April 28, 2014

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 28, 2014, the following bill was signed into law:

SB2882 SD2 HD2 RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT
ACT 054 (14)

Sincerely,

Neil Abercrombie
Governor, State of Hawaii
A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. Section 329-14, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (d) to read:

   "(d) Any material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

   (1) Alpha-ethyltryptamine (AET);
   (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
   (3) 2,5-dimethoxyamphetamine (2,5-DMA);
   (4) 3,4-methylenedioxy amphetamine;
   (5) 3,4-methylenedioxymethamphetamine (MDMA);
   (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-MDA);
   (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
   (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
(9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
(10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
(11) 3,4,5-trimethoxy amphetamine;
(12) Bufotenine;
(13) 4-methoxyamphetamine (PMA);
(14) Diethyltryptamine;
(15) Dimethyltryptamine;
(16) 4-methyl-2,5-dimethoxy-amphetamine;
(17) Gamma hydroxybutyrate (GHB) (some other names include
gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-
hydroxybutanoic acid; sodium oxybate; sodium
oxybutyrate);
(18) T bogaine;
(19) Lysergic acid diethylamide;
(20) Marijuana;
(21) Parahexyl;
(22) Mescaline;
(23) Peyote;
(24) N-ethyl-3-piperidyl benzilate;
(25) N-methyl-3-piperidyl benzilate;
(26) Psilocybin;
(27) Psilocybin;
1  (28) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
2  (29) Ethylamine analog of phencyclidine (PCE);
3  (30) Pyrrolidine analog of phencyclidine (PCPy, PHP);
4  (31) Thiophene analog of phencyclidine (TPCP; TCP);
5  (32) Gamma-butyrolactone, including butyrolactone;
6    butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
7    dihydro; dihydro-2(3H)furanone; tetrahydro-2-furanone;
8    1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-
9    hydroxybutyric acid lactone; 3-hydroxybutyric acid
10   lactone and 4-hydroxybutanoic acid lactone with
11   Chemical Abstract Service number 96-48-0 when any such
12   substance is intended for human ingestion;
13  (33) 1,4 butanediol, including butanediol; butane-1,4-diol;
14  1,4- butylenes glycol; butylene glycol; 1,4-
15    dihydroxybutane; 1,4- tetramethylene glycol;
16    tetramethylene glycol; tetramethylene 1,4- diol with
17    Chemical Abstract Service number 110-63-4 when any
18    such substance is intended for human ingestion;
19  (34) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7),
20   its optical isomers, salts, and salts of isomers;
21  (35) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
22   optical isomers, salts, and salts of isomers;
1-[(3-trifluoromethylphenyl)piperazine (TFMPP), its
optical isomers, salts, and salts of isomers;
Alpha-methyltryptamine (AMT), its isomers, salts, and
salts of isomers;
5-methoxy-NN-diisopropyltryptamine (5-MeO-DIPT), its
isomers, salts, and salts of isomers;
Salvia divinorum;
Salvinorin A;
Divinorin A; [and]
5-Methoxy-NN-Dimethyltryptamine (5-MeO-DIPT) (some
trade or other names: 5-methoxy-3-[(2-
(dimethylamino)ethyl)indole; 5-MeO-DMT)];
2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);
2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-
2);
2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine
(2C-T-4);
2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);

2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine, its optical, positional, and
g geometric isomers, salts, and salts of isomers (Other
names: 25I-NBOME; 2C-I-NBOME; 25I; Cimbi-5);

2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine, its optical, positional, and
g geometric isomers, salts, and salts of isomers (Other
names: 25C-NBOME; 2C-C-NBOME; 25C; Cimbi-82); and

2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine, its optical, positional, and
g geometric isomers, salts, and salts of isomers (Other
names: 25B-NBOME; 2C-B-NBOME; 25B; Cimbi-36)."

2. By amending subsection (g) to read:

"(g) Any of the following cannabinoids, their salts,
isomers, and salts of isomers, unless specifically excepted,
whenever the existence of these salts, isomers, and salts of
isomers is possible within the specific chemical designation:

(1) Tetrahydrocannabinols; meaning tetrahydrocannabinols
naturally contained in a plant of the genus Cannabis
(cannabis plant), as well as synthetic equivalents of
the substances contained in the plant, or in the
resinous extractives of Cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; and Delta 3,4 cis or trans-tetrahydrocannabinol, and its optical isomers (since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered);

(2) Naphthoylindoles; meaning any compound containing a 3-(1-naphthoyl) indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholiny) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;
(3) Naphthylmethylindoles; meaning any compound containing a 1H-indol-3-yl-(1-naphthyl) methane structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholiny1) ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;

(4) Naphthoylpyrroles; meaning any compound containing a 3-(1-naphthoyl) pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholiny1) ethyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(5) Naphthylmethylindenes; meaning any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholiny1)
ethyl group whether or not further substituted in the
indene ring to any extent, whether or not substituted
in the naphthyl ring to any extent;

(6) Phenylacetylinolines; meaning any compound containing a
3-phenylacetylinol structure with substitution at
the nitrogen atom of the indole ring by a alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
ethyl group whether or not further substituted in the
indole ring to any extent, whether or not substituted
in the phenyl ring to any extent;

(7) Cyclohexylphenols; meaning any compound containing a
2-(3-hydroxycyclohexyl) phenol structure with
substitution at the 5-position of the phenolic ring by
a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
2-(4-morpholinyl) ethyl group whether or not
substituted in the cyclohexyl ring to any extent;

(8) Benzoylinolines; meaning any compound containing a
3-(benzoyl) indole structure with substitution at the
nitrogen atom of the indole ring by a alkyl,
haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl) ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent;

(9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone (another trade name is WIN 55,212-2);

(10) (6a,10a)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (other trade names are: HU-210 and HU-211); [anâ]

(11) Tetramethylcyclopropanoylindoles; meaning any compound containing a 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring
to any extent and whether or not substituted in the
tetramethylcyclopropyl ring to any extent[•];

(12) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide,
its optical, positional, and geometric isomers, salts,
and salts of isomers (Other names: APINACA, AKB48);

(13) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its
optical, positional, and geometric isomers, salts, and
salts of isomers (Other names: PB-22; QUPIC);

(14) Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-
carboxylate, its optical, positional, and geometric
isomers, salts, and salts of isomers (Other names: 5-
fluoro-PB-22; 5F-PB-22);

(15) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
fluorobenzyl)-1H-indazole-3-carboxamide, its optical,
positional, and geometric isomers, salts, and salts of
isomers (Other names: AB-FUBINACA); and

(16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
indazole-3-carboxamide, its optical, positional, and
geometric isomers, salts, and salts of isomers (Other
names: ADB-PINACA)."
SECTION 2. Section 329-18, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance that contains any quantity of a derivative of barbituric acid or any salt thereof, including the substance butalbital;

(4) Chlorhexadol;

(5) Embutramide (Tributame);

(6) Ketamine, its salts, isomers, and salts of isomers, also known as (+ or -)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
(7) Lysergic acid;
(8) Lysergic acid amide;
(9) Methypryloyn;
(10) Sulfondiethylmethane;
(11) Sulfonethylmethane;
(12) Sulfonmethane;
(13) Tiletamine/Zolazepam (Telazol, 2-(ethylamino)-2-(-thienyl)-cyclohexanone, flupyrazapon) or any salts thereof; [and]
(14) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers that are contained in a drug product for which an application has been approved under section 505 of the federal Food, Drug, and Cosmetic Act[.];
(15) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl)benzonitrile], including its salts, isomers, and salts of isomers; and
(16) Alfaxalone 5[alpha]-pregnan-3[alpha]-ol-11,20-dione, including its salts, isomers, and salts of isomers.

SECTION 3. Section 329-20, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:
(d) Stimulants. Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Cathine (±)-norpseudoephedrine;

(2) Diethylpropion;

(3) Fenbufamin;

(4) Fenproporex;

(5) Mazindol;

(6) Mefenorex;

(7) Modafinil;

(8) Phentermine;

(9) Pemoline (including organometallic complexes and chelates thereof);

(10) Pipradrol;

(11) Sibutramine; [and]

(12) SPA (1-dimethylamino-1,2-diphenylethane, lefetamine)[*]; and

(13) Lorcaserin.*
SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

APPROVED this 28 day of APR 2014

GOVERNOR OF THE STATE OF HAWAII