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HOUSE BILL 606

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING THE CONTROLLED
SUBSTANCES ACT TO INCLUDE CERTAIN SYNTHETIC DRUGS IN THE
SCHEDULE I LIST OF CONTROLLED SUBSTANCES; DECLARING AN
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 30-31-6 NMSA 1978 (being Laws 1972,
Chapter 84, Section 6, as amended) is amended to read:

"30-31-6. SCHEDULE I.--The following controlled
substances are included in Schedule I:

A. any of the following opiates, including their
isomers, esters, ethers, salts, and salts of isomers, esters
and ethers, unless specifically exempted, whenever the
existence of these isomers, esters, ethers and salts is
possible within the specific chemical designation:

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underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

- 1 (1) acetylmethadol;
- 2 (2) allylprodine;
- 3 (3) alphacetylmethadol;
- 4 (4) alphameprodine;
- 5 (5) alphamethadol;
- 6 (6) benzethidine;
- 7 (7) betacetylmethadol;
- 8 (8) betameprodine;
- 9 (9) betamethadol;
- 10 (10) betaprodine;
- 11 (11) clonitazene;
- 12 (12) dextromoramide;
- 13 (13) dextrorphan;
- 14 (14) diampromide;
- 15 (15) diethylthiambutene;
- 16 (16) dimenoxadol;
- 17 (17) dimepheptanol;
- 18 (18) dimethylthiambutene;
- 19 (19) dioxaphetyl butyrate;
- 20 (20) dipipanone;
- 21 (21) ethylmethylthiambutene;
- 22 (22) etonitazene;
- 23 (23) etoxeridine;
- 24 (24) furethidine;
- 25 (25) hydroxypethidine;

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- 1 (26) ketobemidone;
- 2 (27) levomoramide;
- 3 (28) levophenacylmorphan;
- 4 (29) morpheridine;
- 5 (30) noracymethadol;
- 6 (31) norlevorphanol;
- 7 (32) normethadone;
- 8 (33) norpipanone;
- 9 (34) phenadoxone;
- 10 (35) phenampromide;
- 11 (36) phenomorphan;
- 12 (37) phenoperidine;
- 13 (38) piritramide;
- 14 (39) proheptazine;
- 15 (40) properidine;
- 16 (41) racemoramide; and
- 17 (42) trimeperidine;

18 B. any of the following opium derivatives, their
19 salts, isomers and salts of isomers, unless specifically
20 exempted, whenever the existence of these salts, isomers and
21 salts of isomers is possible within the specific chemical
22 designation:

- 23 (1) acetorphine;
- 24 (2) acetyldihydrocodeine;
- 25 (3) benzylmorphine;

underscored material = new
~~[bracketed material] = delete~~

- 1 (4) codeine methylbromide;
- 2 (5) codeine-N-oxide;
- 3 (6) cyprenorphine;
- 4 (7) desomorphine;
- 5 (8) dihydromorphine;
- 6 (9) etorphine;
- 7 (10) heroin;
- 8 (11) hydromorphinol;
- 9 (12) methyldesorphine;
- 10 (13) methyldihydromorphine;
- 11 (14) morphine methylbromide;
- 12 (15) morphine methylsulfonate;
- 13 (16) morphine-N-oxide;
- 14 (17) myrophine;
- 15 (18) nicocodeine;
- 16 (19) nicomorphine;
- 17 (20) normorphine;
- 18 (21) pholcodine; and
- 19 (22) thebacon;

20 C. any material, compound, mixture or preparation
21 that contains any quantity of the following hallucinogenic
22 substances, their salts, isomers and salts of isomers, unless
23 specifically exempted, whenever the existence of these salts,
24 isomers and salts of isomers is possible within the specific
25 chemical designation:

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underscored material = new
[bracketed material] = delete

- 1 (1) 3,4-methylenedioxy amphetamine;
- 2 (2) 5-methoxy-3,4-methylenedioxy amphetamine;
- 3 (3) 3,4,5-trimethoxy amphetamine;
- 4 (4) bufotenine;
- 5 (5) diethyltryptamine;
- 6 (6) dimethyltryptamine;
- 7 (7) 4-methyl-2,5-dimethoxy amphetamine;
- 8 (8) ibogaine;
- 9 (9) lysergic acid diethylamide;
- 10 (10) marijuana;
- 11 (11) mescaline;
- 12 (12) peyote, except as otherwise provided in
- 13 the Controlled Substances Act;
- 14 (13) N-ethyl-3-piperidyl benzilate;
- 15 (14) N-methyl-3-piperidyl benzilate;
- 16 (15) psilocybin;
- 17 (16) psilocyn;
- 18 (17) tetrahydrocannabinols; [~~and~~]
- 19 (18) hashish;
- 20 (19) 3,4-methylenedioxymethcathinone;
- 21 (20) 3,4-methylenedioxypyrovalerone;
- 22 (21) 4-methylmethcathinone;
- 23 (22) 3-methoxymethcathinone; and
- 24 (23) 3,4-fluoromethcathinone;

25 D. the enumeration of peyote as a controlled

underscoring material = new
[bracketed material] = delete

1 substance does not apply to the use of peyote in bona fide
2 religious ceremonies by a bona fide religious organization, and
3 members of the organization so using peyote are exempt from
4 registration. Any person who manufactures peyote for or
5 distributes peyote to the organization or its members shall
6 comply with the federal Comprehensive Drug Abuse Prevention and
7 Control Act of 1970 and all other requirements of law;

8 E. the enumeration of marijuana,
9 tetrahydrocannabinols or chemical derivatives of
10 tetrahydrocannabinol as Schedule I controlled substances does
11 not apply to the use of marijuana, tetrahydrocannabinols or
12 chemical derivatives of tetrahydrocannabinol by certified
13 patients pursuant to the Controlled Substances Therapeutic
14 Research Act or by qualified patients pursuant to the
15 provisions of the Lynn and Erin Compassionate Use Act; and

16 F. controlled substances added to Schedule I by
17 rule adopted by the board pursuant to Section 30-31-3 NMSA
18 1978."

19 SECTION 2. EMERGENCY.--It is necessary for the public
20 peace, health and safety that this act take effect immediately.