

SENATE BILL 256

Unofficial Copy  
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2001 Regular Session  
1r1469  
CF HB 37

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By: **Senators Mooney, Colburn, and Forehand**  
Introduced and read first time: January 25, 2001  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Controlled Dangerous Substance Analogues**

3 FOR the purpose of establishing that controlled dangerous substance analogues be  
4 treated as Schedule I controlled dangerous substances, to the extent the  
5 analogues are intended for human consumption; defining a certain term; and  
6 generally relating to controlled dangerous substance analogues.

7 BY adding to  
8 Article 27 - Crimes and Punishments  
9 Section 279(a)(3)f.  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 2000 Supplement)

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

14 **Article 27 - Crimes and Punishments**

15 279.

16 The following schedules include the controlled dangerous substances listed or to  
17 be listed by whatever official name, common or usual name, chemical name, or trade  
18 name designated.

19 (a) Schedule I - In determining that a substance comes within this schedule,  
20 the Department shall find:

21 (3) A lack of accepted safety for use under medical supervision. The  
22 following are controlled dangerous substances and are included in this schedule:

23 F. 1. TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, A  
24 CONTROLLED DANGEROUS SUBSTANCE ANALOGUE.

25 2. IN THIS SUBPARAGRAPH, "CONTROLLED DANGEROUS  
26 SUBSTANCE ANALOGUE" MEANS A SUBSTANCE:

1 (I) THAT HAS A CHEMICAL STRUCTURE SUBSTANTIALLY  
2 SIMILAR TO THE CHEMICAL STRUCTURE OF A CONTROLLED DANGEROUS  
3 SUBSTANCE CLASSIFIED IN SCHEDULE I OR SCHEDULE II OF THIS SECTION; AND

4 (II) THAT HAS A STIMULANT, DEPRESSANT, OR  
5 HALLUCINOGENIC EFFECT ON THE CENTRAL NERVOUS SYSTEM THAT IS  
6 SUBSTANTIALLY SIMILAR TO OR GREATER THAN THE STIMULANT, DEPRESSANT, OR  
7 HALLUCINOGENIC EFFECT ON THE CENTRAL NERVOUS SYSTEM OF A CONTROLLED  
8 DANGEROUS SUBSTANCE CLASSIFIED IN SCHEDULE I OR SCHEDULE II OF THIS  
9 SECTION.

10 3. "CONTROLLED DANGEROUS SUBSTANCE ANALOGUE"  
11 DOES NOT INCLUDE:

12 (I) A CONTROLLED DANGEROUS SUBSTANCE;

13 (II) A SUBSTANCE FOR WHICH THERE IS AN APPROVED NEW  
14 DRUG APPLICATION; OR

15 (III) A SUBSTANCE EXEMPTED FOR INVESTIGATIONAL USE  
16 UNDER SECTION 506 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2001.