GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H **D**

HOUSE DRH50006-LH-11A (10/14)

Short Title:	Make Synthetic Cannabinoids Illegal.	(Public)
Sponsors:	Representatives Cleveland, Horn, and McElraft (Primary Sponsors).	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO ADD SYNTHETIC CANNABINOIDS TO THE LIST OF CONTROLLED SUBSTANCES, WHICH MAKES THE UNLAWFUL POSSESSION, MANUFACTURE, OR SALE OR DELIVERY OF SYNTHETIC CANNABINOIDS CRIMINAL OFFENSES AND TO CREATE THE CRIMINAL OFFENSE OF TRAFFICKING IN SYNTHETIC CANNABINOIDS.

Whereas, the General Assembly finds that there is a growing use of the unregulated synthetic cannabinoids commonly known as K2 or synthetic marijuana; and

Whereas, preliminary studies indicate that synthetic cannabinoid substances unregulated in North Carolina are from three to over 100 times more potent than THC, the active ingredient found in marijuana; and

Whereas, many states, as well as the federal government, have already included one or more of these chemical compounds on schedules of controlled substances, but none of these chemicals are currently listed on North Carolina's schedule of controlled substances; and

Whereas, synthetic cannabinoids are referred to as the new marijuana, and K2 is gaining in popularity at an alarming rate among high school and college students and persons on probation and parole; and

Whereas, while having the same or stronger physiological effects as high potency marijuana, synthetic marijuana or K2 does not show a positive reading in a urinalysis test, which adds to the desirability and increased growth among drug abusers and increases the threat to public health and safety by avoiding detection; and

Whereas, the General Assembly should address the growing threat of synthetic cannabinoids to the health, safety, and welfare of our citizens before the problem becomes epidemic in the State of North Carolina; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-89 is amended by adding a new subdivision to read:

"**§ 90-89. Schedule I controlled substances.**

This schedule includes the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated. In determining that a substance comes within this schedule, the Commission shall find: a high potential for abuse, no currently accepted medical use in the United States, or a lack of accepted safety for use in treatment under medical supervision. The following controlled substances are included in this schedule:

…

(6) Synthetic cannabinoids. – Any material, compound, mixture, or preparation that contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues, and salts of isomers and homologues, unless specifically excepted, whenever the existence of these salts, isomers, homologues, and salts of isomers and homologues is possible within the specific chemical designation:

a. Naphthoylindoles. Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an 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. Some trade or other names: JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, JWH-210, JWH-398, AM-2201, WIN 55-212.

b. Naphthylmethylindoles. Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an 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.

c. Naphthoylpyrroles. Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an 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 and whether or not substituted in the naphthyl ring to any extent. Another name: JWH-307.

d. Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an 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 and whether or not substituted in the naphthyl ring to any extent.

e. Phenylacetylindoles. Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an 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. Some trade or other names: SR-18, RCS-8, JWH-250, JWH-203.

f. Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an 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. Some

trade or other names: CP 47,497 (and homologues), cannabicyclohexanol.

g. Benzoylindoles. Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an 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. Some trade or other names: AM-694, Pravadoline (WIN 48,098), RCS-4.

h. 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1, 4-benzoxazin-6-yl]-1-napthalenylmethanone. Some trade or other names: WIN 55,212-2.

i. (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl) - 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol 7370. Some trade or other names: HU-210."

SECTION 2. G.S. 90-95(h) is amended by adding a new subdivision to read:

"(2a) Any person who sells, manufactures, delivers, transports, or possesses in excess of 35 grams of a synthetic cannabinoid shall be guilty of a felony, which felony shall be known as "trafficking in synthetic cannabinoids." The person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000)."

SECTION 3. This act becomes effective April 1, 2011, and applies to offenses committed on or after that date.