BILL ANALYSIS

C.S.H.B. 595
By: Clardy
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are reports that Texas has seen a significant increase in the amount of synthetic drugs being sold and possessed in recent years and that law enforcement and prosecutors are prevented from policing these dangerous substances because there are no laws in place to address the issue. The drugs often have psychedelic effects on a user that are similar to the effects from a hallucinogenic drug. The drugs can be in both liquid and powder form and laced into paper or mixed with edible goods. Reported side effects of these synthetic drugs include violent shaking, vomiting, insomnia, paranoia, and seizures. Interested parties contend that there has also been an increase in adolescent deaths due to ingestion of these drugs. C.S.H.B. 595 seeks to provide law enforcement and crime laboratories with tools to hold individuals involved with these drugs accountable and to make Texas safer.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 595 amends the Health and Safety Code to expand the definition of "abuse unit" for purposes of the Texas Controlled Substances Act to include 40 micrograms of a controlled substance in solid form, including any adulterant or dilutant. The bill adds certain substances to the controlled substances listed in Penalty Groups 1-A and 2 of the act, removes certain substances from the controlled substances listed in Penalty Group 2, and establishes that, to the extent the bill's provisions adding certain substances to each penalty group conflict with another law, the other law prevails. The bill establishes that if a substance listed in Penalty Group 2 is also listed in another penalty group, the listing in the other group controls. The bill establishes that if a substance listed in Penalty Group 2 is approved by the Federal Drug Administration, the inclusion of that substance in that penalty group does not apply, and prohibits the conviction of a person for the manufacture, delivery, or possession of the substance.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 595 may differ from the original in minor or nonsubstantive ways, the following

comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subdivision (50), Section 481.002, Health and Safety Code, is amended.	SECTION 1. Same as introduced version except for recitation.
SECTION 2. Section 481.1021, Health and Safety Code, is amended to read as follows: Sec. 481.1021. PENALTY GROUP 1-A. (a) Penalty Group 1-A consists of: (1) lysergic acid diethylamide (LSD), including its salts, isomers, and salts of isomers; and (2) compounds structurally derived from 2,5-dimethoxyphenethylamine by substitution at the 1-amino nitrogen atom with a benzyl substituent, including: (A) compounds further modified by: (i) substitution in the phenethylamine ring at the 4- position to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents); or (ii) substitution in the benzyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents); and (B) by example, compounds such as: 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25B-NBOMe, 2C-B-NBOMe); 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25C-NBOMe, 2C-C-NBOMe); 2,5-Dimethoxy-4-methyl-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25D-NBOMe, 2C-D-NBOMe); 4-Ethyl-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25E-NBOMe, 2C-E-NBOMe); 2,5-Dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25H-NBOMe, 2C-H-NBOMe); 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25I-NBOMe, 2C-I-NBOMe); 4-Iodo-2,5-dimethoxy-N-benzylphenethylamine (trade or other name: 25I-NB); 4-Iodo-2,5-dimethoxy-N-(2,3-	SECTION 2. Section 481.1021, Health and Safety Code, is amended to read as follows: Sec. 481.1021. PENALTY GROUP 1-A. (a) Penalty Group 1-A consists of: (1) lysergic acid diethylamide (LSD), including its salts, isomers, and salts of isomers; and (2) compounds structurally derived from 2,5-dimethoxyphenethylamine by substitution at the 1-amino nitrogen atom with a benzyl substituent, including: (A) compounds further modified by: (i) substitution in the phenethylamine ring at the 4- position to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents); or (ii) substitution in the benzyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents); and (B) by example, compounds such as: 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25B-NBOMe, 2C-B-NBOMe); 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25C-NBOMe, 2C-C-NBOMe); 2,5-Dimethoxy-4-methyl-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25D-NBOMe, 2C-D-NBOMe); 4-Ethyl-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25E-NBOMe, 2C-E-NBOMe); 2,5-Dimethoxy-N-(2-methoxybenzyl)phenethylamine (some trade and other names: 25H-NBOMe, 2C-H-NBOMe); 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (some trade and other names: 25I-NBOMe, 2C-I-NBOMe); 4-Iodo-2,5-dimethoxy-N-benzylphenethylamine (trade or other name: 25I-NB); 4-Iodo-2,5-dimethoxy-N-(2,3-

methylenedioxybenzyl)phenethylamine (trade or other name: 25I-NBMD);
4-Iodo-2,5-dimethoxy-N-(2-fluorobenzyl)phenethylamine (trade or other name: 25I-NBF);
4-Iodo-2,5-dimethoxy-N-(2-hydroxybenzyl)phenethylamine (trade or other name: 25I-NBOH);
2,5-Dimethoxy-4-nitro-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25N-NBOMe, 2C-N-NBOMe); and
2,5-Dimethoxy-4-(n)-propyl-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25P-NBOMe, 2C-P-NBOMe).

(b) To the extent Subsection (a)(2) conflicts with this subtitle or another law, the subtitle or other law prevails.

SECTION 3. Subsections (a) and (c), Section 481.103, Health and Safety Code, are amended to read as follows:

(a) Penalty Group 2 consists of:
(1) any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

alpha-ethyltryptamine;
alpha-methyltryptamine;
[~~4-bromo-2, 5-dimethoxyamphetamine~~

methylenedioxybenzyl)phenethylamine (trade or other name: 25I-NBMD);
4-Iodo-2,5-dimethoxy-N-(2-fluorobenzyl)phenethylamine (trade or other name: 25I-NBF);
4-Iodo-2,5-dimethoxy-N-(2-hydroxybenzyl)phenethylamine (trade or other name: 25I-NBOH);
2,5-Dimethoxy-4-nitro-N-(2-methoxybenzyl)phenethylamine (trade or other names: 25N-NBOMe, 2C-N-NBOMe); and
2,5-Dimethoxy-4-(n)-propyl-N-(2-methoxybenzyl)phenethylamine (some trade and other names: 25P-NBOMe, 2C-P-NBOMe).

(b) To the extent Subsection (a)(2) conflicts with another provision of this subtitle or another law, the other provision or the other law prevails.

SECTION 3. Section 481.103, Health and Safety Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:
(a) Penalty Group 2 consists of:
(1) any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:
5-(2-aminopropyl)benzofuran (5-APB);
6-(2-aminopropyl)benzofuran (6-APB);
5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
5-(2-aminopropyl)indole (5-IT,5-API);
6-(2-aminopropyl)indole (6-IT,6-API);
1-(benzofuran-5-yl)-N-methylpropan-2-amine (5-MAPB);
1-(benzofuran-6-yl)-N-methylpropan-2-amine (6-MAPB);
Benzothiophenylcyclohexylpiperidine (BTCP);
8-bromo-alpha-methyl-benzo[1,2-b:4,5-b']difuran- 4-ethanamine (trade or other name: Bromo-DragonFLY);
Desoxypipradrol (2-benzhydrylpiperidine);
[~~alpha-ethyltryptamine;~~
[~~alpha-methyltryptamine;~~
[~~4-bromo-2, 5-dimethoxyamphetamine~~

~~(some trade or other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2, 5-DMA);~~

~~[4-bromo-2, 5-dimethoxyphenethylamine;]~~

~~Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);~~

~~Diethyltryptamine (some trade and other names: N, N-Diethyltryptamine, DET);~~

2, 5-dimethoxyamphetamine (some trade or other names: 2, 5-dimethoxy-alpha-methylphenethylamine; 2, 5-DMA);

~~[2, 5-dimethoxy-4-ethylamphetamine (trade or other name: DOET);~~

~~[2, 5-dimethoxy-4-(n)-propylthiophenethylamine (trade or other name: 2C-T-7);]~~

~~Dimethyltryptamine (trade or other name: DMT);~~

Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product (some trade or other names for Dronabinol: (a6aR-trans)-6a,7,8,10a-tetrahydro- 6,6, 9- trimethyl-3-pentyl-6H- dibenzo [b,d]pyran-1-ol or (-)-delta-9- (trans)-tetrahydrocannabinol);

Ethylamine Analog of Phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);

Ibogaine (some trade or other names: 7-Ethyl-6, 6, beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);

Mescaline;

~~5-methoxy-N, N-diisopropyltryptamine;~~

5-methoxy-3, 4-methylenedioxy amphetamine;

4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);

~~(some trade or other names: 4-bromo-2, 5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2, 5-DMA);~~

~~[4-bromo-2, 5-dimethoxyphenethylamine;~~

~~[Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);~~

~~[Diethyltryptamine (some trade and other names: N, N-Diethyltryptamine, DET);]~~

2, 5-dimethoxyamphetamine (some trade or other names: 2, 5-dimethoxy-alpha-methylphenethylamine; 2, 5-DMA);

Diphenylprolinol (diphenyl(pyrrolidin-2-yl) methanol, D2PM);

~~[2, 5-dimethoxy-4-ethylamphetamine (trade or other name: DOET);~~

~~[2, 5-dimethoxy-4-(n)-propylthiophenethylamine (trade or other name: 2C-T-7);~~

~~[Dimethyltryptamine (trade or other name: DMT);]~~

Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product (some trade or other names for Dronabinol: (a6aR-trans)-6a,7,8,10a-tetrahydro- 6,6, 9- trimethyl-3-pentyl-6H- dibenzo [b,d]pyran-1-ol or (-)-delta-9- (trans)- tetrahydrocannabinol);

Ethylamine Analog of Phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);

2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (trade or other name: methoxetamine);

Ibogaine (some trade or other names: 7-Ethyl-6, 6, beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);

5-iodo-2-aminoindane (5-IAI);

Mescaline;

~~[5-methoxy-N, N-diisopropyltryptamine;]~~

5-methoxy-3, 4-methylenedioxy amphetamine;

4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);

	4-methoxymethamphetamine (PMMA);
	2-(2-methoxyphenyl)-2-(methylamino)cyclohexanone (some trade and other names: 2-MeO-ketamine; methoxyketamine);
1-methyl- 4-phenyl-4-propionoxypiperidine (MPPP, PPMP);	1-methyl- 4-phenyl-4-propionoxypiperidine (MPPP, PPMP);
4-methyl-2, 5-dimethoxyamphetamine (some trade and other names: 4-methyl-2, 5-dimethoxy-alpha- methylphenethylamine; "DOM"; "STP");	4-methyl-2, 5-dimethoxyamphetamine (some trade and other names: 4-methyl-2, 5-dimethoxy-alpha- methylphenethylamine; "DOM"; "STP");
3,4-methylenedioxy methamphetamine (MDMA, MDM);	3,4-methylenedioxy methamphetamine (MDMA, MDM);
3,4-methylenedioxy amphetamine;	3,4-methylenedioxy amphetamine;
3,4-methylenedioxy N-ethylamphetamine (Also known as N-ethyl MDA);	3,4-methylenedioxy N-ethylamphetamine (Also known as N-ethyl MDA);
	5,6-methylenedioxy-2-aminoindane (MDAI);
Nabilone (Another name for nabilone: (+)-trans- 3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1-hydroxy- 6, 6-dimethyl-9H-dibenzo[b,d] pyran-9-one;	Nabilone (Another name for nabilone: (+)-trans- 3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1-hydroxy- 6, 6-dimethyl-9H-dibenzo[b,d] pyran-9-one;
N-benzylpiperazine (some trade or other names: BZP; 1-benzylpiperazine);	N-benzylpiperazine (some trade or other names: BZP; 1-benzylpiperazine);
N-ethyl-3-piperidyl benzilate;	N-ethyl-3-piperidyl benzilate;
N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy MDA);	N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy MDA);
4-methylaminorex;	4-methylaminorex;
N-methyl-3-piperidyl benzilate;	N-methyl-3-piperidyl benzilate;
Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d] pyran; Synhexyl);	Parahexyl (some trade or other names: 3-Hexyl-1- hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d] pyran; Synhexyl);
1-Phenylcyclohexylamine;	1-Phenylcyclohexylamine;
1-Piperidinocyclohexanecarbonitrile (PCC);	1-Piperidinocyclohexanecarbonitrile (PCC);
Psilocin;	[~~Psilocin;~~
Psilocybin;	[~~Psilocybin;~~]
Pyrrolidine Analog of Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);	Pyrrolidine Analog of Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);
Tetrahydrocannabinols, other than marihuana, and synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:	Tetrahydrocannabinols, other than marihuana, and synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:
delta-1 cis or trans tetrahydrocannabinol, and their optical isomers;	delta-1 cis or trans tetrahydrocannabinol, and their optical isomers;
delta-6 cis or trans tetrahydrocannabinol, and their optical isomers;	delta-6 cis or trans tetrahydrocannabinol, and their optical isomers;
delta-3, 4 cis or trans tetrahydrocannabinol, and its optical isomers;	delta-3, 4 cis or trans tetrahydrocannabinol, and its optical isomers; or

compounds of these structures, regardless of numerical designation of atomic positions, since nomenclature of these substances is not internationally standardized;
Thiophene Analog of Phencyclidine (some trade or other names: 1-[1-(2-thienyl) cyclohexyl] piperidine; 2-Thienyl Analog of Phencyclidine; TPCP, TCP);
1-pyrrolidine (some trade or other name: TCPy);
1-(3-trifluoromethylphenyl)piperazine (trade or other name: TFMPP); and
3,4,5-trimethoxy amphetamine;
(2) Phenylacetone (some trade or other names: Phenyl-2-propanone; P2P, Benzymethyl ketone, methyl benzyl ketone);
(3) unless specifically excepted or unless listed in another Penalty Group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant or stimulant effect on the central nervous system:
Aminorex (some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5- phenyl-2-oxazolamine);
Amphetamine, its salts, optical isomers, and salts of optical isomers;
Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone);

Etorphine Hydrochloride;
Fenethylline and its salts;
Lisdexamfetamine, including its salts, isomers, and salts of isomers;
Mecloqualone and its salts;
Methaqualone and its salts;
Methcathinone (some trade or other names: 2-methylamino-propiophenone; alpha-(methylamino)propriophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N- methylaminopropriophenone; monomethylpropion; ephedrone, N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR 1431);
N-Ethylamphetamine, its salts, optical isomers, and salts of optical isomers; and
N,N-dimethylamphetamine (some trade or other names: N,N,alpha-trimethylbenzeneethaneamine; N,N,alpha-trimethylphenethylamine), its salts, optical

compounds of these structures, regardless of numerical designation of atomic positions, since nomenclature of these substances is not internationally standardized;
Thiophene Analog of Phencyclidine (some trade or other names: 1-[1-(2-thienyl) cyclohexyl] piperidine; 2-Thienyl Analog of Phencyclidine; TPCP, TCP);
1-pyrrolidine (some trade or other name: TCPy);
1-(3-trifluoromethylphenyl)piperazine (trade or other name: TFMPP); and
3,4,5-trimethoxy amphetamine;
(2) Phenylacetone (some trade or other names: Phenyl-2-propanone; P2P, Benzymethyl ketone, methyl benzyl ketone);
(3) unless specifically excepted or unless listed in another Penalty Group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant or stimulant effect on the central nervous system:
Aminorex (some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5- phenyl-2-oxazolamine);
Amphetamine, its salts, optical isomers, and salts of optical isomers;
Cathinone (some trade or other names: 2-amino-1- phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone);
Etaqualone and its salts;
Etorphine Hydrochloride;
Fenethylline and its salts;
Lisdexamfetamine, including its salts, isomers, and salts of isomers;
Mecloqualone and its salts;
Methaqualone and its salts;
Methcathinone (some trade or other names: 2- methylamino-propiophenone; alpha-(methylamino)propriophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N- methylaminopropriophenone; monomethylpropion; ephedrone, N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR 1431);
N-Ethylamphetamine, its salts, optical isomers, and salts of optical isomers; and
N,N-dimethylamphetamine (some trade or other names: N,N,alpha-trimethylbenzeneethanamine [~~N,N,alpha-trimethylbenzeneethaneamine~~]; N,N,alpha-

isomers, and salts of optical isomers; [~~and~~]

(4) any compound structurally derived from 2-aminopropanal by substitution at the 1-position with any monocyclic or fused-polycyclic ring system, including:
(A) compounds further modified by:
(i) substitution in the ring system to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), whether or not further substituted in the ring system by other substituents;
(ii) substitution at the 3-position with an alkyl substituent; or
(iii) substitution at the 2-amino nitrogen atom with alkyl or dialkyl groups, or inclusion of the 2-amino nitrogen atom in a cyclic structure; and

(B) by example, compounds such as:
4-Methylmethcathinone (Also known as Mephedrone);
3,4-Dimethylmethcathinone (Also known as 3,4-DMMC);
3-Fluoromethcathinone (Also known as 3-FMC);
4-Fluoromethcathinone (Also known as Flephedrone);
3,4-Methylenedioxy-N-methylcathinone (Also known as Methylone);
3,4-Methylenedioxypyrovalerone (Also known as MDPV);
alpha-Pyrrolidinopentiophenone (Also known as alpha-PVP);
Naphthylpyrovalerone (Also known as Naphyrone);
alpha-Methylamino-valerophenone (Also known as Pentedrone);
beta-Keto-N-methylbenzodioxolylpropylamine (Also known as Butylone);
beta-Keto-N-methylbenzodioxolylpentanamine (Also known as Pentylone);
beta-Keto-Ethylbenzodioxolylbutanamine (Also known as Eutylone); and
3,4-methylenedioxy-N-ethylcathinone (Also known as Ethylone);

trimethylphenethylamine), its salts, optical isomers, and salts of optical isomers; [~~and~~]
(4) any compound structurally derived from 2-aminopropanal by substitution at the 1-position with any monocyclic or fused-polycyclic ring system, including:
(A) compounds further modified by:
(i) substitution in the ring system to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), whether or not further substituted in the ring system by other substituents;
(ii) substitution at the 3-position with an alkyl substituent; or
(iii) substitution at the 2-amino nitrogen atom with alkyl, benzyl, [~~or~~] dialkyl, or methoxybenzyl groups, or inclusion of the 2-amino nitrogen atom in a cyclic structure; and
(B) by example, compounds such as:
4-Methylmethcathinone (Also known as Mephedrone);
3,4-Dimethylmethcathinone (Also known as 3,4-DMMC);
3-Fluoromethcathinone (Also known as 3-FMC);
4-Fluoromethcathinone (Also known as Flephedrone);
3,4-Methylenedioxy-N-methylcathinone (Also known as Methylone);
3,4-Methylenedioxypyrovalerone (Also known as MDPV);
alpha-Pyrrolidinopentiophenone (Also known as alpha-PVP);
Naphthylpyrovalerone (Also known as Naphyrone);
alpha-Methylamino-valerophenone (Also known as Pentedrone);
beta-Keto-N-methylbenzodioxolylpropylamine (Also known as Butylone);
beta-Keto-N-methylbenzodioxolylpentanamine (Also known as Pentylone);
beta-Keto-Ethylbenzodioxolylbutanamine (Also known as Eutylone); and
3,4-methylenedioxy-N-ethylcathinone (Also known as Ethylone);
(5) any compound structurally derived from tryptamine (3-(2-aminoethyl)indole) or a ring-hydroxy tryptamine:
(A) by modification in any of the following ways:
(i) by substitution at the amine nitrogen

	atom of the sidechain to any extent with alkyl or alkenyl groups or by inclusion of the amine nitrogen atom of the side chain (and no other atoms of the side chain) in a cyclic structure; (ii) by substitution at the carbon atom adjacent to the nitrogen atom of the side chain (alpha-position) with an alkyl or alkenyl group; (iii) by substitution in the 6-membered ring to any extent with alkyl, alkoxy, haloalkyl, thioaklyl, alkylenedioxy, or halide substituents; or (iv) by substitution at the 2-position of the tryptamine ring system with an alkyl substituent; and (B) including: (i) ethers and esters of the controlled substances listed in this subdivision; and (ii) by example, compounds such as: alpha-ethyltryptamine; alpha-methyltryptamine; Bufotenine (some trade and other names: 3-(beta- Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5- indolol; N, N-dimethylserotonin; 5-hydroxy-N, N- dimethyltryptamine; mappine); Diethyltryptamine (some trade and other names: N, N-Diethyltryptamine, DET); Dimethyltryptamine (trade or other name: DMT); 5-methoxy-N, N-diisopropyltryptamine (5-MeO-DiPT); O-Acetylpsilocin (Trade or other name: 4-Aco-DMT); Psilocin; and Psilocybin;
(5) 2,5-Dimethoxyphenethylamine and any compound structurally derived from 2,5-Dimethoxyphenethylamine by substitution at the 4-position of the phenyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), including, by example, compounds such as: 4-Bromo-2,5-dimethoxyphenethylamine (trade or other name: 2C-B); 4-Chloro-2,5-dimethoxyphenethylamine (trade or other name: 2C-C); 2,5-Dimethoxy-4-methylphenethylamine (trade or other name: 2C-D); 4-Ethyl-2,5-dimethoxyphenethylamine (trade or other name: 2C-E); 4-Iodo-2,5-dimethoxyphenethylamine (trade	(6) 2,5-Dimethoxyphenethylamine and any compound structurally derived from 2,5-Dimethoxyphenethylamine by substitution at the 4-position of the phenyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), including, by example, compounds such as: 4-Bromo-2,5-dimethoxyphenethylamine (trade or other name: 2C-B); 4-Chloro-2,5-dimethoxyphenethylamine (trade or other name: 2C-C); 2,5-Dimethoxy-4-methylphenethylamine (trade or other name: 2C-D); 4-Ethyl-2,5-dimethoxyphenethylamine (trade or other name: 2C-E); 4-Iodo-2,5-dimethoxyphenethylamine (trade

or other name: 2C-I);
2,5-Dimethoxy-4-nitrophenethylamine (trade or other name: 2C-N);
2,5-Dimethoxy-4-(n)-propylphenethylamine (trade or other name: 2C-P);
4-Ethylthio-2,5-dimethoxyphenethylamine (trade or other name: 2C-T-2);
4-Isopropylthio-2,5-dimethoxyphenethylamine (trade or other name: 2C-T-4); and
2,5-Dimethoxy-4-(n)-propylthiophenethylamine (trade or other name: 2C-T-7); and
(6) 2,5-Dimethoxyamphetamine and any compound structurally derived from 2,5-Dimethoxyamphetamine by substitution at the 4- position of the phenyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), including, by example, compounds such as:
4-Ethylthio-2,5-dimethoxyamphetamine (trade or other name: Aleph-2);
4-Isopropylthio-2,5-dimethoxyamphetamine (trade or other name: Aleph-4);
4-Bromo-2,5-dimethoxyamphetamine (trade or other name: DOB);
4-Chloro-2,5-dimethoxyamphetamine (trade or other name: DOC);
2,5-Dimethoxy-4-ethylamphetamine (trade or other name: DOET);
4-Iodo-2,5-dimethoxyamphetamine (trade or other name: DOI);
2,5-Dimethoxy-4-methylamphetamine (trade or other name: DOM);
2,5-Dimethoxy-4-nitroamphetamine (trade or other name: DON);
4-Isopropyl-2,5-dimethoxyamphetamine (trade or other name: DOIP); and
2,5-Dimethoxy-4-(n)-propylamphetamine (trade or other name: DOPR).

(c) To the extent Subsection (a)(4), (5), or (6) conflicts with this subtitle or another law, the subtitle or other law prevails.

or other name: 2C-I);
2,5-Dimethoxy-4-nitrophenethylamine (trade or other name: 2C-N);
2,5-Dimethoxy-4-(n)-propylphenethylamine (trade or other name: 2C-P);
4-Ethylthio-2,5-dimethoxyphenethylamine (trade or other name: 2C-T-2);
4-Isopropylthio-2,5-dimethoxyphenethylamine (trade or other name: 2C-T-4); and
2,5-Dimethoxy-4-(n)-propylthiophenethylamine (trade or other name: 2C-T-7); and
(7) 2,5-Dimethoxyamphetamine and any compound structurally derived from 2,5-Dimethoxyamphetamine by substitution at the 4-position of the phenyl ring to any extent (including alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents), including, by example, compounds such as:
4-Ethylthio-2,5-dimethoxyamphetamine (trade or other name: Aleph-2);
4-Isopropylthio-2,5-dimethoxyamphetamine (trade or other name: Aleph-4);
4-Bromo-2,5-dimethoxyamphetamine (trade or other name: DOB);
4-Chloro-2,5-dimethoxyamphetamine (trade or other name: DOC);
2,5-Dimethoxy-4-ethylamphetamine (trade or other name: DOET);
4-Iodo-2,5-dimethoxyamphetamine (trade or other name: DOI);
2,5-Dimethoxy-4-methylamphetamine (trade or other name: DOM);
2,5-Dimethoxy-4-nitroamphetamine (trade or other name: DON);
4-Isopropyl-2,5-dimethoxyamphetamine (trade or other name: DOIP); and
2,5-Dimethoxy-4-(n)-propylamphetamine (trade or other name: DOPR).

(c) To the extent Subsection (a)(4), (5), (6), or (7) conflicts with another provision or this subtitle or another law, the other provision [~~subtitle~~] or the other law prevails. If a substance listed in this section is also listed in another penalty group, the listing in the other penalty group controls.

(d) If a substance listed in this section is approved by the Federal Drug Administration, the inclusion of that substance in this penalty group does not apply, and notwithstanding any other law, a

	person may not be convicted for the manufacture or delivery of the substance under Section 481.113 or for possession of the substance under Section 481.116.
SECTION 4. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.	SECTION 4. Same as introduced version.
SECTION 5. This Act takes effect September 1, 2015.	SECTION 5. Same as introduced version.