

# SENATE BILL 76

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SB 171/11 – JPR

2lr1130

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By: **Senators Kelley, Forehand, Jacobs, Manno, Montgomery, and Rosapepe**  
Introduced and read first time: January 16, 2012  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Controlled Dangerous Substances – Research – Synthetic**  
3 **Cannabinoids**

4 FOR the purpose of authorizing a certain authorized provider to conduct research in  
5 the State with certain controlled dangerous substances not scheduled under  
6 federal law under certain circumstances; listing certain chemical compounds,  
7 known as synthetic cannabinoids, on Schedule I for purposes of designating  
8 controlled dangerous substances that may not be legally used, possessed, or  
9 distributed; and generally relating to controlled dangerous substances.

10 BY repealing and reenacting, with amendments,  
11 Article – Criminal Law  
12 Section 5–304 and 5–402(d)  
13 Annotated Code of Maryland  
14 (2002 Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 5–304.

19 (a) If an authorized provider is authorized to dispense or conduct research  
20 under State law, the Department shall register the authorized provider to dispense a  
21 controlled dangerous substance or to conduct research with a controlled dangerous  
22 substance listed in Schedule II through Schedule V.

23 (b) The Department need not require separate registration under this section  
24 for an authorized provider who is:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) engaged in research with a nonnarcotic controlled dangerous  
2 substance in Schedule II through Schedule V; and

3 (2) already registered under this subtitle in another capacity.

4 (c) An authorized provider may conduct research in the State with a  
5 controlled dangerous substance listed in Schedule I if the authorized provider is:

6 (1) registered under federal law to conduct research with a controlled  
7 dangerous substance listed in Schedule I and gives evidence of the registration to the  
8 Department;

9 (2) **APPROVED BY A FEDERALLY REGISTERED INSTITUTIONAL**  
10 **BOARD OR INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE TO CONDUCT**  
11 **RESEARCH ON A CONTROLLED DANGEROUS SUBSTANCE LISTED IN SCHEDULE I**  
12 **THAT IS NOT SCHEDULED UNDER FEDERAL LAW AND GIVES EVIDENCE OF THE**  
13 **APPROVAL TO THE DEPARTMENT; OR**

14 (3) **APPROVED BY THE DEPARTMENT TO CONDUCT RESEARCH ON**  
15 **A CONTROLLED DANGEROUS SUBSTANCE IN SCHEDULE I THAT IS NOT**  
16 **SCHEDULED UNDER FEDERAL LAW.**

17 5-402.

18 (d) (1) A material, compound, mixture, or preparation that contains any of  
19 the following hallucinogenic or hallucinogenic-like substances is a substance listed in  
20 Schedule I:

21 (i) bufotenine;

22 (ii) diethyltryptamine;

23 (iii) dimethyltryptamine;

24 (iv) 4-methyl-2, 5-dimethoxyamphetamine;

25 (v) ibogaine;

26 (vi) lysergic acid diethylamide;

27 (vii) marijuana;

28 (viii) mescaline;

29 (ix) peyote;

- 1 (x) psilocybin;
- 2 (xi) psilocyn;
- 3 (xii) tetrahydrocannabinol;
- 4 (xiii) thiophene analog of phencyclidine;
- 5 (xiv) 2, 5-dimethoxyamphetamine;
- 6 (xv) 4-bromo-2, 5-dimethoxyamphetamine;
- 7 (xvi) 4-methoxyamphetamine;
- 8 (xvii) 3, 4-methylenedioxyamphetamine;
- 9 (xviii) 3, 4-methylenedioxymethamphetamine (MDMA);
- 10 (xix) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 11 (xx) 3, 4, 5-trimethoxyamphetamine;
- 12 (xxi) N-methyl-3-piperidyl benzilate;
- 13 (xxii) N-ethyl-3-piperidyl benzilate;
- 14 (xxiii) N-ethyl-1-phenylcyclohexylamine;
- 15 (xxiv) 1-(1-phenylcyclohexyl)-pyrrolidine;
- 16 (xxv) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
- 17 (xxvi) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP); [and]
- 18 (xxvii) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine
- 19 (PEPAP);
- 20 (XXVIII) 1-[2-(4-MORPHOLINYL)ETHYL]-3-(1-NAPHTHOYL)
- 21 INDOLE (ALSO KNOWN AS **JWH-200**);
- 22 (XXIX) 1-BUTYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN
- 23 AS **JWH-073**);
- 24 (XXX) 1-HEXYL-3-(1-NAPHTHOYL) INDOLE (ALSO KNOWN
- 25 AS **JWH-019**);

1                                   **(XXXI) 1-PENTYL-3-(1-NAPHTHOYL) INDOLE (ALSO**  
2 **KNOWN AS JWH-018);**

3                                   **(XXXII) 1-PENTYL-3-(2-METHOXYPHENYLACETYL) INDOLE**  
4 **(ALSO KNOWN AS JWH-250);**

5                                   **(XXXIII) 1-PENTYL-3-(4-CHLORO-1-NAPHTHOYL) INDOLE**  
6 **(ALSO KNOWN AS JWH-398);**

7                                   **(XXXIV) 2-[(1R, 3S)-3-HYDROXYCYCLOHEXYL]-5-(2-**  
8 **METHYLOCTAN-2-YL)PHENOL (ALSO KNOWN AS CP 47, 497 AND ITS C6, C7, C8,**  
9 **AND C9 HOMOLOGUES);**

10                                   **(XXXV) (2-METHYL-1-PROPYL-1H-INDOL-3-YL)-1-**  
11 **NAPHTHALENYL-METHANONE (ALSO KNOWN AS JWH-015);**

12                                   **(XXXVI) (6AR, 10AR)-9-(HYDROXYMETHYL)-6, 6-**  
13 **DIMETHYL-3-(2-METHYLOCTAN-2-YL)-6A, 7, 10, 10A-TETRAHYDROBENZO[C]**  
14 **CHROMEN-1-OL) (ALSO KNOWN AS HU-210); AND**

15                                   **(XXXVII) DEXANABINOL (6AS, 10AS)-9-(HYDROXYMETHYL)-**  
16 **6, 6-DIMETHYL-3-(2-METHYLOCTAN-2-YL)-6A, 7, 10, 10A-**  
17 **TETRAHYDROBENZO[C]CHROMEN-1-OL (ALSO KNOWN AS HU-211).**

18                                   (2) Unless specifically excepted under this subtitle, a salt, isomer, or  
19 salt of an isomer of a substance listed in this subsection is a substance listed in  
20 Schedule I if the existence of the salt, isomer, or salt of an isomer is possible within  
21 the specific chemical designation.

22                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2012.