

House Research Act Summary

CHAPTER: 240

SESSION: 2012 Regular Session

TOPIC: Controlled Substances

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Overview

This bill updates the statutory controlled substance schedules so that they match the controlled substance schedules maintained by the Board of Pharmacy in rules. The bill grants the board expedited drug scheduling authority. The bill also modifies the definition of synthetic cannabinoids and enhances the penalties for selling such substances.

- 1** **Controlled substance schedules.** Amends the statutory controlled substance schedules to bring them up-to-date with the controlled substance schedules maintained by the Board of Pharmacy in rules. Modifies the definition of synthetic cannabinoids and adds recently detected synthetic stimulants and hallucinogens to Schedule I. The amendments contained in this section are also intended to increase the flexibility of the schedules for use by prosecutors.

Authorizes the Board of Pharmacy to use the expedited rule-making process to add a substance to schedule I. Eliminates the board's obligation to complete an annual study of implementation of chapter 152 in relation to drug abuse in Minnesota. Strikes obsolete language.
- 2** **Sale or possession of synthetic cannabinoids.** Bifurcates the current gross misdemeanor penalty for selling synthetic cannabinoids into a gross misdemeanor and a felony. A person who "sells" a synthetic cannabinoid for no remuneration is guilty of a gross misdemeanor. All other sales of a synthetic cannabinoid carry a five-year felony penalty.
- 3** **Deferring prosecution for certain first time drug offenders.** Authorizes judges to defer prosecution for certain offenders charged with misdemeanor possession of synthetic cannabinoids.