

House Bill 1309 (AS PASSED HOUSE AND SENATE)

By: Representatives Neal of the 1st, Everson of the 106th, England of the 108th, Collins of the 27th, Dickson of the 6th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-13-25 of the Official Code of Georgia Annotated, relating to
2 Schedule I controlled substances, so as to add synthetic cannabinoids known as synthetic
3 marijuana or K2 to the Schedule I controlled substances list; to provide for legislative
4 findings; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 WHEREAS, the General Assembly finds that there is a growing use of the unregulated
7 synthetic cannabinoids commonly known as K2 or synthetic marijuana; and

8 WHEREAS, preliminary studies indicate that the three synthetic cannabinoid substances
9 unregulated in Georgia are from three to over 100 times more potent than THC, the active
10 ingredient found in marijuana; and

11 WHEREAS, many states as well as the federal government have already included one or
12 more of these chemical compounds on Schedules of Controlled Substances, but none of these
13 chemicals are currently listed on Georgia's Schedule of Controlled Substances; and

14 WHEREAS, synthetic cannabinoids are referred to as the new marijuana, and K2 is gaining
15 in popularity at an alarming rate among high school and college students and persons on
16 probation and parole; and

17 WHEREAS, while having the same or stronger physiological effects as high potency
18 marijuana, synthetic marijuana or K2 does not show a positive reading in an urinalysis test
19 which adds to the desirability and increased growth among drug abusers and increases the
20 threat to public health and safety by avoiding detection; and

21 WHEREAS, the General Assembly should address the growing threat of synthetic
22 cannabinoids to the health, safety, and welfare of our citizens before the problem becomes
23 epidemic in the State of Georgia.

24 **SECTION 1.**

25 Code Section 16-13-25 of the Official Code of Georgia Annotated, relating to Schedule I
26 controlled substances, is amended by replacing the period with a semicolon at the end of
27 paragraph (11) and by adding a new paragraph to read as follows:

28 “(12) Any material, compound, mixture, or preparation which contains any quantity of
29 the following substances, their salts, isomers (whether optical, positional, or geometric),
30 homologues, and salts of isomers and homologues, unless specifically excepted,
31 whenever the existence of these salts, isomers, homologues, and salts of isomers and
32 homologues is possible within the specific chemical designation:

33 (A) 1-pentyl-3-(1-naphthoyl)indole (JWH-018);

34 (B) 1,1-dimethylheptyl-11-hydroxy-delta-8-tetrahydrocannabinol (HU-210; (6a,
35 10a)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydr
36 obenzo[c]chromen-1-ol);

37 (C) 2-(3-hydroxycyclohexyl)-5-(2-methyloctan-2-yl)phenol (CP 47,497).”

38 **SECTION 2.**

39 This Act shall become effective upon its approval by the Governor or upon its becoming law
40 without such approval.

41 **SECTION 3.**

42 All laws and parts of laws in conflict with this Act are repealed.