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FISCAL IMPACT REPORT

ORIGINAL DATE 3/5/09

SPONSOR Gardner, K. **LAST UPDATED** _____ **HM** 72

SHORT TITLE Study Salvia Divinorum Use & Abuse **SB** _____

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Medical Board (MB)

SUMMARY

Synopsis of Bill

HM72 requests that the Board of Pharmacy study the use and abuse of Salvia divinorum in this state and determine if the substance has any recognized medical use.

HM72 requests that the Board of Pharmacy consider adding Salvia divinorum, and any derivatives of Salvia divinorum, to the appropriate schedule of state law (Controlled Substances Act).

HM72 requests that the Board of Pharmacy report its findings and recommendations to the appropriate interim legislative committee no later than October 2009.

SIGNIFICANT ISSUES

Salvia divinorum, also known as Diviner’s Sage, or simply by the genus name Salvia, is a psychoactive herb which can induce strong dissociative effects. It is a member of the sage genus and the Lamiaceae (mint) family. The Latin name Salvia divinorum literally translates to “sage of the seers”.

Salvia divinorum has a long and continuing tradition of religious use as an entheogen by indigenous Mazatec shamans, who use it to facilitate visionary states of consciousness during spiritual healing sessions. The plant is found in isolated, shaded, and moist plots in Oaxaca,

Mexico. It grows to well over a meter in height. It has hollow square stems, large green leaves, and occasional white and purple flowers. It is thought to be a cultigen.

Its primary psychoactive constituent is a diterpenoid known as salvinorin, which is a potent κ -opioid receptor agonist. Salvinorin A is unique in that it is the only naturally occurring substance known to induce a visionary state this way. *Salvia divinorum* can be chewed, smoked, or taken as a tincture to produce experiences ranging from laughter to much more intense and profoundly altered states. The duration of effects is much shorter than that of other, more well-known psychoactive compounds; the effects of smoked *Salvia* typically last for only a few minutes. The most commonly reported after-effects include an increased feeling of insight, an improved mood, a sense of calmness, and an increased sense of connection with nature—though, much less often, it may also cause dysphoria (unpleasant or uncomfortable mood). *Salvia divinorum* is not generally understood to be toxic or addictive, and as a κ -opioid agonist, it may have potential as an analgesic and as a therapeutic tool for treating drug addictions.

Salvia divinorum is becoming more widely known and used in modern culture. The National Survey on Drug Use and Health, an annual US based survey sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA), for 2006 estimated that about 1.8 million persons aged 12 or older had used *Salvia divinorum* in their lifetime, of which approximately 750,000 had done so in that year. Modern methods of ingestion include smoking or chewing the leaf, or using a tincture, as described in the following sections.

OTHER SUBSTANTIVE ISSUES

Despite its growing notoriety in some circles, media stories generally suggest that the public at large are still mostly unaware of salvia, with the majority perhaps having never even heard of it. With regard to their coverage of proposals to make salvia illegal in the U.S. state of Maine, Bangor Daily News ran an on-line poll in March 2007 which posed the question “Do you think the state should outlaw the sale of the drug salvia?” to which approximately 70% of respondents answered “no.” While this has over 300 reader responses, the poll itself says, that it is “not a scientific survey and should not be used as a gauge of public opinion. It reflects only the opinions of bangordailynews.com readers who have chosen to participate”. A similar online poll was conducted in connection with an Indianapolis news channel’s story in November 2007, asking the question “Do you believe Indiana should regulate salvia divinorum?”. 76% of the poll's respondents were opposed to prohibition (59% preferring age regulations, and 17% no restrictions at all). In March 2008 the Miami Herald ran an online poll in connection with its news story asking the question "Should Florida lawmakers place restrictions on salvia?". Out of over 670 respondents a majority of 79% voted 'No', against 21% who voted 'Yes'.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/mc

