**A** **BILL**

TO AMEND SECTION 44‑53‑190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHEDULE I CONTROLLED SUBSTANCES, SO AS TO ADD CERTAIN SYNTHETIC CANNABINOID AND CATHINONE COMPOUNDS AS SCHEDULE I CONTROLLED SUBSTANCES.

Whereas, the General Assembly recognizes the recent growth of synthetic drugs, such as Spice/K2 and bath salts, and the dangers caused by these substances; and

Whereas, the concern is exemplified by a Substance Abuse and Mental Health Services Administration report that summarizes the frequency and trends of abuse for these substances; and

Whereas, the General Assembly recognizes further that better methods and strategies that appropriately respond to new synthetic drugs as soon as they are made known to the State is of particular importance; and

Whereas, the General Assembly recognizes further that law enforcement is in need of presumptive testing tools to quickly identify substances as illegal synthetic drugs defined under state law; and

Whereas, it is the intent of this legislation to add compounds and other synthetic drugs as Schedule I controlled substances. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑53‑190(D)24 of the 1976 Code, as last amended by Act 140 of 2012, is further amended by adding an appropriately lettered subitem at the end to read:

“ \_\_\_. any other material, compound, mixture, or preparation that binds to the cannabinoid receptor or mimics the pharmacological response of a Schedule I or II controlled substance, except as exempted pursuant to state law for a person or entity that possesses a chemical formula defined as a scheduled drug pursuant to this subitem for a lawful purpose.”

SECTION 2. Section 44‑53‑190(F) of the 1976 Code, as last amended by Act 140 of 2012, is further amended to read:

“(F) Stimulants. Unless specifically excepted or unless listed in another schedule~~,~~:

(1) any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

~~(1)~~(a) Fenethylline;

~~(2)~~(b) N‑ethylamphetamine;

~~(3)~~(c) Cathinone ; ~~or~~

~~(4)~~(d) Substituted Cathinones~~.~~;

(e) any compound (not being bupropion) structurally derived from 2‑amino‑1‑phenyl‑1‑propanone by ~~modification in any of the following ways~~:

~~(a)~~(i) ~~by~~ substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

~~(b)~~(ii) ~~by~~ substitution at the 3‑position with an alkyl substituent;

~~(c)~~(iii) ~~by~~ substitution at the nitrogen atom with alkyl or dialkyl groups, benzyl or methoxybenzyl groups; or

~~(d)~~(iv) ~~by~~ inclusion of the nitrogen atom in a cyclic structure~~.~~, including, but not limited to~~:~~, Methylone, Mephedrone, 3,4‑Methylenedioxypyrovalerone (MDPV), Butylone, Methedrone, 4‑Methylethcathinone, Flephedrone, Pentylone, Pentedrone, and Buphedrone~~.~~; and

(2) any other material, compound, mixture, or preparation that binds to the cannabinoid receptor or mimics the pharmacological response of a Schedule I or II controlled substance, except as exempted pursuant to state law for a person or entity that possesses a chemical formula defined as a scheduled drug pursuant to this subsection for a lawful purpose.”

SECTION 3. This act takes effect upon approval by the Governor.

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