

April 2, 2003

S 694. ANALOGUES/SCHEDULE I CONTROLLED SUBSTANCE. *TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, AND TO PROVIDE THAT THUS MAE 1, 4-BUTANEDIOL, AN ANALOGUE OF GAMMA-HYDROXYBUTRIC ACID (GHB), IS A SCHEDULE I CONTROLLED SUBSTANCE WHEN THE SUBSTANCE IS USED FOR HUMAN CONSUMPTION .* Amends GS 90-87 and adds new GS 90-89.1 as title indicates. Effective Dec. 1, 2003, for offenses committed on and after that date.

Intro. by Thomas.

Ref. to Judiciary II	GS 90
----------------------	-------

April 30, 2003

S 694. ANALOGUES/SCHEDULE I CONTROLLED SUBSTANCE. Intro. 4/2/03. Senate committee substitute makes the following changes to 1st edition. Amends proposed new subdivision of GS 90-87(5a) by defining "controlled substance analogue" as a substance with a chemical structure that is substantially similar to that of a Schedule I or II controlled substance; or which has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to that of a Schedule I or II controlled substance; or which, with respect to a particular person, such person represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system that is substantially similar to that of a Schedule I or II controlled substance. The new subdivision explicitly excludes from the definition of "controlled substance analogue" the following: (1) controlled substances, (2) substances for which a new drug application has been approved, (3) with respect to a particular person, any substance, if an exemption is in effect for investigational use for that person under Title 31 sec. 355 of the United States Code to the extent conduct with respect to such substance is pursuant to such an exemption; and (4) any substance to the extent it is not intended for human consumption before such an exemption takes effect with respect to that substance. The new subdivision also provides that the designation of any chemical, including gamma butyrolactone, as a listed chemical pursuant to title 21, sec. 802(34) or 802(35) of the United States Code, does not preclude a finding under GS 90-87(5a) that the chemical is a controlled substance analogue.

July 7, 2003

SL 2003-249 (S 694). ANALOGUES/SCHEDULE I CONTROLLED SUBSTANCE. *AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT.* Summarized in *Daily Bulletin* 4/2/03 and 4/30/03. Enacted June 26, 2003. Effective December 1, 2003.