

# SENATE BILL REPORT

## SB 5101

---

---

As Reported by Senate Committee On:  
Judiciary, February 8, 2011

**Title:** An act relating to placing certain synthetic cannabinoids into schedule I of the uniform controlled substances act.

**Brief Description:** Placing certain synthetic cannabinoids into schedule I of the uniform controlled substances act.

**Sponsors:** Senators Carrell, Schoesler, Delvin and Stevens.

**Brief History:**

**Committee Activity:** Judiciary: 1/25/11, 2/04/11, 2/08/11 [DPS].

---

### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** That Substitute Senate Bill No. 5101 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug, Ranking Minority Member; Carrell, Hargrove, Kohl-Welles, Regala and Roach.

**Staff:** Juliana Roe (786-7438)

**Background:** Synthetic cannabinoids are chemically engineered substances, similar to THC which is the active ingredient in marijuana, that, when smoked or ingested, can produce a high similar to marijuana. Initially developed for research related to treatment of pain and the effects of cannabis on the brain, these substances have recently become a popular alternative to marijuana. When sprayed onto dried herbs, the substances are marketed under names such as “Spice,” “K2” or “Genie” and sold legally in local convenience stores or on the Internet.

In 2010 at least 11 state legislatures took action to outlaw the use of these drugs. This year, 21 states have introduced legislation relating to synthetic cannabinoids. The federal government has also taken notice of the drug. On November 24, 2010, the Federal Drug Enforcement Agency announced a Notice of Intent to Temporarily Control five of these substances.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Under current law, controlled substances are defined as a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or board rules. Schedule I controlled substances are those drugs or other substances that have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. No prescriptions may be written for Schedule I drugs. Possession of a controlled substance is a class C felony. Class C felonies are punished by five years in a state correctional institution, a fine of \$10,000 or both confinement and a fine.

**Summary of Bill (Recommended Substitute):** Synthetic cannabimimetics are a Schedule I controlled substance.

**EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Substitute):** The title of the bill is changed to "AN ACT Relating to placing certain synthetic cannabimimetics into schedule I of the uniform controlled substances act."

The list of synthetic cannabimimetics is expanded.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony on Original Bill:** PRO: Synthetic cannabinoids are a potentially harmful product. They are more potent than THC found in marijuana and can cause more paranoia and hallucinations than THC. This bill addresses a public safety issue. People have had to go to the emergency room as a result of using them. Just smoking the drug can cause respiratory problems and central nervous system problems. Further, there is no quality control with this product. In the first half of 2009, the Washington State Poison Control Center reported eight calls regarding synthetic cannabinoids. In 2010 they reported 68 calls. The Board of Pharmacy and federal Drug Enforcement Agency have both begun seeking changes with respect to synthetic cannabinoids.

**Persons Testifying:** PRO: Senator Carrell, prime sponsor; Steve Saxe, Department of Health; Dr. Fiona Couper, WSP.