; referred to the
6 Committee on the Judiciary.]

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10 A BILL to amend and reenact §60A-2-204 the Code of West Virginia,
11 1931, as amended, relating to adding synthetic cannabinoids
12 and hallucinogens and stimulants (referred to in a variety of
13 ways including "fake cocaine", "synthetic cocaine" and "bath
14 salts") to the Schedule I list of controlled substances.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §60A-2-204 of the Code of West Virginia, 1931, as
17 amended, be amended and reenacted to read as follows:

18 **ARTICLE 2. STANDARDS AND SCHEDULES.**

19 **§60A-2-204. Schedule I.**

20 (a) Schedule I shall consist of the drugs and other substances,
21 by whatever official name, common or usual name, chemical name, or
22 brand name designated, listed in this section.

23 (b) Opiates. Unless specifically excepted or unless listed in
24 another schedule, any of the following opiates, including their
25 isomers, esters, ethers, salts and salts of isomers, esters and

1 ethers, whenever the existence of such isomers, esters, ethers and
2 salts is possible within the specific chemical designation (for
3 purposes of subdivision (34) of this subsection only, the term
4 isomer includes the optical and geometric isomers):

5 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)
6 -4-piperidinyl]-N-phenylacetamide);

7 (2) Acetylmethadol;

8 (3) Allylprodine;

9 (4) Alphacetylmethadol (except levoalphacetylmethadol also known as
10 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

11 (5) Alphameprodine;

12 (6) Alphamethadol;

13 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)
14 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
15 propanilido) piperidine);

16 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-
17 4-piperidinyl]-N-phenylpropanamide);

18 (9) Benzethidine;

19 (10) Betacetylmethadol;

20 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4-
21 piperidinyl]-N-phenylpropanamide);

22 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-
23 hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

24 (13) Betameprodine;

25 (14) Betamethadol;

26 (15) Betaprodine;

- 1 (16) Clonitazene;
- 2 (17) Dextromoramide;
- 3 (18) Diampromide;
- 4 (19) Diethylthiambutene;
- 5 (20) Difenoquin;
- 6 (21) Dimenoxadol;
- 7 (22) Dimepheptanol;
- 8 (23) Dimethylthiambutene;
- 9 (24) Dioxaphetyl butyrate;
- 10 (25) Dipipanone;
- 11 (26) Ethylmethylthiambutene;
- 12 (27) Etonitazene;
- 13 (28) Etoxadine;
- 14 (29) Furethidine;
- 15 (30) Hydroxypethidine;
- 16 (31) Ketobemidone;
- 17 (32) Levomoramide;
- 18 (33) Levophenacymorphan;
- 19 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
20 piperidyl]-N-phenylpropanamide);
- 21 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-
22 piperidinyl]-N-phenylpropanamide);
- 23 (36) Morpheridine;
- 24 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 25 (38) Noracymethadol;
- 26 (39) Norlevorphanol;

- 1 (40) Normethadone;
- 2 (41) Norpipanone;
- 3 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
4 phenethyl)-4-piperidinyl] propanamide);
- 5 (43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 6 (44) Phenadoxone;
- 7 (45) Phenampromide;
- 8 (46) Phenomorphan;
- 9 (47) Phenoperidine;
- 10 (48) Piritramide;
- 11 (49) Proheptazine;
- 12 (50) Properidine;
- 13 (51) Propiram;
- 14 (52) Racemoramide;
- 15 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
16 piperidinyl]-propanamide);
- 17 (54) Tilidine;
- 18 (55) Trimeperidine.
- 19 (c) Opium derivatives. -- Unless specifically excepted or unless
20 listed in another schedule, any of the following opium derivatives,
21 its salts, isomers and salts of isomers whenever the existence of
22 such salts, isomers and salts of isomers is possible within the
23 specific chemical designation:
- 24 (1) Acetorphine;
- 25 (2) Acetyldihydrocodeine;
- 26 (3) Benzylmorphine;

- 1 (4) Codeine methylbromide;
- 2 (5) Codeine-N-Oxide;
- 3 (6) Cyprenorphine;
- 4 (7) Desomorphine;
- 5 (8) Dihydromorphine;
- 6 (9) Drotebanol;
- 7 (10) Etorphine (except HCl Salt);
- 8 (11) Heroin;
- 9 (12) Hydromorphenol;
- 10 (13) Methyldesorphine;
- 11 (14) Methyldihydromorphine;
- 12 (15) Morphine methylbromide;
- 13 (16) Morphine methylsulfonate;
- 14 (17) Morphine-N-Oxide;
- 15 (18) Myrophine;
- 16 (19) Nicocodeine;
- 17 (20) Nicomorphine;
- 18 (21) Normorphine;
- 19 (22) Pholcodine;
- 20 (23) Thebacon.
- 21 (d) Hallucinogenic substances. -- Unless specifically excepted or
- 22 unless listed in another schedule, any material, compound, mixture
- 23 or preparation, which contains any quantity of the following
- 24 hallucinogenic substances, or which contains any of its salts,
- 25 isomers and salts of isomers, whenever the existence of such salts,
- 26 isomers, and salts of isomers is possible within the specific

1 chemical designation (for purposes of this subsection only, the
2 term "isomer" includes the optical, position and geometric
3 isomers):

4 (1) Alpha-ethyltryptamine; some trade or other names: etryptamine;
5 Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)
6 indole; alpha-ET; and AET;

7 (2) 4-bromo-2,5-dimethoxy-amphetamine; some trade or other names:
8 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA;

9 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other names:
10 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl
11 DOB; 2C-B, Nexus;

12 (4) 2,5-dimethoxyamphetamine; some trade or other names:
13 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

14 (5) 2,5-dimethoxy-4-ethylamphetamine; some trade or other names:
15 DOET;

16 (6) 4-methoxyamphetamine; some trade or other names:
17 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;

18 (7) 5-methoxy-3,4-methylenedioxyamphetamine;

19 (8) 4-methyl-2,5-dimethoxyamphetamine; some trade and other names:
20 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and
21 "STP";

22 (9) 3,4-methylenedioxyamphetamine;

23 (10) 3,4-methylenedioxymethamphetamine (MDMA);

24 (11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-
25 ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl
26 MDA, MDE, MDEA);

1 (12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-
2 hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-
3 hydroxy MDA);
4 (13) 3,4,5-trimethoxy amphetamine;
5 (14) Bufotenine; some trade and other names: 3-
6 (beta-Dimethylaminoethyl)-5-hydroxyindole;3-(2-dimethylaminoethyl)
7 -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-
8 dimethyltryptamine; mappine;
9 (15) Diethyltryptamine; some trade and other names: N,
10 N-Diethyltryptamine; DET;
11 (16) Dimethyltryptamine; some trade or other names: DMT;
12 (17) Ibogaine; some trade and other names: 7-Ethyl-6, 6 Beta,
13 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H- pyrido
14 [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe iboga;
15 (18) Lysergic acid diethylamide;
16 (19) Marihuana;
17 (20) Mescaline;
18 (21) Parahexyl-7374; some trade or other names: 3-Hexyl
19 -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo
20 [b,d] pyran; Synhexyl;
21 (22) Peyote; meaning all parts of the plant presently classified
22 botanically as *Lophophora williamsii* Lemaire, whether growing or
23 not, the seeds thereof, any extract from any part of such plant,
24 and every compound, manufacture, salts, derivative, mixture or
25 preparation of such plant, its seeds or extracts;
26 (23) N-ethyl-3-piperidyl benzilate;

- 1 (24) N-methyl-3-piperidyl benzilate;
- 2 (25) Psilocybin;
- 3 (26) Psilocyn;
- 4 (27) Tetrahydrocannabinols; synthetic equivalents of the substances
5 contained in the plant, or in the resinous extractives of Cannabis,
6 sp. and/or synthetic substances, derivatives and their isomers with
7 similar chemical structure and pharmacological activity such as the
8 following:
- 9 delta-1 Cis or trans tetrahydrocannabinol, and their optical
10 isomers;
- 11 delta-6 Cis or trans tetrahydrocannabinol, and their optical
12 isomers;
- 13 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical
14 isomers;
- 15 (Since nomenclature of these substances is not internationally
16 standardized, compounds of these structures, regardless of
17 numerical designation of atomic positions covered.)
- 18 (28) Ethylamine analog of phencyclidine; some trade or other names:
19 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine,
20 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
- 21 (29) Pyrrolidine analog of phencyclidine; some trade or other
22 names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 23 (30) Thiophene analog of phencyclidine; some trade or other names:
24 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of
25 phencyclidine; TPCP, TCP;
- 26 (31) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names: TCPy.

- 1 (32) Synthetic Cannabinoids as follows:
- 2 (a) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol
- 3 {also known as CP 47,497 and homologues};
- 4 (b) rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-
- 5 yl)phenol {also known as CP 47,497-C8 homolog};
- 6 (c) [(6aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
- 7 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol] {also known as HU-
- 8 210};
- 9 (d) (dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
- 10 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzol[c]chromen-1-ol)
- 11 {also known as HU-211};
- 12 (e) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};
- 13 (f) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};
- 14 (g) (2-methyl-1-propyl-1H-indol-3-yl)-1naphthalenyl-methanone {also
- 15 known as JWH-015};
- 16 (h) (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also known as
- 17 JWH-019};
- 18 (i) [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-
- 19 methanone {also known as JWH-200};
- 20 (j) 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone {also
- 21 known as JWH-250};
- 22 (k) 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-
- 23 methyloctan-2-yl)phenol {also known as CP 55,940};
- 24 (l) (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone
- 25 {also known as JWH-122};
- 26 (m) (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone

1 {also known as JWH-398};
2 (n) (4-methoxyphenyl) (1-pentyl-1H-indol-3-yl)methanone {also known
3 as RCS-4};
4 (o) 1 - (1 - (2 - cyclohexylethyl) - 1H - indol - 3 - yl) - 2 - (2 -
5 methoxyphenyl)ethanone {also known as RCS-8};
6 (Since nomenclature of these substances is not internationally
7 standardized, any precursor or derivative of these substances shall
8 be covered); and
9 (33) 3,4-methylenedioxypropylvalerone (MPVD).

10 (e) Depressants. Unless specifically excepted or unless listed
11 in another schedule, any material, compound, mixture, or
12 preparation which contains any quantity of the following substances
13 having a depressant effect on the central nervous system, including
14 its salts, isomers and salts of isomers whenever the existence of
15 such salts, isomers and salts of isomers is possible within the
16 specific chemical designation:

- 17 (1) Mecloqualone;
- 18 (2) Methaqualone.

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

- 24 (1) Aminorex; some other names: aminoxaphen; 2-amino-5-
25 phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;
- 26 (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-

1 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and
2 norephedrone;

3 (3) Fenethylamine;

4 (4) Methcathinone, its precursors and derivatives, its salts,
5 optical isomers and salts of optical isomers; some other names:
6 (2-(methylamino)-propionophenone; alpha-(methylamino)propionophenone;
7 2 - (m e t h y l a m i n o) - 1 - p h e n y l p r o p a n - 1 - o n e ;
8 alpha-N-methylaminopropionophenone; monomethylpropion; 3,4-
9 methylenedioxypropionophenone and/or mephedrone; ephedrone;
10 N-methylcathinone; methylcathinone; AL-464; AL-422; AL- 463 and
11 UR1432;

12 (5) (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-methyl-
13 5-phenyl-2-oxazoline);

14 (6) N-ethylamphetamine;

15 (7) N,N-dimethylamphetamine; also known as N,N-alpha-
16 trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.

17 (g) Temporary listing of substances subject to emergency
18 scheduling. Any material, compound, mixture or preparation which
19 contains any quantity of the following substances:

20 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
21 its optical isomers, salts, and salts of isomers.

22 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
23 (thienylfentanyl), its optical isomers, salts and salts of isomers.

24

25 Note: The purpose of the bill is to add synthetic
26 cannabinoids and hallucinogens and stimulants referred to in many
27 ways including "fake cocaine", "synthetic cocaine" and "bath

1 salts" to Schedule 1 of the controlled substance monitoring list.
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3 Underscoring indicates new language that would be added.
4