

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

SENATE BILL 2

4  
5 By: Senators D. Johnson, Bledsoe  
6 By: Representatives Woods, Summers, Pennartz

## For An Act To Be Entitled

9 AN ACT TO AMEND THE SCHEDULE VI SUBSTANCES REGARDING  
10 DRUGS IN THE CRIMINAL CODE; DECLARING AN EMERGENCY;  
11 AND FOR OTHER PURPOSES.

## Subtitle

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14 TO AMEND THE SCHEDULE VI SUBSTANCES  
15 REGARDING DRUGS IN THE CRIMINAL CODE AND  
16 DECLARING AN EMERGENCY.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 5-64-215 is amended as follows:  
22 5-64-215. Substances in Schedule VI.

23 (a) ~~Any~~ In addition to any substance placed in Schedule VI by the  
24 Director of the Department of Health under § 5-64-214, any material,  
25 compound, mixture, or preparation, whether produced directly or indirectly  
26 from a substance of vegetable origin, ~~or~~ independently by means of chemical  
27 synthesis, or by a combination of extraction and chemical synthesis, that  
28 contains any quantity of the following substances, or that contains any of  
29 their salts, isomers, and salts of isomers when the existence of the salts,  
30 isomers, and salts of isomers is possible within the specific chemical  
31 designation, ~~are~~ is included in Schedule VI:

32 (1) Marijuana;

33 (2) Tetrahydrocannabinols; ~~and~~

34 (3) A synthetic equivalent of ~~the substance;~~

35 (A) contained The substance contained in the Cannabis  
36 plant, ~~or~~ or



1                    (B) The substance contained in the resinous extractives of  
2 the genus Cannabis; ~~or~~

3                    (4) A substance with the chemical structure of:

4                    (A) 5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-  
5 hydroxycyclohexyl]-phenol or otherwise known by CP-47,497;

6                    (B) 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-  
7 phenol or otherwise known by either cannabicyclohexanol or CP-47,497 C8  
8 homologue;

9                    (C) 1-Butyl-3-(1-naphthoyl)indole or otherwise known by  
10 JWH-073;

11                   (D) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole or  
12 otherwise known by JWH-200;

13                   (E) 1-Pentyl-3-(1-naphthoyl)indole or otherwise known by  
14 JWH-018 and AM678;

15                   (F) (4-methoxy-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-  
16 methanone or otherwise known by JWH-081; or

17                   (G) 1-(1-pentyl-1H-indol-3-yl)-2-(2-methoxyphenyl)-  
18 ethanone or otherwise known by JWH-250;

19                   (5) Salvia divinorum or Salvinorin A, which includes all parts  
20 of the plant presently classified botanically as Salvia divinorum, whether  
21 growing or not, the seeds of the plant, any extract from any part of the  
22 plant, and every compound, manufacture, derivative, mixture, or preparation  
23 of the plant, its seeds, or its extracts, including salts, isomers, and salts  
24 of isomers when the existence of the salts, isomers, and salts of isomers is  
25 possible within the specific chemical designation; or

26                   (6) a synthetic substance, derivative, or its isomers with:

27                    (A) ~~similar~~ Similar chemical structure to any substance  
28 described in subdivisions (a)(1)-(4) of this section; and or

29                    (B) ~~pharmacological~~ Similar pharmacological activity to  
30 any substance described in subdivisions (a)(1)-(4) of this section such as  
31 the following:

32                    (A)(i) [] 1 cis or trans tetrahydrocannabinol, and  
33 its optical isomers;

34                    (B)(ii) [] 6 cis or trans tetrahydrocannabinol, and  
35 its optical isomers; and

36                    (C)(iii) [] 3.4 cis or trans tetrahydrocannabinol,

1 and its optical isomers.

2 (b) However, the Director of the Department of Health shall not delete  
3 a controlled substance listed in this section from Schedule VI.

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5 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
6 General Assembly of the State of Arkansas that new substances that need  
7 immediate scheduling are becoming more prevalent; and that this act is  
8 immediately necessary because these new substances pose a risk to the public.  
9 Therefore, an emergency is declared to exist and this act being immediately  
10 necessary for the preservation of the public peace, health, and safety shall  
11 become effective on:

12 (1) The date of its approval by the Governor;

13 (2) If the bill is neither approved nor vetoed by the Governor,  
14 the expiration of the period of time during which the Governor may veto the  
15 bill; or

16 (3) If the bill is vetoed by the Governor and the veto is  
17 overridden, the date the last house overrides the veto.

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