

By the Committee on Criminal Justice; and Senator Evers

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1 A bill to be entitled
2 An act relating to controlled substances; amending s.
3 893.03, F.S.; scheduling Mitragynine and 7-
4 Hydroxymitragynine, constituents of Kratom, in a
5 schedule of controlled substances; scheduling isomers,
6 esters, ethers, salts, and salts of isomers, esters,
7 and ethers of Mitragynine and 7-Hydroxymitragynine in
8 a schedule of controlled substances; providing an
9 exception from scheduling for any drug product
10 approved by the United States Food and Drug
11 Administration which contains Mitragynine or 7-
12 Hydroxymitragynine; amending s. 893.13, F.S.;
13 providing a criminal penalty for; reenacting ss.
14 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),
15 327.35(5), 440.102(11)(b), 458.3265(1)(e),
16 459.0137(1)(e), 782.04(1)(a) and (4), 787.06(2)(a),
17 817.563, 831.31(1)(a) and (2), 856.015(1)(c),
18 893.02(4), 893.035(2), (7)(a), and (8)(a),
19 893.0356(2)(a) and (5), 893.05(1), 893.12(2)(b), (c),
20 and (d), 893.13(1)(a), (c) through (f), and (h),
21 (2)(a), (4)(b), (5)(b), and (7)(a), 921.0022(3)(b),
22 (c), and (e), F.S., to incorporate the amendment made
23 to s. 893.03, F.S., in references thereto; providing
24 an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Paragraph (c) of subsection (1) of section
29 893.03, Florida Statutes, is amended to read:

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30 893.03 Standards and schedules.—The substances enumerated
31 in this section are controlled by this chapter. The controlled
32 substances listed or to be listed in Schedules I, II, III, IV,
33 and V are included by whatever official, common, usual,
34 chemical, or trade name designated. The provisions of this
35 section shall not be construed to include within any of the
36 schedules contained in this section any excluded drugs listed
37 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
38 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
39 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
40 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
41 Anabolic Steroid Products."

42 (1) SCHEDULE I.—A substance in Schedule I has a high
43 potential for abuse and has no currently accepted medical use in
44 treatment in the United States and in its use under medical
45 supervision does not meet accepted safety standards. The
46 following substances are controlled in Schedule I:

47 (c) Unless specifically excepted or unless listed in
48 another schedule, any material, compound, mixture, or
49 preparation that contains any quantity of the following
50 hallucinogenic substances or that contains any of their salts,
51 isomers, including optical, positional, or geometric isomers,
52 and salts of isomers, if the existence of such salts, isomers,
53 and salts of isomers is possible within the specific chemical
54 designation:

- 55 1. Alpha-ethyltryptamine.
- 56 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
57 methylaminorex).
- 58 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).

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- 59 4. 4-Bromo-2,5-dimethoxyamphetamine.
60 5. 4-Bromo-2,5-dimethoxyphenethylamine.
61 6. Bufotenine.
62 7. Cannabis.
63 8. Cathinone.
64 9. Diethyltryptamine.
65 10. 2,5-Dimethoxyamphetamine.
66 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
67 12. Dimethyltryptamine.
68 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
69 analog of phencyclidine).
70 14. N-Ethyl-3-piperidyl benzilate.
71 15. N-ethylamphetamine.
72 16. Fenethylamine.
73 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
74 18. Ibogaine.
75 19. Lysergic acid diethylamide (LSD).
76 20. Mescaline.
77 21. Methcathinone.
78 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
79 23. 4-methoxyamphetamine.
80 24. 4-methoxymethamphetamine.
81 25. 4-Methyl-2,5-dimethoxyamphetamine.
82 26. 3,4-Methylenedioxy-N-ethylamphetamine.
83 27. 3,4-Methylenedioxyamphetamine.
84 28. N-Methyl-3-piperidyl benzilate.
85 29. N,N-dimethylamphetamine.
86 30. Parahexyl.
87 31. Peyote.

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- 88 32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
89 analog of phencyclidine).
- 90 33. Psilocybin.
- 91 34. Psilocyn.
- 92 35. *Salvia divinorum*, except for any drug product approved
93 by the United States Food and Drug Administration which contains
94 *Salvia divinorum* or its isomers, esters, ethers, salts, and
95 salts of isomers, esters, and ethers, if the existence of such
96 isomers, esters, ethers, and salts is possible within the
97 specific chemical designation.
- 98 36. Salvinorin A, except for any drug product approved by
99 the United States Food and Drug Administration which contains
100 Salvinorin A or its isomers, esters, ethers, salts, and salts of
101 isomers, esters, and ethers, if the existence of such isomers,
102 esters, ethers, and salts is possible within the specific
103 chemical designation.
- 104 37. Tetrahydrocannabinols.
- 105 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
106 (Thiophene analog of phencyclidine).
- 107 39. 3,4,5-Trimethoxyamphetamine.
- 108 40. 3,4-Methylenedioxymethcathinone.
- 109 41. 3,4-Methylenedioxypropiovalerone (MDPV).
- 110 42. Methylmethcathinone.
- 111 43. Methoxymethcathinone.
- 112 44. Fluoromethcathinone.
- 113 45. Methylethcathinone.
- 114 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
115 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
116 homologue.

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- 117 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
118 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
119 also known as HU-210.
- 120 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.
- 121 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.
- 122 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole, also
123 known as JWH-200.
- 124 51. BZP (Benzylpiperazine).
- 125 52. Fluorophenylpiperazine.
- 126 53. Methylphenylpiperazine.
- 127 54. Chlorophenylpiperazine.
- 128 55. Methoxyphenylpiperazine.
- 129 56. DBZP (1,4-dibenzylpiperazine).
- 130 57. TFMPP (3-Trifluoromethylphenylpiperazine).
- 131 58. MBDB (Methylbenzodioxolylbutanamine).
- 132 59. 5-Hydroxy-alpha-methyltryptamine.
- 133 60. 5-Hydroxy-N-methyltryptamine.
- 134 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 135 62. 5-Methoxy-alpha-methyltryptamine.
- 136 63. Methyltryptamine.
- 137 64. 5-Methoxy-N,N-dimethyltryptamine.
- 138 65. 5-Methyl-N,N-dimethyltryptamine.
- 139 66. Tyramine (4-Hydroxyphenethylamine).
- 140 67. 5-Methoxy-N,N-Diisopropyltryptamine.
- 141 68. DiPT (N,N-Diisopropyltryptamine).
- 142 69. DPT (N,N-Dipropyltryptamine).
- 143 70. 4-Hydroxy-N,N-diisopropyltryptamine.
- 144 71. N,N-Diallyl-5-Methoxytryptamine.
- 145 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).

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- 146 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
147 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
148 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
149 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
150 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
151 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
152 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).
153 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
154 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
155 82. Ethcathinone.
156 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
157 84. Naphyrone (naphthylpyrovalerone).
158 85. N-N-Dimethyl-3,4-methylenedioxycathinone.
159 86. N-N-Diethyl-3,4-methylenedioxycathinone.
160 87. 3,4-methylenedioxy-propiofenone.
161 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
162 89. 3,4-methylenedioxy-propiofenone-2-oxime.
163 90. N-Acetyl-3,4-methylenedioxycathinone.
164 91. N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
165 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
166 93. Bromomethcathinone.
167 94. Buphedrone (alpha-methylamino-butyrophenone).
168 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
169 96. Dimethylcathinone.
170 97. Dimethylmethcathinone.
171 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
172 99. (MDPPP) 3,4-Methylenedioxy-alpha-
173 pyrrolidinopropiofenone.
174 100. (MDPBP) 3,4-Methylenedioxy-alpha-

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- 175 pyrrolidinobutiophenone.
- 176 101. Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
- 177 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 178 103. Benocyclidine (BCP) or
- 179 benzothiophenylcyclohexylpiperidine (BTCP).
- 180 104. Fluoromethylaminobutyrophenone (F-MABP).
- 181 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 182 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 183 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
- 184 108. Methylethylaminobutyrophenone (Me-EABP).
- 185 109. Methylamino-butyrophenone (MABP).
- 186 110. Pyrrolidinopropiophenone (PPP).
- 187 111. Pyrrolidinobutiophenone (PBP).
- 188 112. Pyrrolidinovalerophenone (PVP).
- 189 113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
- 190 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
- 191 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
- 192 naphthalenylmethanone).
- 193 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
- 194 yl)methanone).
- 195 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
- 196 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
- 197 yl)methanone).
- 198 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
- 199 yl)methanone).
- 200 120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
- 201 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-
- 202 tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
- 203 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-

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204 indole).

205 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).

206 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-

207 yl)ethanone).

208 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-

209 yl)methanone).

210 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-

211 yl)ethanone).

212 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-

213 yl)ethanone).

214 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).

215 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).

216 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-

217 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-

218 ol).

219 131. HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-

220 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]

221 methanol).

222 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-

223 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-

224 1,4-dione).

225 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-

226 yl)methanone).

227 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-

228 undecanamide).

229 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-

230 undecanamide).

231 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-

232 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).

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- 233 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]- (2-
234 iodophenyl)methanone).
- 235 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
236 (naphthalen-1-yl)methanone).
- 237 139. RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
238 yl)methanone).
- 239 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-
240 methoxyphenylethanol).
- 241 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
242 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
243 naphthalenylmethanone).
- 244 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
245 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
246 naphthalenylmethanone).
- 247 143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).
- 248 144. Fluoroamphetamine.
- 249 145. Fluoromethamphetamine.
- 250 146. Methoxetamine.
- 251 147. Methiopropamine.
- 252 148. 4-Methylbuphedrone (2-Methylamino-1-(4-
253 methylphenyl)butan-1-one).
- 254 149. APB ((2-aminopropyl)benzofuran).
- 255 150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
- 256 151. UR-144 ((1-pentyl-1H-indol-3-yl) (2,2,3,3-
257 tetramethylcyclopropyl)methanone).
- 258 152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-
259 tetramethylcyclopropyl)methanone).
- 260 153. (1-(5-chloropentyl)-1H-indol-3-yl) (2,2,3,3-
261 tetramethylcyclopropyl)methanone.

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- 262 154. AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-
263 indazole-3-carboxamide).
- 264 155. AM-2233 ((2-iodophenyl) [1-[(1-methyl-2-
265 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
- 266 156. STS-135 (1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-
267 1-yl-1H-indole-3-carboxamide).
- 268 157. URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-
269 cyclohexylcarbamate).
- 270 158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
271 cyclohexyl ester).
- 272 159. URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-
273 benzoxazin-4-one).
- 274 160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).
- 275 161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).
- 276 162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).
- 277 163. 2C-P (2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).
- 278 164. 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
279 methoxyphenyl)methyl]-benzeneethanamine).
- 280 165. 3,4-Methylenedioxymethamphetamine (MDMA).
- 281 166. PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-
282 carboxylic acid).
- 283 167. 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-fluoropentyl)-
284 1H-indole-3-carboxylic acid).
- 285 168. BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-1H-
286 indole-3-carboxylic acid).
- 287 169. 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-(5-
288 fluoropentyl)-1H-indazole-3-carboxamide).
- 289 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
290 pentyl-1H-indazole-3-carboxamide).

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291 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
292 (4-fluorobenzyl)-1H-indazole-3-carboxamide).

293 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
294 1-pentyl-1H-indazole-3-carboxamide).

295 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
296 yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).

297 174. 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-
298 methoxyphenyl)methyl]-benzeneethanamine).

299 175. 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-
300 methoxyphenyl)methyl]-benzeneethanamine).

301 176. Mitragynine or 7-Hydroxymitragynine, except for any
302 drug product approved by the United States Food and Drug
303 Administration which contains Mitragynine or 7-
304 Hydroxymitragynine, including any of their isomers, esters,
305 ethers, salts, and salts of isomers, esters, and ethers, if the
306 existence of such isomers, esters, ethers, and salts is possible
307 within the specific chemical designation.

308 Section 2. Subsection (11) is added to section 893.13,
309 Florida Statutes, to read:

310 893.13 Prohibited acts; penalties.—

311 (11) Notwithstanding any other provision of this section, a
312 person who possesses, purchases, sells, delivers, manufactures,
313 or brings into this state a controlled substance described in s.
314 893.03(1)(c)176. commits a misdemeanor of the first degree,
315 punishable as provided in s. 775.082 or s. 775.083.

316 Section 3. Paragraphs (a) and (g) of subsection (30) of s.
317 39.01, subsection (5) of s. 316.193, paragraph (c) of subsection
318 (2) of s. 322.2616, subsection (5) of s. 327.35, paragraph (b)
319 of subsection (11) of s. 440.102, paragraph (e) of subsection

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320 (1) of s. 458.3265, paragraph (e) of subsection (1) of s.
321 459.0137, paragraph (a) of subsection (1) and subsection (4) of
322 s. 782.04, paragraph (a) of subsection (2) of s. 787.06, s.
323 817.563, paragraph (a) of subsection (1) and subsection (2) of
324 s. 831.31, paragraph (c) of subsection (1) of s. 856.015,
325 subsection (4) of s. 893.02, subsection (2), paragraph (a) of
326 subsection (7), and paragraph (a) of subsection (8) of s.
327 893.035, paragraph (a) of subsection (2) and subsection (5) of
328 s. 893.0356, subsection (1) of s. 893.05, paragraphs (b), (c),
329 and (d) of subsection (2) of s. 893.12, paragraphs (a), (c)
330 through (f), and (h) of subsection (1), paragraph (a) of
331 subsection (2), paragraph (b) of subsection (4), paragraph (b)
332 of subsection (5), and paragraph (a) of subsection (7) of s.
333 893.13, and paragraphs (b), (c), and (e) of subsection (3) of s.
334 921.0022, Florida Statutes, are reenacted for the purpose of
335 incorporating the amendment made by this act to s. 893.03,
336 Florida Statutes, in references thereto.

337 Section 4. This act shall take effect October 1, 2015.