



GOV. MSG. NO. 1129

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 19, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

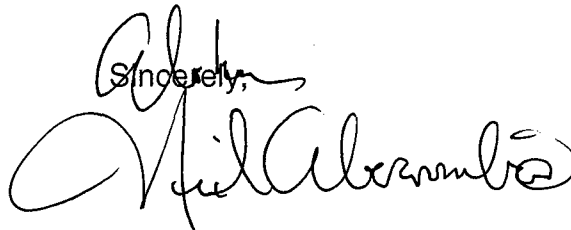
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 19, 2012, the following bill was signed into law:

HB2600 HD2

RELATING TO CONTROLLED SUBSTANCES.
Act 029 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 329-14, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§329-14 **Schedule I.** (a) The controlled substances
4 listed in this section are included in schedule I.

5 (b) Any of the following opiates, including their isomers,
6 esters, ethers, salts, and salts of isomers, esters, and ethers,
7 unless specifically excepted, whenever the existence of these
8 isomers, esters, ethers, and salts is possible within the
9 specific chemical designation:

- 10 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-
11 phenethyl)-4-piperidinyl]-N-phenylacetamide);
12 (2) Acetylmethadol;
13 (3) Allylprodine;
14 (4) Alphacetylmethadol (except levo-alphacetylmethadol,
15 levomethadyl acetate, or LAAM);
16 (5) Alphameprodine;
17 (6) Alphamethadol;



- 1 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-
- 2 phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-
- 3 2-phenylethyl)-4-(N-propanilido) piperidine);
- 4 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-
- 5 thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- 6 (9) Benzethidine;
- 7 (10) Betacetylmethadol;
- 8 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
- 9 piperidinyl]-N-phenylpropanamide);
- 10 (12) Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-
- 11 phenethyl)-3-methyl-4-piperidinyl]-N-
- 12 phenylpropanamide);
- 13 (13) Betameprodine;
- 14 (14) Betamethadol;
- 15 (15) Betaprodine;
- 16 (16) Clonitazene;
- 17 (17) Dextromoramide;
- 18 (18) Diampromide;
- 19 (19) Diethylthiambutene;
- 20 (20) Difenoxyin;
- 21 (21) Dimenoxadol;
- 22 (22) Dimepheptanol;



- 1 (23) Dimethylthiambutene;
- 2 (24) Dioxaphetyl butyrate;
- 3 (25) Dipipanone;
- 4 (26) Ethylmethylthiambutene;
- 5 (27) Etonitazene;
- 6 (28) Etoxeridine;
- 7 (29) Furethidine;
- 8 (30) Hydroxypethidine;
- 9 (31) Ketobemidone;
- 10 (32) Levomoramide;
- 11 (33) Levophenacymorphan;
- 12 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 13 piperidyl]-N-phenylpropanamide);
- 14 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-
- 15 4-piperidinyl]-N-phenylpropanamide);
- 16 (36) Morpheridine;
- 17 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 18 (38) Noracymethadol;
- 19 (39) Norlevorphanol;
- 20 (40) Normethadone;
- 21 (41) Norpipanone;



- 1 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
2 phenethyl)-4-piperidinyl] propanamide;
- 3 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine;
- 4 (44) Phenadoxone;
- 5 (45) Phenampromide;
- 6 (46) Phenomorphan;
- 7 (47) Phenoperidine;
- 8 (48) Piritramide;
- 9 (49) Proheptazine;
- 10 (50) Properidine;
- 11 (51) Propiram;
- 12 (52) Racemoramide;
- 13 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
14 piperidinyl]-propanamide);
- 15 (54) Tilidine;
- 16 (55) Trimeperidine;
- 17 (56) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
18 (benzylfentanyl), its optical isomers, salts, and
19 salts of isomers; and
- 20 (57) N-[1-(2-thienyl)methyl-4-piperidyl]-N-
21 phenylpropanamide (thenylfentanyl), its optical
22 isomers, salts, and salts of isomers.



1 (c) Any of the following opium derivatives, their salts,
2 isomers, and salts of isomers, unless specifically excepted,
3 whenever the existence of these salts, isomers, and salts of
4 isomers is possible within the specific chemical designation:

- 5 (1) Acetorphine;
- 6 (2) Acetyldihydrocodeine;
- 7 (3) Benzylmorphine;
- 8 (4) Codeine methylbromide;
- 9 (5) Codeine-N-Oxide;
- 10 (6) Cyprenorphine;
- 11 (7) Desomorphine;
- 12 (8) Dihydromorphine;
- 13 (9) Drotebanol;
- 14 (10) Etorphine;
- 15 (11) Heroin;
- 16 (12) Hydromorphinol;
- 17 (13) Methyldesorphine;
- 18 (14) Methyldihydromorphine;
- 19 (15) Morphine methylbromide;
- 20 (16) Morphine methylsulfonate;
- 21 (17) Morphine-N-Oxide;
- 22 (18) Myrophine;



- 1 (19) Nicocodeine;
- 2 (20) Nicomorphine;
- 3 (21) Normorphine;
- 4 (22) Phoclodine; and
- 5 (23) Thebacon.
- 6 (d) Any material, compound, mixture, or preparation that
- 7 contains any quantity of the following hallucinogenic
- 8 substances, their salts, isomers, and salts of isomers, unless
- 9 specifically excepted, whenever the existence of these salts,
- 10 isomers, and salts of isomers is possible within the specific
- 11 chemical designation:
- 12 (1) Alpha-ethyltryptamine (AET);
- 13 (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- 14 (3) 2,5-dimethoxyamphetamine (2,5-DMA);
- 15 (4) 3,4-methylenedioxy amphetamine;
- 16 (5) 3,4-methylenedioxymethamphetamine (MDMA);
- 17 (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-
- 18 MDA);
- 19 (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
- 20 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 21 (9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
- 22 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);



- 1 (11) 3,4,5-trimethoxy amphetamine;
- 2 (12) Bufotenine;
- 3 (13) 4-methoxyamphetamine (PMA);
- 4 (14) Diethyltryptamine;
- 5 (15) Dimethyltryptamine;
- 6 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 7 (17) Gamma hydroxybutyrate (GHB) (some other names include
- 8 gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-
- 9 hydroxybutanoic acid; sodium oxybate; sodium
- 10 oxybutyrate);
- 11 (18) Ibogaine;
- 12 (19) Lysergic acid diethylamide;
- 13 (20) Marijuana;
- 14 (21) Parahexyl;
- 15 (22) Mescaline;
- 16 (23) Peyote;
- 17 (24) N-ethyl-3-piperidyl benzilate;
- 18 (25) N-methyl-3-piperidyl benzilate;
- 19 (26) Psilocybin;
- 20 (27) Psilocyn;
- 21 (28) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);



- 1 ~~[(29) Tetrahydrocannabinols; meaning tetrahydrocannabinols~~
2 ~~naturally contained in a plant of the genus Cannabis~~
3 ~~(cannabis plant), as well as synthetic equivalents of~~
4 ~~the substances contained in the cannabis plant, or in~~
5 ~~the resinous extractives of such plant, or synthetic~~
6 ~~substances, derivatives, and their isomers with~~
7 ~~similar chemical structure and pharmacological~~
8 ~~activity to those substances contained in the plant,~~
9 ~~such as the following:~~
- 10 ~~(A) 1-cis or trans tetrahydrocannabinol, and their~~
11 ~~optical isomers;~~
- 12 ~~(B) 6-cis or trans tetrahydrocannabinol, and their~~
13 ~~optical isomers; and~~
- 14 ~~(C) 3,4-cis or trans tetrahydrocannabinol, and its~~
15 ~~optical isomers.~~
- 16 ~~(Since nomenclature of these substances is not~~
17 ~~internationally standardized, compounds of these~~
18 ~~structures, regardless of numerical designation of~~
19 ~~atomic positions, are covered);~~
- 20 ~~(30)]~~ (29) Ethylamine analog of phencyclidine (PCE);
- 21 ~~[(31)]~~ (30) Pyrrolidine analog of phencyclidine (PCPy,
- 22 PHP);



- 1 [~~32~~] (31) Thiophene analog of phencyclidine (TPCP; TCP);
- 2 [~~33~~] (32) Gamma-butyrolactone, including butyrolactone;
- 3 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
- 4 dihydro; dihydro-2(3H)-furanone; tetrahydro-2-
- 5 furanone; 1,2-butanolide; 1,4-butanolide; 4-
- 6 butanolide; gamma-hydroxybutyric acid lactone; 3-
- 7 hydroxybutyric acid lactone and 4-hydroxybutanoic acid
- 8 lactone with Chemical Abstract Service number 96-48-0
- 9 when any such substance is intended for human
- 10 ingestion;
- 11 [~~34~~] (33) 1,4 butanediol, including butanediol; butane-
- 12 1,4-diol; 1,4- butylenes glycol; butylene glycol; 1,4-
- 13 dihydroxybutane; 1,4- tetramethylene glycol;
- 14 tetramethylene glycol; tetramethylene 1,4- diol with
- 15 Chemical Abstract Service number 110-63-4 when any
- 16 such substance is intended for human ingestion;
- 17 [~~35~~] (34) 2,5-dimethoxy-4-(n)-propylthiophenethylamine
- 18 (2C-T-7), its optical isomers, salts, and salts of
- 19 isomers;
- 20 [~~36~~] (35) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
- 21 optical isomers, salts, and salts of isomers;



- 1 ~~[37]~~ (36) 1-(3-trifluoromethylphenyl)piperazine (TFMPP),
2 its optical isomers, salts, and salts of isomers;
- 3 ~~[38]~~ (37) Alpha-methyltryptamine (AMT), its isomers,
4 salts, and salts of isomers;
- 5 ~~[39]~~ (38) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-
6 DIPT), its isomers, salts, and salts of isomers;
- 7 ~~[40]~~ (39) Salvia divinorum;
- 8 ~~[41]~~ (40) Salvinorin A;
- 9 ~~[42]~~ (41) Divinorin A;
- 10 ~~[43]~~ Mephedrone (~~2-methylamino-1-p-tolylpropan-1-one~~) also
11 known as ~~4-methylmethcathinone (4-MMC),~~
12 methylephedrone or MMCAI,
- 13 ~~(44)~~ Methylendioxypropylvalerone (MDPV, MDPK),
- 14 ~~(45)~~ ~~(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-~~
15 ~~methyloctan-2-yl)-6a,7,10,10a-~~
16 ~~tetrahydrobenzo[e]chromen-1-ol, (another trade name is~~
17 ~~HU-210),~~
- 18 ~~(46)~~ ~~2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-~~
19 ~~yl)phenol, (other trade names include CP-47,497 and~~
20 ~~dimethyloctyl homologues),~~
- 21 ~~(47)~~ ~~1-Pentyl-3-(1-naphthoyl)indole, (another trade name is~~
22 ~~JWH-018),~~



1 ~~(48) 1-Butyl 3-(1-naphthoyl)indole, (another trade name is~~
2 ~~JWH-073; and~~

3 ~~(49) Cannabicyclohexanol.]; and~~

4 (42) 5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DIPT) (some
5 trade or other names: 5-methoxy-3-[2-
6 (dimethylamino)ethyl]indole; 5-MeO-DMT).

7 (e) Depressants. Unless specifically excepted, the
8 schedule shall include any material, compound, mixture, or
9 preparation which contains any quantity of the substance:

10 (1) Mecloqualone; or

11 (2) Methaqualone.

12 (f) Stimulants. Unless specifically excepted or unless
13 listed in another schedule, any material, compound, mixture, or
14 preparation which contains any quantity of the following
15 substances having a stimulant effect on the central nervous
16 system, including its salts, isomers, and salts of isomers:

17 (1) Aminorex;

18 (2) Cathinone;

19 (3) Fenethylamine;

20 (4) Methcathinone;

21 (5) N-ethylamphetamine;

22 (6) 4-methylaminorex;



1 (7) N,N-dimethylamphetamine[-]; and

2 (8) Substituted cathinones, any compound, except bupropion
3 or compounds listed under a different schedule,
4 structurally derived from 2-aminopropan-1-one by
5 substitution at the 1-position with either phenyl,
6 naphthyl, or thiophene ring systems, whether or not
7 the compound is further modified in any of the
8 following ways:

9 (A) By substitution in the ring system to any extent
10 with alkyl, alkylendioxy, alkoxy, haloalkyl,
11 hydroxyl, or halide substituents, whether or not
12 further substituted in the ring system by one or
13 more other univalent substituents;

14 (B) By substitution at the 3-position with an acyclic
15 alkyl substituent; or

16 (C) By substitution at the 2-amino nitrogen atom with
17 alkyl, dialkyl, benzyl, or methoxybenzyl groups,
18 or by inclusion of the 2-amino nitrogen atom in a
19 cyclic structure.

20 Some other trade names: Mephedrone (2-methylamino-1-
21 p-tolylpropan-1-one), also known as 4-

22 methylmethcathinone (4-MMC), methylephedrone or MMCAT;



1 Methylenedioxypropylvalerone (MDPV, MDPK); and methylone
2 or 3,4-methylenedioxypropylvalerone.

3 (g) Any of the following cannabinoids, their salts,
4 isomers, and salts of isomers, unless specifically excepted,
5 whenever the existence of these salts, isomers, and salts of
6 isomers is possible within the specific chemical designation:

7 (1) Tetrahydrocannabinols; meaning tetrahydrocannabinols
8 naturally contained in a plant of the genus Cannabis
9 (cannabis plant), as well as synthetic equivalents of
10 the substances contained in the plant, or in the
11 resinous extractives of Cannabis, sp. or synthetic
12 substances, derivatives, and their isomers with
13 similar chemical structure and pharmacological
14 activity to those substances contained in the plant,
15 such as the following: Delta 1 cis or trans
16 tetrahydrocannabinol, and their optical isomers; Delta
17 6 cis or trans tetrahydrocannabinol, and their optical
18 isomers; and Delta 3,4 cis or trans-
19 tetrahydrocannabinol, and its optical isomers (since
20 nomenclature of these substances is not
21 internationally standardized, compounds of these



- 1 structures, regardless of numerical designation of
2 atomic positions, are covered);
- 3 (2) Napthoylindoles; meaning any compound containing a 3-
4 (1-napthoyl) indole structure with substitution at
5 the nitrogen atom of the indole ring by a alkyl,
6 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
7 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
8 ethyl group, whether or not further substituted in the
9 indole ring to any extent and whether or not
10 substituted in the naphthyl ring to any extent;
- 11 (3) Napthylmethylinindoles; meaning any compound containing
12 a 1H-indol-3-yl-(1-napthyl) methane structure with
13 substitution at the nitrogen atom of the indole ring
14 by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
15 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
16 2-(4-morpholinyl) ethyl group whether or not further
17 substituted in the indole ring to any extent and
18 whether or not substituted in the naphthyl ring to any
19 extent;
- 20 (4) Napthoylpyrroles; meaning any compound containing a
21 3-(1-napthoyl) pyrrole structure with substitution at
22 the nitrogen atom of the pyrrole ring by a alkyl,



1 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
2 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
3 ethyl group whether or not further substituted in the
4 pyrrole ring to any extent, whether or not substituted
5 in the naphthyl ring to any extent;

6 (5) Naphthylmethylenes; meaning any compound containing
7 a naphthylideneindene structure with substitution at
8 the 3-position of the indene ring by a alkyl,
9 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
10 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
11 ethyl group whether or not further substituted in the
12 indene ring to any extent, whether or not substituted
13 in the naphthyl ring to any extent;

14 (6) Phenylacetylindoles; meaning any compound containing a
15 3-phenylacetylindole structure with substitution at
16 the nitrogen atom of the indole ring by a alkyl,
17 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
18 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
19 ethyl group whether or not further substituted in the
20 indole ring to any extent, whether or not substituted
21 in the phenyl ring to any extent;



- 1 (7) Cyclohexylphenols; meaning any compound containing a
2 2-(3-hydroxycyclohexyl) phenol structure with
3 substitution at the 5-position of the phenolic ring by
4 a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
5 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
6 2-(4-morpholinyl) ethyl group whether or not
7 substituted in the cyclohexyl ring to any extent;
- 8 (8) Benzoylindoles; meaning any compound containing a 3-
9 (benzoyl) indole structure with substitution at the
10 nitrogen atom of the indole ring by a alkyl, aloalkyl,
11 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
12 methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
13 ethyl group whether or not further substituted in the
14 indole ring to any extent and whether or not
15 substituted in the phenyl ring to any extent;
- 16 (9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)
17 pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
18 naphthalenylmethanone (another trade name is WIN
19 55,212-2); and
- 20 (10) (6a,10a)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-
21 methyloctan-2-yl)-6a,7,10,10a-



1 tetrahydrobenzo[c]chromen-1-ol (other trade names are:
2 HU-210 and HU-211)."

3 SECTION 2. Section 329-16, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (c) to read:

6 "(c) Any of the following opiates, including their
7 isomers, esters, ethers, salts, and salts of isomers, whenever
8 the existence of these isomers, esters, ethers, and salts is
9 possible within the specific chemical designation:

- 10 (1) Alfentanil;
- 11 (2) Alphaprodine;
- 12 (3) Anileridine;
- 13 (4) Bezitramide;
- 14 (5) Bulk Dextropropoxyphene (nondosage form);
- 15 (6) Carfentanil;
- 16 (7) Dihydrocodeine;
- 17 (8) Diphenoxylate;
- 18 (9) Fentanyl;
- 19 (10) Isomethadone;
- 20 (11) Levo-alphaacetylmethadol (LAAM);
- 21 (12) Levomethorphan;
- 22 (13) Levorphanol;



- 1 (14) Metazocine;
- 2 (15) Methadone;
- 3 (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-
- 4 diphenyl butane;
- 5 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-
- 6 diphenyl-propane-carboxylic acid;
- 7 (18) Pethidine (Meperidine);
- 8 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-
- 9 phenylpiperidine;
- 10 (20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
- 11 carboxylate;
- 12 (21) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-
- 13 4-carboxylic acid;
- 14 (22) Phenazocine;
- 15 (23) Piminodine;
- 16 (24) Racemethorphan;
- 17 (25) Racemorphan;
- 18 (26) Remifentanil;
- 19 (27) Sufentanil; and
- 20 (28) Tapentadol [~~and~~
- 21 ~~(29) 4-anilino-N-phenethyl-4-piperidine (ANPP)] . "~~



1 2. By amending subsection (f) to read:

2 "(f) Immediate precursor. Unless listed in another
3 schedule, any material, compound, mixture, or preparation which
4 contains any quantity of the following substances:

5 (1) Immediate precursor to amphetamine and
6 methamphetamine:

7 (A) Phenylacetone, phenyl-2-propanone(P2P), benzyl
8 methyl ketone, methyl benzyl ketone [~~or~~];

9 (2) Immediate precursors to phencyclidine (PCP):

10 (A) 1-phenylcyclohexylamine; and

11 (B) 1-piperidinocyclohexanecarbonitrile(PCC) [~~-~~]; or

12 (3) Immediate precursor to Fentanyl:

13 (A) 4-anilino-N-Phenethyl-4-piperdine (ANPP)."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 19 day of APR , 2012



GOVERNOR OF THE STATE OF HAWAII

