

Senate File 2119 - Enrolled

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AN ACT

**RELATING TO CONTROLLED SUBSTANCES, INCLUDING AMENDING THE
CONTROLLED SUBSTANCE SCHEDULES, REMOVING CERTAIN REFERENCES
TO MARIJUANA, MAKING PENALTIES APPLICABLE, AND INCLUDING
EFFECTIVE DATE PROVISIONS.**

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 124.201A, Code 2020, is amended by striking the section and inserting in lieu thereof the following:

124.201A Cannabis-derived products — rules.

1. If a cannabis-derived investigational product approved as a prescription drug medication by the United States food

and drug administration is added to the federal schedule of controlled substances by the federal drug enforcement administration and notice of the addition is given to the board, the board shall similarly add the prescription drug medication in the schedule of controlled substances under this chapter.

2. If a cannabis-derived product approved as a prescription drug medication by the United States food and drug administration is eliminated from or revised in the federal schedule of controlled substances by the federal drug enforcement administration and notice of the elimination or revision is given to the board, the board shall similarly eliminate or revise the prescription drug medication in the schedule of controlled substances under this chapter.

3. The board shall adopt rules pursuant to chapter 17A to administer this section. The board may adopt rules on an emergency basis as provided in section 17A.4, subsection 3, and section 17A.5, subsection 2, to administer this section, and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any emergency rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4, subsection 1.

4. Any cannabis-derived investigational product or cannabis-derived product approved as a prescription drug medication by the United States food and drug administration shall not be considered marijuana or cannabimimetic agents, both as defined in section 124.204, tetrahydrocannabinols as used in section 124.204, subsection 4, paragraph "u", unnumbered paragraph 1, or hemp as defined in section 204.2.

Sec. 2. Section 124.204, subsection 2, Code 2020, is amended by adding the following new paragraph:

NEW PARAGRAPH. *be.* MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine).

Sec. 3. Section 124.204, subsection 4, paragraph m, Code 2020, is amended to read as follows:

~~*m.* Marijuana, except as otherwise provided by rules of the board for medicinal purposes.~~

Sec. 4. Section 124.204, subsection 4, paragraph u,

unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~Tetrahydrocannabinols, except as otherwise provided by rules of the board for medicinal purposes,~~ meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (Cannabis plant) as well as synthetic equivalents of the substances contained in the Cannabis plant, or in the resinous extractives of such plant, and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

Sec. 5. Section 124.204, subsection 6, paragraph i, Code 2020, is amended by adding the following new subparagraphs:

NEW SUBPARAGRAPH. (27) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one. Other names: N-ethylpentylone or ephylone.

NEW SUBPARAGRAPH. (28) N-Ethylhexedrone, its optical, positional, and geometric isomers, salts and salts of isomers (Other name: 2-(ethylamino)-1-phenylhexan-1-one).

NEW SUBPARAGRAPH. (29) alpha-Pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: α -PHP; alpha-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one).

NEW SUBPARAGRAPH. (30) 4-Methyl-alpha-ethylaminopentiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one).

NEW SUBPARAGRAPH. (31) 4'-Methyl-alpha-pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MPHP; 4'-methyl-alpha-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one).

NEW SUBPARAGRAPH. (32) alpha-Pyrrolidinoheptaphenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one).

NEW SUBPARAGRAPH. (33) 4'-Chloro-alpha-pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts and salts of isomers (Other names:

4-chloro- α -PVP; 4'-chloro-alpha-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one).

Sec. 6. Section 124.204, subsection 7, Code 2020, is amended by striking the subsection.

Sec. 7. Section 124.204, subsection 9, Code 2020, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *af.* N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: cyclopropyl fentanyl.

NEW PARAGRAPH. *ag.* N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers. Other name: valeryl fentanyl.

NEW PARAGRAPH. *ah.* N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: para-fluorobutyryl fentanyl.

NEW PARAGRAPH. *ai.* N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: para-methoxybutyryl fentanyl.

NEW PARAGRAPH. *aj.* N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: para-chloroisobutyryl fentanyl.

NEW PARAGRAPH. *ak.* N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: isobutyryl fentanyl.

NEW PARAGRAPH. *al.* N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: cyclopentyl fentanyl.

NEW PARAGRAPH. *am.* N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts and salts of isomers, esters, and ethers. Other name: ocfentanil.

NEW PARAGRAPH. *an.* Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers, esters

and ethers. "*Fentanyl-related substance*" means any substance not otherwise listed under this schedule or another schedule, and for which no exemption or approval is in effect under section 505 of the federal Food, Drug, and Cosmetic Act that is structurally related to fentanyl by one or more of the following modifications:

(1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

(2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

(5) Replacement of the *N*-propionyl group by another acyl group.

NEW PARAGRAPH. *ao.* Naphthalen-1-yl 1-(5-fluoropentyl)-*1H*-indole-3-carboxylate. Other names: NM2201 or CBL2201.

NEW PARAGRAPH. *ap.* *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-*1H*-indazole-3-carboxamide. Other name: 5F-AB-PINACA.

NEW PARAGRAPH. *aq.* 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-*1H*-indazole-3-carboxamide. Other names: 4-CN-CUMYL-BUTINACA, 4-cyano-CUMYL-BUTINACA, 4-CN-CUMYL BINACA, CUMYL-4CN-BINACA, or SGT-78.

NEW PARAGRAPH. *ar.* Methyl 2-(1-(cyclohexylmethyl)-*1H*-indole-3-carboxamido)-3-methylbutanoate. Other names: MMB-CHMICA or AMB-CHMICA.

NEW PARAGRAPH. *as.* 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-*1H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide. Other name: 5F-CUMYL-P7AICA.

NEW PARAGRAPH. *at.* Ethyl 2-(1-(5-fluoropentyl)-*1H*-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (other name: 5F-EDMB-PINACA).

NEW PARAGRAPH. *au.* Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (other name: 5F-MDMB-PICA).

NEW PARAGRAPH. *av.* N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (other names: FUB-AKB48, FUB-APINACA, AKB48 N-(4-FLUOROBENZYL)).

NEW PARAGRAPH. *aw.* 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (other names: 5F-CUMYL-PINACA, SGT-25).

NEW PARAGRAPH. *ax.* (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts and salts of isomers (other name: FUB-144).

Sec. 8. Section 124.206, subsection 7, paragraph a, Code 2020, is amended by striking the paragraph.

Sec. 9. Section 124.208, subsection 3, paragraph c, Code 2020, is amended to read as follows:

c. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof including but not limited to Fioricet.

Sec. 10. Section 124.210, subsection 3, Code 2020, is amended by adding the following new paragraph:

NEW PARAGRAPH. *bd.* Brexanolone.

Sec. 11. Section 124.210, subsection 6, Code 2020, is amended by adding the following new paragraph:

NEW PARAGRAPH. *m.* Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)).

Sec. 12. Section 124.212, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 6. *Approved cannabidiol drugs.* A drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

Sec. 13. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

CHARLES SCHNEIDER
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2119, Eighty-eighth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2020

KIM REYNOLDS
Governor