



Ohio Legislative Service Commission

Synopsis of Senate Committee Amendments*

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Sub. H.B. 334

129th General Assembly
(S. Health, Human Services, and Aging)

National Precursor Log Exchange (NPLEX)

Extends to June 1, 2013 (from January 1, 2013, as provided in the House-passed version), the date by which the bill requires pharmacies and retailers to begin submitting information regarding pseudoephedrine and ephedrine sales to the National Precursor Log Exchange (NPLEX).

Controlled substance analogs

Adds provisions that create the criminal offenses of trafficking in and possession of controlled substance analogs and specifies penalties for the offenses.

Specifies that it is an affirmative defense to the charge of trafficking in a controlled substance analog that the person charged with the offense sold or offered to sell, or prepared for shipment, shipped, transported, delivered, prepared for distribution, or distributed any of the following: (1) a controlled substance, (2) any substance for which there is an approved new drug application, or (3) with respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption.

Specifies that it is an affirmative defense to the charge of possession of a controlled substance analog that the person charged with the offense obtained, possessed, or used an item described in (1) to (3), above.

Defines "controlled substance analog" for purposes of Ohio's drug offense laws consistent with the definition of this term in Ohio's controlled substances law (R.C. Chapter 3719.).

Specifies that controlled substance analogs must continue to be treated for purposes of Ohio law as schedule I controlled substances except as specified in the

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

Revised Code sections the bill enacts governing the offenses of trafficking in and possession of controlled substance analogs.

Specifies that no "bulk amount" exists for a controlled substance analog.

Specifies that an offender who pleads guilty to the possession of, sale of, or offer to sell any drug, compound, mixture, preparation, or substance that contains at least 50 grams of a controlled substance analog is a "major drug offender."

Ohio's controlled substance schedules

Adds provisions that modify current law governing Ohio's controlled substance schedules, as follows:

--Removes five synthetic cannabinoids from the list of schedule I hallucinogenic substances. In place of these, adds certain classes of synthetic cannabinoids to this schedule.

--Removes six synthetic derivatives of cathinone found in bath salts from the list of schedule I hallucinogenic substances. Also removes cathinone and methcathinone from the list of schedule I stimulants. In place of these, adds substituted cathinones to the list of schedule I stimulants.

--Adds several compounds to the list of schedule I hallucinogenic substances that neither fall into the classes of synthetic cannabinoids (described above) nor are substituted cathinones.

--Adds methiopropamine to the list of schedule I stimulants.

Associated with the removal of five synthetic cannabinoids from Ohio's list of schedule I hallucinogenic substances, eliminates the offenses of trafficking in and possession of spice.

Definition of "standard pharmaceutical reference manual"

Adds a provision specifying that only standard references approved by the State Board of Pharmacy are considered to be a "standard pharmaceutical reference manual" as that term is used in Ohio's drug offense statutes.

Emergency clause; delayed effective date

Adds a provision declaring an emergency.



Applies the resulting immediate effective date only to the bill's provisions that pertain to controlled substance analogs, controlled substance schedules, and the definition of "standard pharmaceutical reference manual."

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