

By: Senator(s) Harkins, Dawkins, Simmons
(12th), Younger

To: Public Health and
Welfare; Judiciary, Division
A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2610

1 AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE USE OF CANNABIDIOL IN RESEARCH OF TREATMENTS FOR
3 SEIZURES AND OTHER MEDICAL CONDITIONS; TO AMEND SECTION 41-29-113,
4 MISSISSIPPI CODE OF 1972, TO CONFORM SCHEDULE I TO THE
5 REQUIREMENTS OF THIS ACT; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 41-29-136, Mississippi Code of 1972, is
8 amended as follows:

9 41-29-136. (1) "CBD * * * solution" means a pharmaceutical
10 preparation consisting of processed cannabis plant extract * * *
11 in oil or * * * other suitable vehicle.

12 (2) (a) * * * CBD * * * solution prepared from Cannabis
13 plant extract that is provided by the National Center for Natural
14 Products Research at the University of Mississippi * * * under
15 appropriate federal and state regulatory approvals may be
16 dispensed by the Department of Pharmacy Services at the University
17 of Mississippi Medical Center (UMMC Pharmacy) after mixing the
18 extract with a suitable vehicle. The CBD solution may be prepared
19 by the UMMC Pharmacy or by another pharmacy or laboratory in the



20 state under appropriate federal and state regulatory approvals and
21 registrations. For the purposes of clinical trials under this
22 section, CBD solution must meet the standard of exemption from
23 control under Section 41-29-113.

24 (* * * b) The patient or the patient's parent, guardian
25 or custodian must execute a hold-harmless agreement that releases
26 from liability the state and any division, agency, institution or
27 employee thereof involved in the research, cultivation,
28 processing, formulating, dispensing, prescribing or administration
29 of CBD * * * solution obtained from entities authorized under this
30 section to produce or possess cannabidiol for research under
31 appropriate federal and state regulatory approvals and
32 registrations.

33 (c) The National Center for Natural Products Research
34 at the University of Mississippi * * * and the Mississippi
35 Agricultural and Forestry Experiment Station at Mississippi State
36 University are the only entities authorized to produce * * *
37 cannabis plants for cannabidiol research.

38 (* * * d) Research of CBD * * * solution under this
39 section must comply with the provisions of Section 41-29-125
40 regarding lawful possession of controlled substances, of Section
41 41-29-137 regarding record-keeping requirements relative to the
42 dispensing, use or administration of controlled substances, and of
43 Section 41-29-133 regarding inventory requirements, insofar as



44 they are applicable. Authorized entities may enter into
45 public-private partnerships to facilitate research.

46 * * *

47 (* * *3) (a) In a prosecution for the unlawful possession
48 of * * * marijuana under the laws of this state, it is an
49 affirmative and complete defense to prosecution that:

50 (i) The defendant suffered from a debilitating
51 epileptic condition or related illness and the use or possession
52 of CBD * * * solution was pursuant to the order of a physician as
53 authorized under this section; or

54 (ii) The defendant is the parent, guardian or
55 custodian of an individual who suffered from a debilitating
56 epileptic condition or related illness and the use or possession
57 of CBD * * * solution was pursuant to the order of a physician as
58 authorized under this section.

59 (b) An agency of this state or a political subdivision
60 thereof, including any law enforcement agency, may not initiate
61 proceedings to remove a child from the home based solely upon the
62 possession or use of CBD * * * solution by the child or parent,
63 guardian or custodian of the child as authorized under this
64 section.

65 (c) An employee of the state or any division, agency,
66 institution thereof involved in the research, cultivation,
67 processing, formulation, dispensing, prescribing or administration
68 of CBD * * * solution shall not be subject to prosecution for



69 unlawful possession, use, distribution or prescription of * * *
70 marijuana under the laws of this state for activities arising from
71 or related to the use of CBD * * * solution in the treatment of
72 individuals diagnosed with a debilitating epileptic
73 condition * * *.

74 (5) This section shall be known as "Harper Grace's Law."

75 (6) This section shall stand repealed from and after July
76 1, * * * 2021.

77 **SECTION 2.** Section 41-29-113, Mississippi Code of 1972, is
78 amended as follows:

79 41-29-113. The controlled substances listed in this section
80 are included in Schedule I.

81 **SCHEDULE I**

82 (a) **Opiates.** Any of the following opiates, including their
83 isomers, esters, ethers, salts and salts of isomers, esters and
84 ethers, unless specifically excepted, whenever the existence of
85 these isomers, esters, ethers and salts is possible within the
86 specific chemical designation:

87 (1) Acetyl-alpha-methylfentanyl;

88 (2) Acetyl Fentanyl

89 N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide;

90 (3) Acetylmethadol;

91 (4) Allylprodine;

92 (5) Alphacetylmethadol, except levo-alphacetylmethadol
93 (levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);



- 94 (6) Alphameprodine;
95 (7) Alphamethadol;
96 (8) Alpha-methylfentanyl;
97 (9) Alpha-methylthiofentanyl;
98 (10) Benzethidine;
99 (11) Betacetylmethadol;
100 (12) Beta-hydroxyfentanyl;
101 (13) Beta-hydroxy-3-methylfentanyl;
102 (14) Betameprodine;
103 (15) Betamethadol;
104 (16) Betaprodine;
105 (17) Clonitazene;
106 (18) Dextromoramide;
107 (19) Diampromide;
108 (20) Diethylthiambutene;
109 (21) Difenoquin;
110 (22) Dimenoxadol;
111 (23) Dimepheptanol;
112 (24) Dimethylthiambutene;
113 (25) Dioxaphetyl butyrate;
114 (26) Dipipanone;
115 (27) Ethylmethylthiambutene;
116 (28) Etonitazene;
117 (29) Etoxadine;
118 (30) Furethidine;



- 119 (31) Hydroxypethidine;
- 120 (32) Ketobemidone;
- 121 (33) Levomoramide;
- 122 (34) Levophenacylmorphane;
- 123 (35) 3-methylfentanyl;
- 124 (36) 3-methylthiofentanyl;
- 125 (37) Morpheridine;
- 126 (38) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 127 (39) Noracymethadol;
- 128 (40) Norlevorphanol;
- 129 (41) Normethadone;
- 130 (42) Norpipanone;
- 131 (43) Para-fluorofentanyl;
- 132 (44) PEPAP
- 133 (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 134 (45) Phenadoxone;
- 135 (46) Phenampromide;
- 136 (47) Phenomorphan;
- 137 (48) Phenoperidine;
- 138 (49) Piritramide;
- 139 (50) Proheptazine;
- 140 (51) Properidine;
- 141 (52) Propiram;
- 142 (53) Racemoramide;
- 143 (54) Thiofentanyl;



- 144 (55) Tilidine;
145 (56) Trimeperidine.

146 (b) **Opiate derivatives.** Any of the following opium
147 derivatives, their salts, isomers and salts of isomers, unless
148 specifically excepted, whenever the existence of these salts,
149 isomers and salts of isomers is possible within the specific
150 chemical designation:

- 151 (1) Acetorphine;
152 (2) Acetyldihydrocodeine;
153 (3) Benzylmorphine;
154 (4) Codeine methylbromide;
155 (5) Codeine-N-Oxide;
156 (6) Cyprenorphine;
157 (7) Desomorphine;
158 (8) Dihydromorphine;
159 (9) Drotebanol;
160 (10) Etorphine; (except hydrochloride salt);
161 (11) Heroin;
162 (12) Hydromorphinol;
163 (13) Methyldesorphine;
164 (14) Methyldihydromorphine;
165 (15) Monoacetylmorphine;
166 (16) Morphine methylbromide;
167 (17) Morphine methylsulfonate;
168 (18) Morphine-N-Oxide;



- 169 (19) Myrophine;
170 (20) Nicocodeine;
171 (21) Nicomorphine;
172 (22) Normorphine;
173 (23) Pholcodine;
174 (24) Thebacon.

175 (c) **Hallucinogenic substances.** Any material, compound,
176 mixture or preparation which contains any quantity of the
177 following substances, their salts, isomers (whether optical,
178 positional, or geometric) and salts of isomers, unless
179 specifically excepted, whenever the existence of these salts,
180 isomers and salts of isomers is possible within the specific
181 chemical designation:

- 182 (1) Alpha-ethyltryptamine;
183 (2) 4-bromo-2,5-dimethoxy-amphetamine;
184 (3) 4-bromo-2,5-dimethoxyphenethylamine;
185 (4) 2,5-dimethoxyamphetamine;
186 (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);
187 (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine
188 (2C-T-7);
189 (7) 4-methoxyamphetamine;
190 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
191 (9) 4-methyl-2,5-dimethoxy-amphetamine;
192 (10) 3,4-methylenedioxy amphetamine;
193 (11) 3,4-methylenedioxymethamphetamine (MDMA);



- 194 (12) 3,4-methylenedioxy-N-ethylamphetamine (also known
195 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl
196 MDA, MDE, MDEA);
- 197 (13) N-hydroxy-3,4-methylenedioxyamphetamine (also
198 known as N-hydroxy MDA, N-OHMDA, and
199 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine);
- 200 (14) 3,4,5-trimethoxy amphetamine;
- 201 (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 202 (16) Alpha-methyltryptamine (also known as AMT);
- 203 (17) Bufotenine;
- 204 (18) Diethyltryptamine;
- 205 (19) Dimethyltryptamine;
- 206 (20) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);
- 207 (21) Ibogaine;
- 208 (22) Lysergic acid diethylamide (LSD);
- 209 (23) (A) Marijuana;
- 210 (B) Hashish;
- 211 (24) Mescaline;
- 212 (25) Parahexyl;
- 213 (26) Peyote;
- 214 (27) N-ethyl-3-piperidyl benzilate;
- 215 (28) N-methyl-3-piperidyl benzilate;
- 216 (29) Psilocybin;
- 217 (30) Psilocyn;



218 (31) Tetrahydrocannabinols, meaning
219 tetrahydrocannabinols contained in a plant of the genus Cannabis
220 (cannabis plant), as well as the synthetic equivalents of the
221 substances contained in the cannabis plant, or in the resinous
222 extractives of such plant, and/or synthetic substances,
223 derivatives, and their isomers with similar chemical structure and
224 pharmacological activity to those substances contained in the
225 plant such as the following:

226 (A) 1 cis or trans tetrahydrocannabinol;

227 (B) 6 cis or trans tetrahydrocannabinol;

228 (C) 3,4 cis or trans tetrahydrocannabinol.

229 (Since nomenclature of these substances is not
230 internationally standardized, compounds of these structures,
231 regardless of atomic positions are covered.)

232 ("Tetrahydrocannabinols" excludes dronabinol and nabilone.)

233 However, the following products are exempted from control:

234 (i) THC-containing industrial products made
235 from cannabis stalks (e.g., paper, rope and clothing);

236 (ii) Processed cannabis plant materials used
237 for industrial purposes, such as fiber retted from cannabis stalks
238 for use in manufacturing textiles or rope;

239 (iii) Animal feed mixtures that contain
240 sterilized cannabis seeds and other ingredients (not derived from
241 the cannabis plant) in a formula designed, marketed and
242 distributed for nonhuman consumption;



243 (iv) Personal care products that contain oil
244 from sterilized cannabis seeds, such as shampoos, soaps, and body
245 lotions (if the products do not cause THC to enter the human
246 body); and

247 (v) Processed cannabis plant extract, oil or
248 resin * * * with a minimum ratio of twenty-to-one
249 cannabidiol * * * to tetrahydrocannabinol (20:1
250 cannabidiol:tetrahydrocannabinol), and diluted so as to contain at
251 least fifty (50) milligrams of cannabidiol per milliliter, with
252 not more than two and one-half (2.5) milligrams of
253 tetrahydrocannabinol per milliliter;

254 (32) Phencyclidine;

255 (33) Ethylamine analog of phencyclidine (PCE);

256 (34) Pyrrolidine analog of phencyclidine (PHP, PCPy);

257 (35) Thiophene analog of phencyclidine;

258 (36) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (TCPy);

259 (37) 4-methylmethcathinone (mephedrone);

260 (38) 3,4-methylenedioxypropylamphetamine (MDPV);

261 (39) 2-(2,5-dimethoxy-4-ethylphenyl)ethanamine (2C-E);

262 (40) 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);

263 (41) 2-(4-chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

264 (42) 2-(4-iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);

265 or 2,5-dimethoxy-4-iodophenethylamine;

266 (43) 2-[4-(ethylthio)-2,5-dimethoxyphenyl]ethanamine

267 (2C-T-2);



268 (44)
269 2-[4-(isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);
270 (45) 2-(2,5-dimethoxyphenyl)ethanamine (2C-H);
271 (46) 2-(2,5-dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
272 (47) 2-(2,5-dimethoxy-4-(n)-propylphenyl)ethanamine
273 (2C-P);
274 (48) 3,4-methylenedioxy-N-methylcathinone (methydone);
275 (49)
276 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
277 (25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);
278 (50)
279 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
280 (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);
281 (51)
282 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine or
283 N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe; 2C-I-NBOMe; 25I;
284 Cimbi-5);
285 (52) 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,
286 4-benzodiazepin-2-one (also known as Phenazepam);
287 (53) 7-(2-chlorophenyl)-4-ethyl-13-methyl-3-thia-1,8,
288 11,12-tetraazatricyclo[8.3.0.0]trideca-2(6),4,7,10,12-pentaene
289 (also known as Etizolam);
290 (54) Salvia divinorum;
291 (55) Synthetic cannabinoids. Unless specifically
292 excepted or unless listed in another schedule, any material,



293 compound, mixture, or preparation which contains any quantity of a
294 synthetic cannabinoid found in any of the following chemical
295 groups, whether or not substituted to any extent, or any of those
296 groups which contain any synthetic cannabinoid salts, isomers, or
297 salts of isomers, whenever the existence of such salts, isomers,
298 or salts of isomers is possible within the specific chemical
299 designation, including all synthetic cannabinoid chemical
300 analogues in such groups:

301 (A) (6aR,10aR)-9-(hydroxymethyl)-6,
302 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
303 chromen-1-ol (also known as HU-210 or
304 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol);

305 (B) Naphthoylindoles and naphthylmethylindoles,
306 being any compound structurally derived from 3-(1-naphthoyl)indole
307 or 1H-indol-3-yl-(1-naphthyl)methane, whether or not substituted
308 in the indole ring to any extent, or in the naphthyl ring to any
309 extent;

310 (C) Naphthoylpyrroles, being any compound
311 structurally derived from 3-(1-naphthoyl)pyrrole, whether or not
312 substituted in the pyrrole ring to any extent, or in the naphthyl
313 ring to any extent;

314 (D) Naphthylmethylindenes, being any compound
315 structurally derived from 1-(1-naphthylmethyl)indene, whether or
316 not substituted in the indene ring to any extent or in the
317 naphthyl ring to any extent;



318 (E) Phenylacetylindoles, being any compound
319 structurally derived from 3-phenylacetylindole, whether or not
320 substituted in the indole ring to any extent or in the phenyl ring
321 to any extent;

322 (F) Cyclohexylphenols, being any compound
323 structurally derived from 2-(3-hydroxycyclohexyl)phenol, whether
324 or not substituted in the cyclohexyl ring to any extent or in the
325 phenolic ring to any extent;

326 (G) Benzoylindoles, whether or not substituted in
327 the indole ring to any extent or in the phenyl ring to any extent;

328 (H) Adamantoylindoles, whether or not substituted
329 in the indole ring to any extent or in the adamantoyl ring system
330 to any extent;

331 (I) Tetrahydro derivatives of cannabinal and
332 3-alkyl homologues of cannabinal or of its tetrahydro derivatives,
333 except where contained in cannabis or cannabis resin;

334 (J) 3-Cyclopropylmethanone indole or
335 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by
336 substitution at the nitrogen atom of the indole ring, whether or
337 not further substituted in the indole ring to any extent, whether
338 or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl
339 rings to any extent;

340 (K) Quinoliny ester indoles, being any compound
341 structurally derived from 1H-indole-3carboxylic acid-8-quinoliny



342 ester, whether or not substituted in the indole ring to any extent
343 or the quinolone ring to any extent;

344 (L) 3-carboxamide-1H-indazoles, whether or not
345 substituted in the indazole ring to any extent and substituted to
346 any degree on the carboxamide nitrogen and
347 3-carboxamide-1H-indoles, whether or not substituted in the indole
348 ring to any extent and substituted to any degree on the
349 carboxamide nitrogen;

350 (M) Cycloalkanemethanone Indoles, whether or not
351 substituted at the nitrogen atom on the indole ring, whether or
352 not further substituted in the indole ring to any extent, whether
353 or not substituted on the cycloalkane ring to any extent.

354 (d) **Depressants.** Unless specifically excepted or unless
355 listed in another schedule, any material, compound, mixture, or
356 preparation which contains any quantity of the following
357 substances having a depressant effect on the central nervous
358 system, including their salts, isomers, and salts of isomers,
359 whenever the existence of such salts, isomers, and salts of
360 isomers is possible within the specific chemical designation:

361 (1) Gamma-hydroxybutyric acid (other names include:
362 GHB, gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic
363 acid; sodium oxybate; sodium oxybutyrate);

364 (2) Mecloqualone;

365 (3) Methaqualone.



366 (e) **Stimulants.** Any material, compound, mixture or
367 preparation which contains any quantity of the following central
368 nervous system stimulants including optical salts, isomers and
369 salts of isomers unless specifically excepted or unless listed in
370 another schedule:

371 (1) Aminorex;

372 (2) N-benzylpiperazine (also known as BZP;
373 1-benzylpiperazine);

374 (3) Cathinone;

375 (4) Fenethylamine;

376 (5) Methcathinone;

377 (6) 4-methylaminorex (also known as
378 2-amino-4-methyl-5-phenyl-2-oxazoline);

379 (7) N-ethylamphetamine;

380 (8) Any material, compound, mixture or preparation
381 which contains any quantity of N,N-dimethylamphetamine. (Other
382 names include: N,N,-alpha-trimethyl-benzeneethanamine, and
383 N,N-alpha-trimethylphenethylamine);

384 (9) Unless listed in another schedule, any compound
385 other than bupropion that is structurally derived from
386 2-Amino-1-phenyl-1-propanone by modification in any of the
387 following ways:

388 (i) By substitution in the phenyl ring to any
389 extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide



390 substituents, whether or not further substituted in the phenyl
391 ring by one or more other univalent substituents;

392 (ii) By substitution at the 3-position with an
393 alkyl substituent;

394 (iii) By substitution at the nitrogen atom with
395 alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a
396 cyclic structure.

397 (10) Synthetic cathinones. Unless specifically
398 excepted or unless listed in another schedule, any material
399 compound, mixture or preparation which contains any quantity of a
400 synthetic cathinone found in any of the following compounds,
401 whether or not substituted to any extent, or any of these
402 compounds which contain any synthetic cathinone, or salts,
403 isomers, or salts of isomers, whenever the existence of such
404 salts, isomers or salts of isomers is possible:

405 (i) 4-methyl-N-ethylcathinone ("4-MEC");

406 (ii) 4-methyl-alpha-pyrrolidinopropiophenone
407 ("4-MePPP");

408 (iii) Alpha-pyrrolidinopentiophenone (" α -PVP");

409 (iv)

410 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one ("butylone");

411 (v) 2-(methylamino)-1-phenylpentan-1-one
412 ("pentedrone");



413 (vi)
414 1-(1,3-benzodioxol-5-yl)-2-(methyldamino)pentan-1-one
415 ("pentylone");
416 (vii) 4-fluoro-N-methylcathinone ("4-FMC");
417 (viii) 3-fluoro-N-methylcathinone ("3-FMC");
418 (ix)
419 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one ("naphyrone");
420 and
421 (x) Alpha-pyrrolidinobutiophenone ("α-PBP").

422 **SECTION 3.** This act shall take effect and be in force from
423 and after its passage.

