

HCS HB 641 -- CONTROLLED SUBSTANCES (Franz)

COMMITTEE OF ORIGIN: Committee on General Laws

This substitute changes the laws regarding the designation of controlled substances. In its main provisions, the substitute:

(1) Adds the following to the list of controlled substances in Schedule I:

(a) Synthetic cannabinoids which include any natural or synthetic material, compound, mixture, or preparation that contains any quantity of a substance that is a cannabinoid receptor agonist including, but not limited to, the synthetic cannabinoids specifically listed in Section 195.017, RSMo, and any analogues, homologues, isomers, esters, ethers, and salts. These include the compounds commonly found in K3. However, synthetic cannabinoids will not include any approved pharmaceutical authorized by the United States Food and Drug Administration;

(b) 3-Fluoromethcathinone;

(c) 4-Fluoromethcathinone;

(d) Mephedrone, or 4-methylmethcathinone;

(e) 4-methoxymethcathinone;

(f) Methylenedioxypyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone, commonly known as bath salts;

(g) Methyllone, or 3,4-Methylenedioxymethcathinone; and

(h) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP (Sections 195.010 and 195.017);

(2) Specifies that any analogue or homologue of a Schedule I controlled substance must be treated as a controlled substance in Schedule I for the purposes of any state law (Section 195.022);

(3) Specifies that any person who possesses any controlled substance except 35 grams or less of marijuana or any synthetic cannabinoid will be guilty of a class C felony. Any person who possesses not more than 35 grams of marijuana or any synthetic cannabinoid will be guilty of a class A misdemeanor. Currently, these provisions apply to a person possessing marijuana or certain specified substances (Section 195.202);

(4) Adds cocaine base to the list of controlled substances for

which a person commits the offense of distribution of a controlled substance near a park, a class A felony (Section 195.217); and

(5) Specifies that no person may intentionally or willfully induce the symptoms of intoxication, dizziness, dulling of the senses or nervous system, or other similar effects as specified by the use or abuse of any substance not approved for human consumption by the United States Food and Drug Administration (Section 578.255).

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.