

- SUBJECT:** Classifying a synthetic cannabinoid as a Schedule I controlled substance
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 8 ayes — Crownover, Naishtat, Collier, S. Davis, Guerra, R. Miller, Sheffield, Zerwas
- 0 nays
- 3 absent — Blanco, Coleman, Zedler
- SENATE VOTE:** On final passage, May 7 — 30-1 (Huffines)
- WITNESSES:** For — (*Registered, but did not testify:* Seth Mitchell, Bexar County Commissioners Court)
- Against — None
- On — (*Registered, but did not testify:* Karen Tannert, Department of State Health Services)
- BACKGROUND:** The Texas Controlled Substances Act under Health and Safety Code, ch. 481 regulates the use of controlled substances and classifies them into schedules and penalty groups. Schedule I controlled substances have the highest potential for abuse and do not have a currently accepted medical use. The other schedules take into account the potential for abuse, the level of accepted medical use in treatment, and the likely level of dependence resulting from abuse of the substance.
- Some have called for synthetic cannabinoids to be classified as a Schedule I controlled substance because they have a high potential for abuse and do not have a currently accepted medical use.
- DIGEST:** SB 1583 would include in the state's Schedule I drug schedule any unregulated synthetic cannabinoid or cathinone designer drug that was similar by structure or pharmacological effect to a regulated Schedule I or

II controlled substance. A substance would be similar by structure or pharmacological effect to a Schedule I or II controlled substance if the substance contained a majority of functional features in a similar chemical structural arrangement or otherwise mimicked the pharmacological effect of a Schedule I or II controlled substance.

Any compound of a designer drug described by SB 1583 that was manufactured, formulated, sold, distributed, or marketed with the intent to circumvent the law would be a Schedule I controlled substance.

Examples of synthetic cannabinoid designer drugs would include substances that were generated using a three-component pharmacophore model. Synthetic cannabinoid designer drugs that contained one or more components of a controlled substance in Schedule I or II would be analogues of Schedule I or II controlled substances.

SB 1583 would specify that nothing in the bill would affect an exemption provided under state law to a person who possessed for a lawful purpose a chemical formula defined as a controlled substance.

The bill would take effect September 1, 2015.