
A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

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

1 SECTION 1. Section 329-14, Hawaii Revised Statutes, is
2 amended by amending subsections (f) and (g) to read as follows:

3 "(f) Stimulants. Unless specifically excepted or unless
4 listed in another schedule, any material, compound, mixture, or
5 preparation which contains any quantity of the following
6 substances having a stimulant effect on the central nervous
7 system, including its salts, isomers, and salts of isomers:

- 8 (1) Aminorex;
- 9 (2) Cathinone;
- 10 (3) Fenethylamine;
- 11 (4) Methcathinone;
- 12 (5) N-ethylamphetamine;
- 13 (6) 4-methylaminorex;
- 14 (7) N,N-dimethylamphetamine; and
- 15 (8) Substituted cathinones, any compound, except bupropion
16 or compounds listed under a different schedule,
17 structurally derived from 2-aminopropan-1-ol by



1 substitution at the 1-position with either phenyl,
2 naphthyl, or thiophene ring systems, whether or not
3 the compound is further modified in any of the
4 following ways:

- 5 (A) By substitution in the ring system to any extent
6 with alkyl, alkylendioxy, alkoxy, haloalkyl,
7 hydroxyl, or halide substituents, whether or not
8 further substituted in the ring system by one or
9 more other univalent substituents;
- 10 (B) By substitution at the 3-position with an acyclic
11 alkyl substituent; or
- 12 (C) By substitution at the 2-amino nitrogen atom with
13 alkyl, dialkyl, benzyl, or methoxybenzyl groups,
14 or by inclusion of the 2-amino nitrogen atom in a
15 cyclic structure.

16 Some other trade names: Mephedrone (2-methylamino-1-
17 p-tolylpropan-1-one), also known as 4-
18 methylmethcathinone (4-MMC), methylephedrone or MMCAT;
19 Methylenedioxyprovalerone (MDPV, MDPK); [and]
20 methylone or 3,4-methylenedioxymethcathinone [-]; and
21 1-(benzo[d][1,3]dioxol-5-yl)-2-(ethylamino)propan-1-



1 one, monohydrochloride, also known as Ethylone, bk-
2 MDEA hydrochloride, MDEC; 3,4-Methylenedioxy-N-
3 ethylcathinone; bk-Methylenedioxyethylamphetamine.

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

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



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



- 1 (4) Naphthoylpyrroles; meaning any compound containing a
2 3-(1-naphthoyl) pyrrole structure with substitution at
3 the nitrogen atom of the pyrrole ring by a alkyl,
4 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
5 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
6 ethyl group whether or not further substituted in the
7 pyrrole ring to any extent, whether or not substituted
8 in the naphthyl ring to any extent;
- 9 (5) Naphthylmethylindenes; meaning any compound containing
10 a naphthylideneindene structure with substitution at
11 the 3-position of the indene ring by a alkyl,
12 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
13 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
14 ethyl group whether or not further substituted in the
15 indene ring to any extent, whether or not substituted
16 in the naphthyl ring to any extent;
- 17 (6) Phenylacetylindoles; meaning any compound containing a
18 3-phenylacetylindole structure with substitution at
19 the nitrogen atom of the indole ring by a alkyl,
20 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
21 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)



1 ethyl group whether or not further substituted in the
2 indole ring to any extent, whether or not substituted
3 in the phenyl ring to any extent;

4 (7) Cyclohexylphenols; meaning any compound containing a
5 2-(3-hydroxycyclohexyl) phenol structure with
6 substitution at the 5-position of the phenolic ring by
7 a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
8 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
9 2-(4-morpholinyl) ethyl group whether or not
10 substituted in the cyclohexyl ring to any extent;

11 (8) Benzoylindoles; meaning any compound containing a
12 3-(benzoyl) indole structure with substitution at the
13 nitrogen atom of the indole ring by a alkyl,
14 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
15 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)
16 ethyl group whether or not further substituted in the
17 indole ring to any extent and whether or not
18 substituted in the phenyl ring to any extent;

19 (9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)
20 pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-



- 1 naphthalenylmethanone (another trade name is WIN
2 55,212-2);
- 3 (10) (6a,10a)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
4 methyloctan-2-yl)-6a,7,10,10a-
5 tetrahydrobenzo[e]chromen-1-ol (other trade names are:
6 HU-210 and HU-211);
- 7 (11) Tetramethylcyclopropanoylindoles; meaning any compound
8 containing a 3-tetramethylcyclopropanoylindole
9 structure with substitution at the nitrogen atom of
10 the indole ring by an alkyl, haloalkyl, cyanoalkyl,
11 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
12 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
13 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
14 morpholinyl)methyl, or tetrahydropyranylmethyl group,
15 whether or not further substituted in the indole ring
16 to any extent and whether or not substituted in the
17 tetramethylcyclopropyl ring to any extent;
- 18 (12) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide,
19 its optical, positional, and geometric isomers, salts,
20 and salts of isomers (Other names: APINACA, AKB48);



- 1 (13) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its
2 optical, positional, and geometric isomers, salts, and
3 salts of isomers (Other names: PB-22; QUPIC);
- 4 (14) Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-
5 carboxylate, its optical, positional, and geometric
6 isomers, salts, and salts of isomers (Other names: 5-
7 fluoro-PB-22; 5F-PB-22);
- 8 (15) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
9 fluorobenzyl)-1H-indazole-3-carboxamide, its optical,
10 positional, and geometric isomers, salts, and salts of
11 isomers (Other names: AB-FUBINACA); [and]
- 12 (16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
13 indazole-3-carboxamide, its optical, positional, and
14 geometric isomers, salts, and salts of isomers (Other
15 names: ADB-PINACA) [∓];
- 16 (17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
17 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its
18 optical, positional, and geometric isomers, salts, and
19 salts of isomers (Other names: AB-CHMINACA);



- 1 (18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
2 indazole-3-carboxamide, and geometric isomers, salts,
3 and salts of isomers (Other names: AB-PINACA);
- 4 (19) [~~1-(5-fluoropentyl)-1H-indazol-3-yl~~] (naphthalen-1-
5 yl)methanone, and geometric isomers, salts, and salts
6 of isomers (Other names: THJ-2201);
- 7 (20) Methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-
8 valinate, and geometric isomers, salts, and salts of
9 isomers (other names: FUB-AMB);
- 10 (21) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
11 carboxamido)-3-methylbutanoate, and geometric isomers,
12 salts, and salts of isomers (Other names: 5-fluoro-
13 AMB, 5-fluoro-AMP);
- 14 (22) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-
15 indazole-3-carboxamide, and geometric isomers, salts,
16 and salts of isomers (Other names: AKB48 N-(5-
17 fluoropentyl) analog, 5F-AKB48, APINACA 5-fluoropentyl
18 analog, 5F-APINACA);
- 19 (23) N-adamantyl-1-fluoropentylindole-3-Carboxamide, and
20 geometric isomers, salts, and salts of isomers (Other
21 names: STS-135, 5F-APICA; 5-fluoro-APICA); and



1 (24) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
2 caboxylate, and geometric isomers, salts, and salts of
3 isomers (Other names: NM2201)."

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

6 1. By amending subsection (a) to read:

7 "~~(a) [The controlled substances listed in this section are~~
8 ~~included in schedule II.]~~ Schedule II shall consist of the
9 drugs and other substances, by whatever official name, common or
10 usual name, chemical name, or brand name designated, listed in
11 this section."

12 2. By amending subsection (b) to read:

13 "~~(b) [Any of the following substances, except those~~
14 ~~narcotic drugs listed in other schedules,]~~ Substances of
15 vegetable origin or chemical synthesis. Unless specifically
16 excepted or unless listed in another schedule, any of the
17 following substances whether produced directly or indirectly by
18 extraction from substances of vegetable origin, or independently
19 by means of chemical synthesis, or by combination of extraction
20 and chemical synthesis:



- 1 (1) Opium and opiate, and any salt, compound, derivative,
2 or preparation of opium or opiate, excluding
3 apomorphine, thebaine-derived butorphanol,
4 dextrorphan, nalbuphine, nalmefene, naloxegol,
5 naloxone, and naltrexone, and their respective salts,
6 but including the following:
- 7 (A) Raw opium;
 - 8 (B) Opium extracts;
 - 9 (C) Opium fluid;
 - 10 (D) Powdered opium;
 - 11 (E) Granulated opium;
 - 12 (F) Codeine;
 - 13 (G) Ethylmorphine;
 - 14 (H) Etorphine hydrochloride;
 - 15 (I) Hydrocodone;
 - 16 (J) Hydromorphone;
 - 17 (K) Metopon;
 - 18 (L) Morphine;
 - 19 (M) Oxycodone;
 - 20 (N) Oxymorphone;
 - 21 (O) Thebaine;



- 1 (P) Dihydroetorphine;
- 2 (Q) Oripavine; and
- 3 (R) Tincture of opium;
- 4 (2) Any salt, compound, isomer, derivative, or preparation
- 5 thereof which is chemically equivalent or identical
- 6 with any of the substances referred to in paragraph
- 7 (1), but not including the isoquinoline alkaloids of
- 8 opium;
- 9 (3) Opium poppy and poppy straw;
- 10 (4) Coca leaves and any salt, compound, derivative, or
- 11 preparation of coca leaves, and any salt, compound,
- 12 derivative, or preparation thereof which is chemically
- 13 equivalent or identical with any of these substances,
- 14 but not including decocanized coca leaves or
- 15 extractions which do not contain cocaine or ecgonine;
- 16 cocaine or any salt or isomer thereof; and
- 17 (5) Concentrate of poppy straw (the crude extract of poppy
- 18 straw in either liquid, solid, or powder form that
- 19 contains the phenanthrene alkaloids of the opium
- 20 poppy). "



1 SECTION 3. Section 329-18, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) Narcotic drugs. Unless specifically excepted or
4 unless listed in another schedule, any material, compound,
5 mixture, or preparation containing any of the following narcotic
6 drugs, or their salts, or alkaloid, in limited quantities as set
7 forth below:

8 (1) Not more than 1.8 grams of codeine, or any of its
9 salts, per 100 milliliters or not more than 90
10 milligrams per dosage unit, with an equal or greater
11 quantity of an isoquinoline alkaloid of opium;

12 (2) Not more than 1.8 grams of codeine, or any of its
13 salts, per 100 milliliters or not more than 90
14 milligrams per dosage unit, with one or more active,
15 nonnarcotic ingredients in recognized therapeutic
16 amounts;

17 ~~[-(3) Not more than 300 milligrams of dihydrocodeinone~~
18 ~~(Hydrocodone), or any of its salts, per 100~~
19 ~~milliliters or not more than 15 milligrams per dosage~~
20 ~~unit, with a fourfold or greater quantity of an~~
21 ~~isoquinoline alkaloid of opium provided that these~~



- 1 ~~narcotic drugs shall be monitored pursuant to section~~
2 ~~329-101,~~
- 3 ~~(4) Not more than 300 milligrams of dihydrocodeinone~~
4 ~~(Hydrocodone), or any of its salts per 100 milliliters~~
5 ~~or not more than 15 milligrams per dosage unit, with~~
6 ~~one or more active, nonnarcotic ingredients in~~
7 ~~recognized therapeutic amounts provided that these~~
8 ~~narcotic drugs shall be monitored pursuant to section~~
9 ~~329-101,~~
- 10 ~~(5)]~~ (3) Not more than 1.8 grams of dihydrocodeine, or any
11 of its salts, per 100 milliliters or not more than 90
12 milligrams per dosage unit, with one or more active,
13 nonnarcotic ingredients in recognized therapeutic
14 amounts;
- 15 ~~[(6)]~~ (4) Not more than 300 milligrams of ethylmorphine, or
16 any of its salts, per 100 milliliters or not more than
17 15 milligrams per dosage unit, with one or more
18 ingredients in recognized therapeutic amounts;
- 19 ~~[(7)]~~ (5) Not more than 500 milligrams of opium per 100
20 milliliters or per 100 grams, or not more than 25
21 milligrams per dosage unit, with one or more active



1 nonnarcotic ingredients in recognized therapeutic
2 amounts;
3 ~~[(8)]~~ (6) Not more than 50 milligrams of morphine or any of
4 its salts, per 100 milliliters or per 100 grams with
5 one or more active, nonnarcotic ingredients in
6 recognized therapeutic amounts; and
7 ~~[(9)]~~ (7) Buprenorphine."

8 SECTION 4. Section 329-20, Hawaii Revised Statutes, is
9 amended as follows:

10 1. By amending subsection (b) to read:

11 "(b) Depressants. Any material, compound, mixture, or
12 preparation which contains any quantity of the following
13 substances, including its salts, isomers, esters, ethers, and
14 salts of isomers, whenever the existence of these isomers,
15 esters, ethers, and salts is possible within the specific
16 chemical designation, that has a degree of danger or probable
17 danger associated with a depressant effect on the central
18 nervous system:

- 19 (1) Alprazolam;
- 20 (2) Barbital;
- 21 (3) Bromazepam;



- 1 (4) Butorphanol;
- 2 (5) Camazepam;
- 3 (6) Carisoprodol;
- 4 (7) Chloral betaine;
- 5 (8) Chloral hydrate;
- 6 (9) Chlordiazepoxide;
- 7 (10) Clobazam;
- 8 (11) Clonazepam;
- 9 (12) Clorazepate;
- 10 (13) Clotiazepam;
- 11 (14) Cloxazolam;
- 12 (15) Delorazepam;
- 13 (16) Dichloralphenazone (Midrin);
- 14 (17) Diazepam;
- 15 (18) Estazolam;
- 16 (19) Ethchlorvynol;
- 17 (20) Ethinamate;
- 18 (21) Ethyl loflazepate;
- 19 (22) Fludiazepam;
- 20 (23) Flunitrazepam;
- 21 (24) Flurazepam;



- 1 (25) Fospropofol (Lusedra);
- 2 (26) Halazepam;
- 3 (27) Haloxazolam;
- 4 (28) Ketazolam;
- 5 (29) Loprazolam;
- 6 (30) Lorazepam;
- 7 (31) Lormetazepam;
- 8 (32) Mebutamate;
- 9 (33) Medazepam;
- 10 (34) Meprobamate;
- 11 (35) Methohexital;
- 12 (36) Methylphenobarbital (mephorbarbital);
- 13 (37) Midazolam;
- 14 (38) Nimetazepam;
- 15 (39) Nitrazepam;
- 16 (40) Nordiazepam;
- 17 (41) Oxazepam;
- 18 (42) Oxazolam;
- 19 (43) Paraldehyde;
- 20 (44) Petrichloral;
- 21 (45) Phenobarbital;



- 1 (46) Pinazepam;
2 (47) Prazepam;
3 (48) Quazepam;
4 (49) Suvorexant;
5 [~~49~~] (50) Temazepam;
6 [~~50~~] (51) Tetrazepam;
7 [~~51~~] (52) Triazolam;
8 [~~52~~] (53) Zaleplon;
9 [~~53~~] (54) Zolpidem; and
10 [~~54~~] (55) Zopiclone (Lunesta)."

11 2. By amending subsection (g) to read:

12 "(g) Narcotic drugs. Unless specifically excepted or
13 unless listed in another schedule, any material, compound,
14 mixture, or preparation containing any of the following narcotic
15 drugs, or their salts calculated as the free anhydrous base or
16 alkaloid, in limited quantities as set forth below:

- 17 (1) Not more than one milligram of difenoxin and not less
18 than twenty-five micrograms of atropine sulfate per
19 dosage unit; [~~and~~]
20 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-
21 diphenyl-3-methyl-2-propionoxybutane) [~~-~~]; and



1 (3) 2-[-(dimethylamino)methyl]-1-(3-
2 methoxyphenyl)cyclohexanol, its salts, optical and
3 geometric isomers and salts of these isomers
4 (including tramadol)."

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Uniform Controlled Substances Act

Description:

Updates chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal law on controlled substances; adds a new synthetic cathinone and eight new synthetic cannabinoids to section 329-14, HRS; amends section 329-16, HRS to remove naloxegol and its salts from the Schedule II narcotic drugs; amends section 329-20, HRS, to add new controlled substances federally scheduled as required under section 329-11, HRS. (SB1131 HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

