

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to including in Penalty Group 2 certain synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to substances contained in the marihuana plant.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 481.103(a), Health and Safety Code, is amended to read as follows:

(a) Penalty Group 2 consists of:

(1) any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

alpha-ethyltryptamine;

alpha-methyltryptamine;

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

4-bromo-2, 5-dimethoxyphenethylamine;

Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);

1 Diethyltryptamine (some trade and other
2 names: N, N-Diethyltryptamine, DET);
3 2, 5-dimethoxyamphetamine (some trade or other
4 names: 2, 5-dimethoxy-alpha-methylphenethylamine; 2, 5-DMA);
5 2, 5-dimethoxy-4-ethylamphetamine (trade or other
6 name: DOET);
7 2, 5-dimethoxy-4-(n)-propylthiophenethylamine
8 (trade or other name: 2C-T-7);
9 Dimethyltryptamine (trade or other name: DMT);
10 Dronabinol (synthetic) in sesame oil and
11 encapsulated in a soft gelatin capsule in a U.S. Food and Drug
12 Administration approved drug product (some trade or other names for
13 Dronabinol: (a6aR-trans)-6a,7,8,10a-tetrahydro- 6,6, 9-
14 trimethyl-3-pentyl-6H- dibenzo [b,d]pyran-1-ol or (-)-delta-9-
15 (trans)- tetrahydrocannabinol);
16 Ethylamine Analog of Phencyclidine (some trade or
17 other names: N-ethyl-1-phenylcyclohexylamine, (1-
18 phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,
19 cyclohexamine, PCE);
20 Ibogaine (some trade or other names: 7-Ethyl-6,
21 6, beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-
22 pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);
23 Mescaline;
24 5-methoxy-N, N-diisopropyltryptamine;
25 5-methoxy-3, 4-methylenedioxy amphetamine;
26 4-methoxyamphetamine (some trade or other
27 names: 4-methoxy-alpha-methylphenethylamine;

1 paramethoxyamphetamine; PMA);
2 1-methyl- 4-phenyl-4-propionoxypiperidine (MPPP,
3 PPMP);
4 4-methyl-2, 5-dimethoxyamphetamine (some trade
5 and other names: 4-methyl-2, 5-dimethoxy-alpha-
6 methylphenethylamine; "DOM"; "STP");
7 3,4-methylenedioxy methamphetamine (MDMA, MDM);
8 3,4-methylenedioxy amphetamine;
9 3,4-methylenedioxy N-ethylamphetamine (Also
10 known as N-ethyl MDA);
11 Nabilone (Another name for nabilone: (+)-trans-
12 3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1-hydroxy- 6,
13 6-dimethyl-9H-dibenzo[b,d] pyran-9-one;
14 N-benzylpiperazine (some trade or other
15 names: BZP; 1-benzylpiperazine);
16 N-ethyl-3-piperidyl benzilate;
17 N-hydroxy-3,4-methylenedioxyamphetamine (Also
18 known as N-hydroxy MDA);
19 4-methylaminorex;
20 N-methyl-3-piperidyl benzilate;
21 Parahexyl (some trade or other names: 3-Hexyl-1-
22 hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d]
23 pyran; Synhexyl);
24 1-Phenylcyclohexylamine;
25 1-Piperidinocyclohexanecarbonitrile (PCC);
26 Psilocin;
27 Psilocybin;

1 Pyrrolidine Analog of Phencyclidine (some trade
2 or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);

3 Tetrahydrocannabinols, other than marihuana, and
4 synthetic equivalents of the substances contained in the plant, or
5 in the resinous extractives of Cannabis, or synthetic substances,
6 derivatives, and their isomers with similar chemical structure and
7 pharmacological activity such as:

8 1-butyl-3-(1-naphthoyl)indole (Also known
9 as JWH-073);

10 delta-1 cis or trans tetrahydrocannabinol,
11 and their optical isomers;

12 delta-6 cis or trans tetrahydrocannabinol,
13 and their optical isomers;

14 delta-3, 4 cis or trans
15 tetrahydrocannabinol, and its optical isomers;

16 3-(2-hydroxy-4-(1,1-dimethylheptylphenyl)
17 cyclohexan-1-ol) (Also known as CP-47,497) and its analogs,
18 including:

19 3-(2-hydroxy-4-(1,1-dimethyloctylphe
20 nyl)cyclohexan-1-ol;

21 3-(2-hydroxy-4-(1,1-dimethylhexylphe
22 nyl)cyclohexan-1-ol; and

23 3-(2-hydroxy-4-(1,1-dimethylnonylphe
24 nyl)cyclohexan-1-ol;

25 1-pentyl-3-(1-naphthoyl)indole (Also known
26 as JWH-018);

27 compounds of these structures, regardless of

numerical designation of atomic positions, since nomenclature of these substances is not internationally standardized;

Thiophene Analog of Phencyclidine (some trade or other names: 1-[1-(2-thienyl) cyclohexyl] piperidine; 2-Thienyl Analog of Phencyclidine; TPCP, TCP);

1-pyrrolidine (some trade or other name: TCPy);

1-(3-trifluoromethylphenyl)piperazine (trade or other name: TFMPP); and

3,4,5-trimethoxy amphetamine;

(2) Phenylacetone (some trade or other names: Phenyl-2-propanone; P2P, Benzylmethyl ketone, methyl benzyl ketone); and

(3) unless specifically excepted or unless listed in another Penalty Group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant or stimulant effect on the central nervous system:

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

Amphetamine, its salts, optical isomers, and salts of optical isomers;

Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone);

Etorphine Hydrochloride;

Fenethylamine and its salts;

1 Lisdexamfetamine, including its salts, isomers,
2 and salts of isomers;
3 Mecloqualone and its salts;
4 Methaqualone and its salts;
5 Methcathinone (some trade or other names: 2-
6 methylamino-propionophenone; alpha-(methylamino)propionophenone;
7 2-(methylamino)-1-phenylpropan-1-one; alpha-N-
8 methylaminopropionophenone; monomethylpropion; ephedrone, N-
9 methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR
10 1431);
11 N-Ethylamphetamine, its salts, optical isomers,
12 and salts of optical isomers; and
13 N,N-dimethylamphetamine (some trade or other
14 names: N,N,alpha-trimethylbenzeneethaneamine;
15 N,N,alpha-trimethylphenethylamine), its salts, optical isomers,
16 and salts of optical isomers.
17 SECTION 2. The change in law made by this Act applies only
18 to an offense committed on or after the effective date of this Act.
19 An offense committed before the effective date of this Act is
20 governed by the law in effect at the time the offense was committed.
21 For purposes of this section, an offense was committed before the
22 effective date of this Act if any element of the offense occurred
23 before that date.
24 SECTION 3. This Act takes effect September 1, 2011.