
SENATE BILL 5957

State of Washington 62nd Legislature 2011 1st Special Session

By Senators Keiser, Delvin, Kohl-Welles, Kline, and Tom

Read first time 05/11/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to moving marijuana to Schedule II under the
2 uniform controlled substances act; and amending RCW 69.50.204 and
3 69.50.206.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 69.50.204 and 2010 c 177 s 2 are each amended to read
6 as follows:

7 Unless specifically excepted by state or federal law or regulation
8 or more specifically included in another schedule, the following
9 controlled substances are listed in Schedule I:

10 (a) Any of the following opiates, including their isomers, esters,
11 ethers, salts, and salts of isomers, esters, and ethers whenever the
12 existence of these isomers, esters, ethers, and salts is possible
13 within the specific chemical designation:

14 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
15 piperidinyl]-N-phenylacetamide);

16 (2) Acetylmethadol;

17 (3) Allylprodine;

18 (4) Alphacetylmethadol, except levo-alphacetylmethadol, also known
19 as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

- 1 (5) Alphameprodine;
- 2 (6) Alphamethadol;
- 3 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-
- 4 4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-
- 5 propanilido) piperidine);
- 6 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
- 7 piperidinyl]-N-phenylpropanamide);
- 8 (9) Benzethidine;
- 9 (10) Betacetylmethadol;
- 10 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
- 11 piperidinyl]-N-phenylpropanamide);
- 12 (12) Beta-hydroxy-3-methylfentanyl, some trade or other names: N-
- 13 [1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;
- 14 (13) Betameprodine;
- 15 (14) Betamethadol;
- 16 (15) Betaprodine;
- 17 (16) Clonitazene;
- 18 (17) Dextromoramide;
- 19 (18) Diampromide;
- 20 (19) Diethylthiambutene;
- 21 (20) Difenoxin;
- 22 (21) Dimenoxadol;
- 23 (22) Dimepheptanol;
- 24 (23) Dimethylthiambutene;
- 25 (24) Dioxaphetyl butyrate;
- 26 (25) Dipipanone;
- 27 (26) Ethylmethylthiambutene;
- 28 (27) Etonitazene;
- 29 (28) Etoxeridine;
- 30 (29) Furethidine;
- 31 (30) Hydroxypethidine;
- 32 (31) Ketobemidone;
- 33 (32) Levomoramide;
- 34 (33) Levophenacylmorphan;
- 35 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-
- 36 N-phenylprop anamide);
- 37 (35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-
- 38 piperidinyl]-N-phenylpropanamide);

- 1 (36) Morpheridine;
- 2 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 3 (38) Noracymethadol;
- 4 (39) Norlevorphanol;
- 5 (40) Normethadone;
- 6 (41) Norpipanone;
- 7 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
- 8 piperidinyl] propanamide);
- 9 (43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 10 (44) Phenadoxone;
- 11 (45) Phenampromide;
- 12 (46) Phenomorphan;
- 13 (47) Phenoperidine;
- 14 (48) Piritramide;
- 15 (49) Proheptazine;
- 16 (50) Properidine;
- 17 (51) Propiram;
- 18 (52) Racemoramide;
- 19 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
- 20 propanaminde);
- 21 (54) Tilidine;
- 22 (55) Trimeperidine.

23 (b) Opium derivatives. Unless specifically excepted or unless
24 listed in another schedule, any of the following opium derivatives,
25 including their salts, isomers, and salts of isomers whenever the
26 existence of those salts, isomers, and salts of isomers is possible
27 within the specific chemical designation:

- 28 (1) Acetorphine;
- 29 (2) Acetyldihydrocodeine;
- 30 (3) Benzylmorphine;
- 31 (4) Codeine methylbromide;
- 32 (5) Codeine-N-Oxide;
- 33 (6) Cyprenorphine;
- 34 (7) Desomorphine;
- 35 (8) Dihydromorphine;
- 36 (9) Drotebanol;
- 37 (10) Etorphine, except hydrochloride salt;
- 38 (11) Heroin;

- 1 (12) Hydromorphenol;
- 2 (13) Methyldesorphine;
- 3 (14) Methyldihydromorphine;
- 4 (15) Morphine methylbromide;
- 5 (16) Morphine methylsulfonate;
- 6 (17) Morphine-N-Oxide;
- 7 (18) Myrophine;
- 8 (19) Nicocodeine;
- 9 (20) Nicomorphine;
- 10 (21) Normorphine;
- 11 (22) Pholcodine;
- 12 (23) Thebacon.

13 (c) Hallucinogenic substances. Unless specifically excepted or
14 unless listed in another schedule, any material, compound, mixture, or
15 preparation which contains any quantity of the following hallucinogenic
16 substances, including their salts, isomers, and salts of isomers
17 whenever the existence of those salts, isomers, and salts of isomers is
18 possible within the specific chemical designation. For the purposes of
19 this subsection only, the term "isomer" includes the optical, position,
20 and geometric isomers:

21 (1) Alpha-ethyltryptamine: Some trade or other names:
22 Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)
23 indole; a-ET; and AET;

24 (2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names:
25 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

26 (3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other
27 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl
28 DOB; 2C-B, nexus;

29 (4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-
30 dimethoxy-a-methylphenethylamine; 2,5-DMA;

31 (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

32 (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name:
33 2C-T-7;

34 (7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-
35 methylphenethylamine; paramethoxyamphetamine, PMA;

36 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;

37 (9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other

1 names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and
2 "STP";
3 (10) 3,4-methylenedioxy amphetamine;
4 (11) 3,4-methylenedioxymethamphetamine (MDMA);
5 (12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
6 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;
7 (13) N-hydroxy-3,4-methylenedioxyamphetamine also known as
8 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-hydroxy MDA;
9 (14) 3,4,5-trimethoxy amphetamine;
10 (15) Alpha-methyltryptamine: Other name: AMT;
11 (16) Bufotenine: Some trade or other names: 3-(beta-
12 Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
13 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
14 (17) Diethyltryptamine: Some trade or other names: N,N-
15 Diethyltryptamine; DET;
16 (18) Dimethyltryptamine: Some trade or other names: DMT;
17 (19) 5-methoxy-N,N-diisopropyltryptamine: Other name: 5-MeO-DIPT;
18 (20) Ibogaine: Some trade or other names: 7-Ethyl-6,6
19 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyrido (1',2'
20 1,2) azepino (5,4-b) indole; Tabernanthe iboga;
21 (21) Lysergic acid diethylamide;
22 (22) (~~Marihuana or marijuana;~~
23 ~~+23~~)) Mescaline;
24 (~~+24~~) (23) Parahexyl-7374: Some trade or other names: 3-Hexyl-
25 1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-
26 dibenzo[b,d]pyran; synhexyl;
27 (~~+25~~) (24) Peyote, meaning all parts of the plant presently
28 classified botanically as Lophophora Williamsii Lemaire, whether
29 growing or not, the seeds thereof, any extract from any part of such
30 plant, and every compound, manufacture, salts, derivative, mixture, or
31 preparation of such plant, its seeds, or extracts; (interprets 21
32 U.S.C. Sec. 812 (c), Schedule I (c)(12));
33 (~~+26~~) (25) N-ethyl-3-piperidyl benzilate;
34 (~~+27~~) (26) N-methyl-3-piperidyl benzilate;
35 (~~+28~~) (27) Psilocybin;
36 (~~+29~~) (28) Psilocyn;
37 (~~+30~~) ~~Tetrahydrocannabinols, meaning tetrahydrocannabinols~~
38 ~~naturally contained in a plant of the genus Cannabis (cannabis plant),~~

1 as well as synthetic equivalents of the substances contained in the
2 plant, or in the resinous extractives of Cannabis, species, and/or
3 synthetic substances, derivatives, and their isomers with similar
4 chemical structure and pharmacological activity such as the following:

5 (i) 1 — cis — or trans tetrahydrocannabinol, and their optical
6 isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated
7 in a soft gelatin capsule in a drug product approved by the United
8 States Food and Drug Administration;

9 (ii) 6 — cis — or trans tetrahydrocannabinol, and their optical
10 isomers;

11 (iii) 3,4 — cis — or trans tetrahydrocannabinol, and its optical
12 isomers;

13 (Since nomenclature of these substances is not internationally
14 standardized, compounds of these structures, regardless of numerical
15 designation of atomic positions covered.)

16 (+31)) (29) Ethylamine analog of phencyclidine: Some trade or
17 other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)
18 ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

19 ((+32)) (30) Pyrrolidine analog of phencyclidine: Some trade or
20 other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;

21 ((+33)) (31) Thiophene analog of phencyclidine: Some trade or
22 other names: 1-(1-[2-thienyl]-cyclohexyl)-piperidine; 2-thienyl analog of
23 phencyclidine; TPCP; TCP;

24 ((+34)) (32) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or
25 other name is TCPy.

26 (d) Depressants. Unless specifically excepted or unless listed in
27 another schedule, any material, compound, mixture, or preparation which
28 contains any quantity of the following substances having a depressant
29 effect on the central nervous system, including its salts, isomers, and
30 salts of isomers whenever the existence of such salts, isomers, and
31 salts of isomers is possible within the specific chemical designation.

32 (1) Gamma-hydroxybutyric acid: Some other names include GHB;
33 gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid;
34 sodium oxybate; sodium oxybutyrate;

35 (2) Mecloqualone;

36 (3) Methaqualone.

37 (e) Stimulants. Unless specifically excepted or unless listed in
38 another schedule, any material, compound, mixture, or preparation which

1 contains any quantity of the following substances having a stimulant
2 effect on the central nervous system, including its salts, isomers, and
3 salts of isomers:

4 (1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-
5 oxazoline; or 4, 5-dihydro-5-phenyl-2-oxazolamine;

6 (2) N-Benzylpiperazine: Some other names: BZP, 1-benzylpiperazine;

7 (3) Cathinone, also known as 2-amino-1-phenyl-1-propanone,
8 alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

9 (4) Fenethylamine;

10 (5) Methcathinone: Some other names: 2-(methylamino)-
11 propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-
12 phenylpropan-1-one; alpha-N-methylaminopropiophenone;
13 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-
14 464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts
15 of optical isomers;

16 (6) (+-)-cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-
17 phenyl-2-oxazolamine);

18 (7) N-ethylamphetamine;

19 (8) N,N-dimethylamphetamine: Some trade or other names: N,N-
20 alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

21 The controlled substances in this section may be added,
22 rescheduled, or deleted as provided for in RCW 69.50.201.

23 **Sec. 2.** RCW 69.50.206 and 2010 c 177 s 3 are each amended to read
24 as follows:

25 (a) The drugs and other substances listed in this section, by
26 whatever official name, common or usual name, chemical name, or brand
27 name designated, are included in Schedule II.

28 (b) Substances. (Vegetable origin or chemical synthesis.) Unless
29 specifically excepted, any of the following substances, except those
30 listed in other schedules, whether produced directly or indirectly by
31 extraction from substances of vegetable origin, or independently by
32 means of chemical synthesis, or by combination of extraction and
33 chemical synthesis:

34 (1) Opium and opiate, and any salt, compound, derivative, or
35 preparation of opium or opiate, excluding apomorphine, thebaine-derived
36 butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and
37 naltrexone, and their respective salts, but including the following:

- 1 (i) Raw opium;
- 2 (ii) Opium extracts;
- 3 (iii) Opium fluid;
- 4 (iv) Powdered opium;
- 5 (v) Granulated opium;
- 6 (vi) Tincture of opium;
- 7 (vii) Codeine;
- 8 (viii) Dihydroetorphine;
- 9 (ix) Ethylmorphine;
- 10 (x) Etorphine hydrochloride;
- 11 (xi) Hydrocodone;
- 12 (xii) Hydromorphone;
- 13 (xiii) Metopon;
- 14 (xiv) Morphine;
- 15 (xv) Oripavine;
- 16 (xvi) Oxycodone;
- 17 (xvii) Oxymorphone; and
- 18 (xviii) Thebaine.

19 (2) Any salt, compound, isomer, derivative, or preparation thereof
20 that is chemically equivalent or identical with any of the substances
21 referred to in subsection (b)(1) of this section, but not including the
22 isoquinoline alkaloids of opium.

23 (3) Opium poppy and poppy straw.

24 (4) Coca leaves and any salt, compound, derivative, or preparation
25 of coca leaves including cocaine and ecgonine, and their salts,
26 isomers, derivatives, and salts of isomers and derivatives, and any
27 salt, compound, derivative, or preparation thereof which is chemically
28 equivalent or identical with any of these substances, except that the
29 substances shall not include decocainized coca leaves or extractions of
30 coca leaves which do not contain cocaine or ecgonine.

31 (5) Concentrate of poppy straw (The crude extract of poppy straw in
32 either liquid, solid, or powder form which contains the phenanthrene
33 alkaloids of the opium poppy.)

34 (6) Marihuana or marijuana.

35 (7) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally
36 contained in a plant of the genus Cannabis (cannabis plant), as well as
37 synthetic equivalents of the substances contained in the plant, or in

1 the resinous extractives of Cannabis, species, and/or synthetic
2 substances, derivatives, and their isomers with similar chemical
3 structure and pharmacological activity such as the following:

4 (i) 1 - cis - or trans tetrahydrocannabinol, and their optical
5 isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated
6 in a soft gelatin capsule in a drug product approved by the United
7 States Food and Drug Administration;

8 (ii) 6 - cis - or trans tetrahydrocannabinol, and their optical
9 isomers;

10 (iii) 3,4 - cis - or trans tetrahydrocannabinol, and its optical
11 isomers;

12 (Since nomenclature of these substances is not internationally
13 standardized, compounds of these structures, regardless of numerical
14 designation of atomic positions covered.)

15 (c) Opiates. Unless specifically excepted or unless in another
16 schedule, any of the following synthetic opiates, including its
17 isomers, esters, ethers, salts, and salts of isomers, esters, and
18 ethers, whenever the existence of such isomers, esters, ethers, and
19 salts is possible within the specific chemical designation, dextorphan
20 and levopropoxyphene excepted:

- 21 (1) Alfentanil;
- 22 (2) Alphaprodine;
- 23 (3) Anileridine;
- 24 (4) Bezitramide;
- 25 (5) Bulk dextropropoxyphene (nondosage forms);
- 26 (6) Carfentanil;
- 27 (7) Dihydrocodeine;
- 28 (8) Diphenoxylate;
- 29 (9) Fentanyl;
- 30 (10) Isomethadone;
- 31 (11) Levo-alphaacetylmethadol, also known as levo-alpha-
- 32 acetylmethadol, levomethadyl acetate, or LAAM;
- 33 (12) Levomethorphan;
- 34 (13) Levorphanol;
- 35 (14) Metazocine;
- 36 (15) Methadone;
- 37 (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl
- 38 butane;

- 1 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-
2 diphenylpropane-carboxylic acid;
3 (18) Pethidine (meperidine);
4 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
5 (20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
6 carboxylate;
7 (21) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
8 carboxylic acid;
9 (22) Phenazocine;
10 (23) Piminodine;
11 (24) Racemethorphan;
12 (25) Racemorphan;
13 (26) Remifentanil;
14 (27) Sufentanil;
15 (28) Tapentadol.

16 (d) Stimulants. Unless specifically excepted or unless listed in
17 another schedule, any material, compound, mixture, or preparation which
18 contains any quantity of the following substances having a stimulant
19 effect on the central nervous system:

- 20 (1) Amphetamine, its salts, optical isomers, and salts of its
21 optical isomers;
22 (2) Methamphetamine, its salts, isomers, and salts of its isomers;
23 (3) Phenmetrazine and its salts;
24 (4) Methylphenidate;
25 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

26 (e) Depressants. Unless specifically excepted or unless listed in
27 another schedule, any material, compound, mixture, or preparation which
28 contains any quantity of the following substances having a depressant
29 effect on the central nervous system, including its salts, isomers, and
30 salts of isomers whenever the existence of such salts, isomers, and
31 salts of isomers is possible within the specific chemical designation:

- 32 (1) Amobarbital;
33 (2) Glutethimide;
34 (3) Pentobarbital;
35 (4) Phencyclidine;
36 (5) Secobarbital.
37 (f) Hallucinogenic substances.

1 Nabilone: Some trade or other names are (±)-trans3-(1,1-
2 dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
3 dibenzol[b,d]pyran-9-one.

4 (g) Immediate precursors. Unless specifically excepted or unless
5 listed in another schedule, any material, compound, mixture, or
6 preparation which contains any quantity of the following substances:

7 (1) Immediate precursor to amphetamine and methamphetamine:
8 (i) Phenylacetone: Some trade or other names phenyl-2-propanone,
9 P2P, benzyl methyl ketone, methyl benzyl ketone.

10 (2) Immediate precursors to phencyclidine (PCP):
11 (i) 1-phenylcyclohexylamine;
12 (ii) 1-piperidinocyclohexanecarbonitrile (PCC).

13 The controlled substances in this section may be added,
14 rescheduled, or deleted as provided for in RCW 69.50.201.

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