

# STATE OF NEW YORK

5357

2017-2018 Regular Sessions

## IN SENATE

March 22, 2017

Introduced by Sen. HANNON -- (at request of the Department of Health) --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Health

AN ACT to amend the public health law, in relation to adding substances  
to the schedules of controlled substances

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision (b) of schedule I of section 3306 of the public  
2 health law is amended by adding nine new paragraphs 56, 57, 58, 59, 60,  
3 61, 62, 63 and 64 to read as follows:

4 (56) 3,4-dichloro-N- $\{(1\text{-dimethylamino})\text{cyclohexylmethyl}\}$ benzamide. Some  
5 trade or other names: AH-7921.

6 (57) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (Acetyl Fenta-  
7 nyl).

8 (58) -(1-phenethylpiperidin-4-yl)-N-phenylbutyramide (Butyryl Fenta-  
9 nyl).

10 (59) N- $\{1\text{-}\{2\text{-hydroxy-2-(thiophen-2-yl)ethyl}\}$ piperidin-4-yl}- N-phenyl-  
11 propionamide (Beta-Hydroxythiofentanyl).

12 (60) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide (Furanyl  
13 Fentanyl).

14 (61) N-phenyl-N- $\{1\text{-}(2\text{-phenylethyl})\text{-4-piperidinyl}\}$ -pentanamide (Valeryl  
15 Fentanyl, Pentanoyl Fentanyl, Pentanyl Fentanyl).

16 (62) U-47700(3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methyl-ben-  
17 zamide)yl.

18 (63) 4-chloro-N- $\{1\text{-}\{2\text{-}(4\text{-nitrophenyl)ethyl}\}\text{-2-piperidinylidene}\}$ -benzene-  
19 sulfonamide (W18).

20 (64) Any controlled substance listed in 21 U.S.C. § 812, Schedule  
21 I(a), that is not otherwise listed in this schedule.

22 § 2. Subdivision (c) of schedule I of section 3306 of the public  
23 health law, is amended by adding a new paragraph 24 to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (24) Any controlled substance listed in 21 U.S.C. § 812, Schedule  
2 I(b), that is not otherwise listed in this schedule.

3 § 3. Paragraph 11 of subdivision (d) of schedule I of section 3306 of  
4 the public health law, as added by chapter 664 of the laws of 1985, is  
5 amended to read as follows:

6 (11) [~~Ibogane~~] Ibogaine Some trade and other names: 7-ethyl-6, 6&, 7,  
7 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5h-pyrido {1',2':1,2}  
8 azepino {5,4-b} indole: tabernanthe iboga.

9 § 4. Subdivision (d) of schedule I of section 3306 of the public  
10 health law is amended by adding twenty-one new paragraphs 36, 37, 38,  
11 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and  
12 56 to read as follows:

13 (36) 5-methoxy-N,N-dimethyltryptamine.

14 (37) Alpha-methyltryptamine. Some trade or other names: AMT.

15 (38) 5-methoxy-N,N-diisopropyltryptamine. Some trade or other names:  
16 5-MeO-DIPT.

17 (39) 5-(1,1-dimethylheptyl)-2-((1R,3S)-3-hydroxycyclohexyl)-phenol.  
18 Some trade or other names: CP-47,497.

19 (40) 5-(1,1-dimethyloctyl)-2-((1R,3S)-3-hydroxycyclohexyl)-phenol.  
20 Some trade or other names: cannabicyclohexanol or CP-47,497 C8-homolog.

21 (41) 1-butyl-3-(1-naphthoyl)indole. Some trade or other names:  
22 JWH-073.

23 (42) 1-hexyl-3-(1-naphthoyl)indole. Some trade or other names:  
24 JWH-019.

25 (43) 1-{2-(4-morpholinyl)ethyl}-3-(1-naphthoyl)indole. Some trade or  
26 other names: JWH-200.

27 (44) 1-pentyl-3-(2-methoxyphenylacetyl)indole. Some trade or other  
28 names: JWH-250.

29 (45) 1-pentyl-3-{1-(4-methoxynaphthoyl)}indole. Some trade or other  
30 names: JWH-081.

31 (46) 1-pentyl-3-(4-methyl-1-naphthoyl)indole. Some trade or other  
32 names: JWH-122.

33 (47) 1-pentyl-3-(4-chloro-1-naphthoyl)indole. Some trade or other  
34 names: JWH-398.

35 (48) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole. Some trade or other  
36 names: AM2201.

37 (49) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole. Some trade or other  
38 names: AM694.

39 (50) 1-pentyl-3-((4-methoxy)-benzoyl)indole. Some trade or other  
40 names: SR-19 and RCS-4.

41 (51) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole. Some trade or  
42 other names: SR-18 and RCS-8.

43 (52) 1-pentyl-3-(2-chlorophenylacetyl)indole. Some trade or other  
44 names: JWH-203.

45 (53) (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) metha-  
46 none. Some trade or other names: UR-144.

47 (54)  
48 {1-(5-fluoro-pentyl)-1H-indol-3-yl}(2,2,3,3-tetramethylcyclopropyl)  
49 methanone. Some trade or other names: 5-fluoro-UR-144,XLR11.

50 (55) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide. Some trade or  
51 other names: APINACA, AKB 48.

52 (56) Any controlled substance listed in 21 U.S.C. § 812, schedules  
53 I(c) or I(d), that is not otherwise listed in this schedule.

54 § 5. Subdivision (e) of schedule I of section 3306 of the public  
55 health law is amended by adding a new paragraph 25 to read as follows:

1 (25) Any controlled substance listed in 21 U.S.C. § 812, Schedules  
2 III(b) or IV, that is not otherwise listed in this section.

3 § 6. Subdivision (c) of schedule II of section 3306 of the public  
4 health law is amended by adding a new paragraph 29 to read as follows:

5 (29) Any controlled substance listed in 21 U.S.C. § 812 Schedules II,  
6 III(d) or V, that is not otherwise listed in this section.

7 § 7. Subdivision (d) of schedule II of section 3306 of the public  
8 health law is amended by adding a new paragraph 6 to read as follows:

9 (6) Any controlled substance listed in 21 U.S.C. § 812, Schedule  
10 III(a), that is not otherwise listed in this section.

11 § 8. Subdivision (h) of schedule II of section 3306 of the public  
12 health law is amended by adding two new paragraphs 64 and 65 to read as  
13 follows:

14 (64) Methasterone (2{alpha}17{alpha}-dimethyl-5{alpha}-androstan-  
15 17{beta}-ol-3-one).

16 (65) Prostanazol (17{beta}-hydroxy-5{alpha}-androstano{3,2-c}pyrazole).

17 § 9. Subdivision (c) of schedule III of section 3306 of the public  
18 health law, is amended by adding a new paragraph 15 to read as follows:

19 (15) Perampanel.

20 § 10. Subdivision (c) of schedule IV of section 3306 of the public  
21 health law is amended by adding two new paragraphs 54 and 55 to read as  
22 follows:

23 (54) Alfaxalone.

24 (55) Suvorexant.

25 § 11. Subdivision (f) of schedule IV of section 3306 of the public  
26 health law, as added by chapter 664 of the laws of 1985, paragraph 2 as  
27 added by chapter 457 of the laws of 2006 and paragraph 3 as added by  
28 section 14 of part C of chapter 447 of the laws of 2012, is amended to  
29 read as follows:

30 (f) Other substances. Unless specifically excepted or unless listed in  
31 another schedule, any material, compound, mixture or preparation which  
32 contains any quantity of the following substances, including its salts,  
33 isomers, and salts, of such isomers, whenever the existence of such  
34 salts, isomers, and salts of isomers is possible:

35 (1) Pentazocine.

36 (2) Butorphanol (including its optical isomers).

37 (3) Tramadol in any quantities.

38 (4) Lorcaserin.

39 (5) Eluxadoline.

40 § 12. Subdivision (d) of schedule V of section 3306 of the public  
41 health law is amended by adding a new paragraph 4 to read as follows:

42 (4) Brivaracetam.

43 § 13. This act shall take effect on the ninetieth day after it shall  
44 have become a law.