

Act No. 248  
Public Acts of 1998  
Approved by the Governor  
July 8, 1998  
Filed with the Secretary of State  
July 9, 1998  
EFFECTIVE DATE: July 9, 1998

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

**Introduced by Senators Schwarz, Cisky, Bouchard, Rogers, Byrum, A. Smith, Berryman, DeBeaussaert, Miller, Shugars, Gougeon, North, Emmons, Koivisto, McManus, O'Brien, Jaye, Steil, Stille, Bennett, Young, Conroy, Peters and Vaughn**

## **ENROLLED SENATE BILL No. 726**

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 7212 (MCL 333.7212), as amended by 1993 PA 25.

*The People of the State of Michigan enact:*

Sec. 7212. (1) The following controlled substances are included in schedule 1:

(a) Any of the following opiates, including their isomers, esters, the ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, when the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

Acetylmethadol	Difenoxin	Noracymethadol
Allylprodine	Dimenoxadol	Norlevorphanol
Alpha-acetylmethadol	Dimepheptanol	Normethadone
Alphameprodine	Dimethylthiambutene	Norpipanone
Alphamethadol	Dioxaphetyl butyrate	Phenadoxone
Benzethidine	Dipipanone	Phenampromide
Betacetylmethadol	Ethylmethylthiambutene	Phenomorphin
Betameprodine	Etonitazene	Phenoperidine
Betamethadol	Etoxidine	Piritramide
Betaprodine	Furethidine	Proheptazine
Clonitazene	Hydroxypethidine	Properidine

Dextromoramide	Ketobemidone	Propiram
Diampromide	Levomoramide	Racemoramide
Diethylthiambutene	Levophenacymorphan	Trimeperidine
	Morpheridine	

(b) Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine	Drotebanol	Morphine-N-Oxide
Acetyldihydrocodeine	Etorphine	Myrophine
Benzylmorphine	Heroin	Nicocodeine
Codeine methylbromide	Hydromorphanol	Nicomorphine
Codeine-N-Oxide	Methyldesorphine	Normorphine
Cyprenorphine	Methyldihydromorphine	Pholcodine
Desomorphine	Morphine methylbromide	Thebacon
Dihydromorphine	Morphine methylsulfonate	

(c) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

2-Methylamino-1-phenylpropan-1-one

Some trade and other names:

Methcathinone  
Cat  
Ephedrone

3, 4-methylenedioxy amphetamine

5-methoxy-3, 4-methylenedioxy  
amphetamine

3, 4, 5-trimethoxy amphetamine

Bufotenine

Some trade and other names:

3-(B-dimethylaminoethyl)-5 hydroxyindole  
3-(2-dimethylaminoethyl)-5 indolol  
N,N-dimethylserotonin; 5-hydroxy-N-dimethyltryptamine  
Mappine

2, 5-Dimethoxyamphetamine

Some trade or other names:

2, 5-Dimethoxy-a-methylphenethylamine; 2,5-DMA

4-Bromo-2, 5-Dimethoxyamphetamine

Some trade or other names:

4-bromo-2, 5 dimethoxy-a-methylphenethylamine; 4-bromo  
2,5-DMA

Diethyltryptamine

Some trade and other names:

N,N-Diethyltryptamine; DET

Dimethyltryptamine

Some trade or other names:

DMT

4-methyl-2, 5-dimethoxyamphetamine

Some trade and other names:

4-methyl-2, 5-dimethoxy-a-methyl-phenethylamine  
DOM, STP

4-methoxyamphetamine

Some trade or other names:

4-methoxy-a-methylphenethylamine; paramethoxy amphetamine;  
PMA

Ibogaine

Some trade and other names:

7-Ethyl-6,6a,7,8,9,10,12,13  
Octahydro-2-methoxy-6,9-methano-5H-  
pyrido (1, 2:1, 2 azepino 4, 5-b) indole  
tabernanthe iboga

Lysergic acid diethylamide  
Marihuana, except as otherwise provided in subsection (2)  
Mecloqualone  
Mescaline  
Peyote  
N-ethyl-3 piperidyl benzilate  
N-methyl-3 piperidyl benzilate  
Psilocybin  
Psilocyn

Thiophene analog of phencyclidine

Some trade or other names:

1-(1-(2-thienyl)cyclohexyl) piperidine)

2-thienyl analog of phencyclidine; TPCP

(d) Except as provided in subsection (2), synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis and synthetic substances, derivatives, and their isomers with similar chemical structure or pharmacological activity, or both, such as the following, are included in schedule 1:

(i)  $\Delta^1$  cis or trans tetrahydrocannabinol, and their optical isomers.

(ii)  $\Delta^6$  cis or trans tetrahydrocannabinol, and their optical isomers.

(iii)  $\Delta^{3,4}$  cis or trans tetrahydrocannabinol, and their optical isomers.

(e) Compounds of structures of substances referred to in subdivision (d), regardless of numerical designation of atomic positions, are included.

(f) Gamma-hydroxybutyrate and any isomer, salt, or salt of isomer of gamma-hydroxybutyrate.

Some trade and other names:

Sodium oxybate

4-hydroxybutanoic acid monosodium salt

(2) Marihuana and the substances described in subsection (1) (d) and (e) in schedule 1 shall be regulated as provided in schedule 2, if they are dispensed in the manner provided in sections 7335 and 7336.

(3) For purposes of subsection (1), "isomer" includes the optical, position, and geometric isomers.

This act is ordered to take immediate effect.



Secretary of the Senate.



Clerk of the House of Representatives.

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor.