

CHAPTER 441

(House Bill 37)

AN ACT concerning

Crimes – Controlled Dangerous Substance Analogues

FOR the purpose of establishing that controlled dangerous substance analogues be treated as Schedule I controlled dangerous substances, to the extent the analogues are intended for human consumption; defining a certain term; and generally relating to controlled dangerous substance analogues.

BY adding to

Article 27 – Crimes and Punishments

Section 279(a)(3)f.

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 – Crimes and Punishments

279.

The following schedules include the controlled dangerous substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated.

(a) Schedule I – In determining that a substance comes within this schedule, the Department shall find:

(3) A lack of accepted safety for use under medical supervision. The following are controlled dangerous substances and are included in this schedule:

F. 1. TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, A CONTROLLED DANGEROUS SUBSTANCE ANALOGUE.

2. IN THIS SUBPARAGRAPH, "CONTROLLED DANGEROUS SUBSTANCE ANALOGUE" MEANS A SUBSTANCE:

(I) THAT HAS A CHEMICAL STRUCTURE SUBSTANTIALLY SIMILAR TO THE CHEMICAL STRUCTURE OF A CONTROLLED DANGEROUS SUBSTANCE CLASSIFIED IN SCHEDULE I OR SCHEDULE II OF THIS SECTION; AND

(II) THAT HAS A STIMULANT, DEPRESSANT, OR HALLUCINOGENIC EFFECT ON THE CENTRAL NERVOUS SYSTEM THAT IS SUBSTANTIALLY SIMILAR TO OR GREATER THAN THE STIMULANT, DEPRESSANT, OR HALLUCINOGENIC EFFECT ON THE CENTRAL NERVOUS SYSTEM OF A CONTROLLED DANGEROUS SUBSTANCE CLASSIFIED IN SCHEDULE I OR SCHEDULE II OF THIS SECTION.