

1 SB207
2 127448-3
3 By Senators Orr, Holtzclaw, Bussman, Brewbaker, Reed, Allen,
4 Taylor, Williams, Whatley, Scofield, Beasley and Glover
5 RFD: Judiciary
6 First Read: 07-FEB-12

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the possession of
9 certain named chemical compounds of synthetic
10 cannabinoid is prohibited and subject to criminal
11 penalties. Possession of the substances is a Class
12 C felony except possession for personal use on the
13 first offense is a Class A misdemeanor.

14 This bill would add certain named chemical
15 compounds of synthetic cannabinoid to the law and
16 would specify that any other chemical compound
17 capable of exhibiting cannabinoid-like
18 psychoactivity would be prohibited. Distribution of
19 these compounds would be deemed unlawful, and
20 violations would be subject to the existing
21 criminal penalties for distribution and possession.

22 Amendment 621 of the Constitution of Alabama
23 of 1901, now appearing as Section 111.05 of the
24 Official Recompilation of the Constitution of
25 Alabama of 1901, as amended, prohibits a general
26 law whose purpose or effect would be to require a
27 new or increased expenditure of local funds from

1 becoming effective with regard to a local
2 governmental entity without enactment by a 2/3 vote
3 unless: it comes within one of a number of
4 specified exceptions; it is approved by the
5 affected entity; or the Legislature appropriates
6 funds, or provides a local source of revenue, to
7 the entity for the purpose.

8 The purpose or effect of this bill would be
9 to require a new or increased expenditure of local
10 funds within the meaning of the amendment. However,
11 the bill does not require approval of a local
12 governmental entity or enactment by a 2/3 vote to
13 become effective because it comes within one of the
14 specified exceptions contained in the amendment.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To amend Section 13A-12-214.1, Code of Alabama 1975;
21 to further prohibit subject to existing possession and
22 distribution penalties certain named chemical compounds of
23 synthetic cannabinoid and to specify that any other chemical
24 compound capable of exhibiting cannabinoid-like psychoactivity
25 would be prohibited; and in connection therewith would have as
26 its purpose or effect the requirement of a new or increased
27 expenditure of local funds within the meaning of Amendment 621

1 of the Constitution of Alabama of 1901, now appearing as
2 Section 111.05 of the Official ReCompilation of the
3 Constitution of Alabama of 1901, as amended.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 13A-12-214.1, Code of Alabama
6 1975, is amended to read as follows:

7 "§13A-12-214.1.

8 "(a) ~~The possession of the following chemical~~
9 ~~compounds shall be illegal in this state: It shall be unlawful~~
10 ~~to possess or distribute salvia divinorum, salvinorum A, or~~
11 ~~synthetic cannabinoid.~~

12 "~~(1) (6aR,10aR)-9-(hydroxymethyl)-6,~~
13 ~~6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-~~
14 ~~tetrahydrobenzo[c]chromen-1-ol, some trade or other names:~~
15 ~~HU-210.~~

16 "~~(2) 1-Pentyl-3-(1-naphthoyl)indole, some trade or~~
17 ~~other names: JWH-018.~~

18 "~~(3) 1-Butyl-3-(1-naphthoyl)indole, some trade or~~
19 ~~other names: JWH-073.~~

20 "(b) For the purposes of this section, the following
21 terms shall have the following meanings:

22 "~~(4) Salvia divinorum or salvinorum A; all (1)~~
23 SALVIA DIVINORUM or SALVINORUM A. All parts of the plant
24 presently classified botanically as salvia divinorum, whether
25 growing or not, the seeds thereof, any extract from any part
26 of such plant, and every compound, manufacture, salts,

1 derivative, mixture, or preparation of such plant, its seeds
2 or extracts.

3 "(2) a. SYNTHETIC CANNABINOID. Any chemical compound
4 that is chemically synthesized and satisfies any one of the
5 following:

6 "1. Has been demonstrated to have binding activity
7 at one or more cannabinoid receptors.

8 "2. Is a chemical analog or isomer of a compound
9 that has been demonstrated to have binding activity at one or
10 more cannabinoid receptors.

11 "3. Is capable of exhibiting cannabinoid-like
12 psychoactivity.

13 "b. The term includes, but is not limited to, the
14 following substances:

15 "1.
16 1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone,
17 some trade or other names: AM-694.

18 "2.
19 1-[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone,
20 some trade or other names: AM-2201.

21 "3. 2-[(1R,3S)-3-hydroxycyclohexyl]-
22 5-(2-methylnonan-2-yl)phenol phenol, some trade or other
23 names: Cannabicyclohexanol.

24 "4. (6aR, 10aR)-9-(hydroxymethyl)-6,
25 6-dimethyl-3-(2-methyloctan-2-yl)-6a
26 ,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other
27 names: HU-210.

1 "5.
2 (6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-y
3 l)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, some trade or
4 other names: HU-211, Dexanabinol.

5 "6. 1-Pentyl-2-methyl-3-(1-naphthoyl)indole, some
6 trade or other names: JWH-007.

7 "7.
8 (2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone,
9 some trade or other names: JWH-015.

10 "8. Naphthalen-1-yl-(1-pentylindol-3-yl)methanone,
11 some trade or other names: JWH-018.

12 "9. 1-Hexyl-3-(naphthalen-1-oyl)indole, some trade
13 or other names: JWH-019.

14 "10. Naphthalen-1-yl-(butylindol-3-yl)methanone,
15 some trade or other names: JWH-073.

16 "11.
17 4-Methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone, some
18 trade or other names: JWH-081.

19 "12.
20 4-Methoxynaphthalen-1-yl-(1-pentyl-2-methylindol-3-yl)
21 methanone, some trade or other names: JWH-098.

22 "13.
23 4-Ethyl-naphthalen-1-yl-(1-pentylindol-3-yl)methanone, some
24 trade or other names: JWH-122.

25 "14.
26 (1-(2-Morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone
27 , some trade or other names: JWH-200.

1 "15.
2 2-(2-Chlorophenyl)-1-(1-pentylindol-3-yl)ethanone, some trade
3 or other names: JWH-203.

4 "16.
5 4-Ethyl-naphthalen-1-yl-(1-pentylindol-3-yl)methanone, some
6 trade or other names: JWH-210.

7 "17.
8 2-(2-Methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone, some trade
9 or other names: JWH-250.

10 "18.
11 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethan
12 one, some trade or other names: JWH-307.

13 "19. 1-Pentyl-3-(4-Chloro-1-naphthoyl)indole, some
14 trade or other names: JWH-398.

15 "20.
16 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol,
17 some trade or other names: CP 47, 497, and homologues.

18 "21.
19 2-(2-Methoxyphenyl)-1-[1-(2-cyclohexylethyl)indol-3-yl]ethanon
20 e, some trade or other names: RCS-8, SR-18.

21 "22.
22 2-(4-Methoxyphenyl)-1-(1-pentyl-indol-3-yl)methanone, some
23 trade or other names: RCS-4.

24 "23.
25 (R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1
26 ,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone, some
27 trade or other names: WIN 55,212-2.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

24.

(4-Methoxyphenyl)-[2-methyl-1-(2-morpholin-4-ylethyl)indol-3-y
l]methanone, some trade or other names: WIN 48,098,
Pravadoline.

"~~(b)~~(c) A violation of subsection (a) shall be
subject to the same penalties as a violation of Sections
13A-12-211, 13A-12-213, and 13A-12-214."

Section 2. Although this bill would have as its
purpose or effect the requirement of a new or increased
expenditure of local funds, the bill is excluded from further
requirements and application under Amendment 621, now
appearing as Section 111.05 of the Official Recompilation of
the Constitution of Alabama of 1901, as amended, because the
bill defines a new crime or amends the definition of an
existing crime.

Section 3. This act shall become effective on the
first day of the third month following its passage and
approval by the Governor, or its otherwise becoming law.