July 1, 2015

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai‘i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai‘i 96813

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

This is to inform you that on July 1, 2015, the following bill was signed into law:

SB1131 SD2 HD2 CD1 RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT
ACT 195 (15)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

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

SECTION 1. Section 329-14, Hawaii Revised Statutes, is amended by amending subsections (f) and (g) to read as follows:

"(f) Stimulants. Unless specifically excepted or 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 isomers:

(1) Aminorex;
(2) Cathinone;
(3) Fenethylline;
(4) Methcathinone;
(5) N-ethylamphetamine;
(6) 4-methylaminorex;
(7) N,N-dimethylamphetamine; and
(8) Substituted cathinones, any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl,
naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(B) By substitution at the 3-position with an acyclic alkyl substituent; or

(C) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

Some other trade names: Mephedrone (2-methylamino-1-p-tolylpropan-1-one), also known as 4-methylmethcathinone (4-MMC), methylephedrone or MMCAT; Methyleneoxyropyrovalerone (MDPV, MDPK); [and] methylene or 3,4-methyleneoxymethcathinone[+]; and 1-(benzo[d][1,3]dioxol-5-yl)-2-(ethylamino)propan-1-one, monohydrochloride, also known as Ethylone, bk-
MDEA hydrochloride, MDEC; 3,4-Methylenedioxy-N-ethylcathinone; bk-Methylenedioxyethylamphetamine.

(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-morpholinyl)
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-morpholinyl) 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-morpholinyl) 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) Naphthylmethylindenones; 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-morpholinyl) 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) Phenylacetylindoles; meaning any compound containing a 3-phenylacetylindole 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-morpholiny1) ethyl group whether or not
substituted in the cyclohexyl ring to any extent;

(8) Benzoylindoles; 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-morpholiny1)
esty1 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-
[naphthaleny1m ethanone] naphthalenylmethanone (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);

(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
tetramethylcyclopentyl 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); [and]

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

(18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: AB-PINACA);
(19) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, and geometric isomers, salts, and salts of isomers (Other names: THJ-2201);

(20) Methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate, and geometric isomers, salts, and salts of isomers (other names: FUB-AMB);

(21) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-AMB, 5-fluoro-AMP);

(22) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: AKB48 N-(5-fluoropentyl) analog, 5F-AKB48, APINACA 5-fluoropentyl analog, 5F-APINACA);

(23) N-adamantyl-1-fluoropentylindole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: STS-135, 5F-APICA; 5-fluoro-APICA); and

(24) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, and geometric isomers, salts, and salts of isomers (Other names: NM2201)."
SECTION 2. Section 329-18, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts, or alkaloid, in limited quantities as set forth below:

(1) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 300 milligrams of dihydrocodeinone (Hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium provided that these
narcotic drugs shall be monitored pursuant to section 329-101.

(4) Not more than 300 milligrams of dihydrocodeine (Hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts provided that these narcotic drugs shall be monitored pursuant to section 329-101.

(5) Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active
nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 50 milligrams of morphine or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; and

(7) Buprenorphine.

SECTION 3. Section 329-20, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (b) to read:

"(b) Depressants. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, esters, ethers, and salts of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, that has a degree of danger or probable danger associated with a depressant effect on the central nervous system:

(1) Alprazolam;
(2) Barbital;
(3) Bromazepam;
(4) Butorphanol;
(5) Camazepam;
(6) Carisoprodol;
(7) Choral betaine;
(8) Choral hydrate;
(9) Clorazepate;
(10) Clobazam;
(11) Clonazepam;
(12) Clorazepate;
(13) Clotiazepam;
(14) Cloxazolam;
(15) Delorazepam;
(16) Dichloralphenazone (Midrin);
(17) Diazepam;
(18) Estazolam;
(19) Ethchlorvynol;
(20) Ethinamate;
(21) Ethyl loflazepate;
(22) Fludiazepam;
(23) Flunitrazepam;
(24) Flurazepam;
1 (25) Fospropofol (Lusedra);
2 (26) Halazepam;
3 (27) Haloxazolam;
4 (28) Ketazolam;
5 (29) Loprazolam;
6 (30) Lorazepam;
7 (31) Lormetazepam;
8 (32) Mebutamate;
9 (33) Medazepam;
10 (34) Meprobamate;
11 (35) Methohexital;
12 (36) Methylphenobarbital (mephobarbital);
13 (37) Midazolam;
14 (38) Nimetazepam;
15 (39) Nitrazepam;
16 (40) Nordiazepam;
17 (41) Oxazepam;
18 (42) Oxazolam;
19 (43) Paraldehyde;
20 (44) Petrichloral;
21 (45) Phenobarbital;
2. By amending subsection (g) to read:

"(g) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit; and

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-
diphenyl-3-methyl-2-propionoxybutane)[+], and
(3) 2-[(dimethylamino)methyl]-1-(3-
methoxyphenyl)cyclohexanol, its salts, optical and
geometric isomers and salts of these isomers
(including tramadol)."

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 1 day of JUL, 2015

[Signature]

GOVERNOR OF THE STATE OF HAWAII