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SECRETARY OF STATE
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SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

December 15, 2017

FOR IMMEDIATE RELEASE

Contact: Al Jaeger, Secretary of State, (701) 328-2900

**STATUTORY INITIATIVE
SUBMITTED TO SECRETARY OF STATE**

PETITION FORMAT APPROVED FOR CIRCULATION

Bismarck, ND – Secretary of State Al Jaeger has approved for circulation the format of a petition to place a statutory initiated measure on the ballot related to the legalization of marijuana. The sponsoring committee must gather at least 13,452 qualified signatures to place the measure on the ballot for voter consideration.

The approved petition title appears on the copy of the approved petition.

If the committee intends to have the measure placed on the statewide June 12, 2018, ballot, enough valid signatures must be submitted to the Secretary of State prior to midnight on Monday, February 12, 2018.

If the committee intends to have the measure placed on the statewide November 6, 2018, ballot, enough valid signatures must be submitted to the Secretary of State prior to midnight on Monday, July 9, 2018.

A copy of the approved petition is attached. It will be posted on the Secretary of State's Elections website, Vote.ND.Gov under "[Ballot Measures](#)" in the left-navigation column. If you have any questions or want to see the various laws referenced in the letter, they are in the [Initiating & Referring Law in North Dakota](#) pamphlet found in the same column of the website.

A petition time line is attached.

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STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

December 15, 2017

David Owen
Chairperson
Sponsoring Committee
3A Noren Hall
Grand Forks ND 58202

Dear Mr. Owen,

In accordance with state law, the Secretary of State's office has completed its review and approved the petition proof provided to this office relating to a statutory initiative related to legalization of marijuana.

To place a statutory initiative on the ballot, a sponsoring committee must deliver petitions to the Secretary of State containing the valid signatures of qualified North Dakota electors equal to at least 2% of the resident population of North Dakota (as determined by the most recent federal census). The minimum number of qualified signatures is 13,452.

According to North Dakota Century Code (N.D.C.C.) § 16.1-01-09(7), the signatures to place a measure on the ballot must be obtained within one year after the Secretary of State has approved the petition for circulation. The one-year period will end on Monday, December 17, 2018.

The North Dakota Constitution, Article III, Section 5, stipulates that an initiative petition must be submitted not less than one hundred twenty days before the statewide election at which the measure is placed on the ballot.

If the committee intends to have the measure placed on the statewide June 12, 2018, ballot, enough valid signatures must be submitted to the Secretary of State prior to midnight on Monday, February 12, 2018.

If the committee intends to have the measure placed on the statewide November 6, 2018, ballot, enough valid signatures must be submitted to the Secretary of State prior to midnight on Monday, July 9, 2018.

If your committee anticipates that they will be submitting petitions to this office after 5:00 p.m., but prior to midnight, on the deadline date, please contact this office in advance so that a staff member is present to receive them. Upon receipt, the petitions will be reviewed according to the provisions of N.D.C.C. § 16.1-01-10.

If petitions with sufficient signatures are submitted after the one hundred twenty-day deadline, but before the one-year circulation deadline of December 17, 2018, the measure will be eligible to be placed on the ballot for the next scheduled statewide election, unless a special statewide election is called earlier.

Only qualified North Dakota electors may circulate petitions. The circulator must personally witness the signature applied to the petition by each qualified elector who signs the petition. The petition must remain in the physical possession of the qualified North Dakota circulator even though others (who may not be qualified electors in the State of North Dakota) are accompanying the circulator. A petition left unattended is an improperly circulated petition and is not counted. A petition is not counted, if it was not circulated in its entirety such as the petition proof approved by this office.

David Owen
December 15, 2017
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On the last page of each submitted petition is an affidavit whereby the circulator of the petition is required to swear (or affirm) before a notary public that he or she circulated the petition in the manner required by state law and that he or she witnessed each signature applied to the petition by a qualified elector. A petition is disqualified, if a member of the sponsoring committee, who is a notary, notarizes the signature of the circulator on the affidavit printed at the end of the petition. A petition will be disqualified if it is not circulated in its entirety as it was approved by this office.

Improper signing and circulating practices may result in the disqualification of an entire individual petition. In addition, criminal penalties may apply. See N.D.C.C. § 16.1-01-12(1)(h)(i)(j)(o), N.D.C.C. § 16.1-01-12(2) and (3).

The law allows a circulator to be paid a salary and to be reimbursed for expenses. It is illegal, however, to pay a circulator based on the number of signatures obtained by that circulator. If the sponsoring committee does pay or offers to pay a circulator, N.D.C.C. § 16.1-01-12(1) requires the sponsoring committee to notify the Secretary of State of its intentions prior to submitting any petitions to our office. For filing purposes, a form titled, Sponsoring Committee Statement of Intent of Remuneration (SFN 11516), is enclosed.

The sponsoring committee is required by N.D.C.C. § 16.1-01-12(1)(j) to comply with the campaign contribution reporting requirements in N.D.C.C., Chapter 16.1-08.1.

At the time when a Sponsoring Committee submits signed petitions to the Secretary of State, it will be required to comply with the following subsection of N.D.C.C. § 16.1-08.1-03.13(2).

"At the time the sponsoring committee for an initiated or referendum petition submits signed petitions to the secretary of state, the committee also shall submit a complete statement disclosing the contributions received and the expenditures made relating to the petition."

If you have questions or need additional information, please contact either Lee Ann Oliver, Election Specialist, at (701) 328-4146, (800) 352-0867, option 6, through e-mail at loliver@nd.gov or me.

Sincerely,



Alvin A. Jaeger
Secretary of State

Enclosures

Petition as Approved for Circulation
Petition Time line
Sponsoring Committee Statement Intent of Remuneration SFN 11516
Initiating and Referring Law in North Dakota (2015-2017)

**Time Line for Statutory Initiative Relating to
Legalization of Marijuana
(as of December 15, 2017)**

Submitted to the Secretary of State for review and approval for circulation	Tuesday, November 28, 2017
Earliest date the law allows Secretary of State to provide a review of the petition	Tuesday, December 5, 2017
Latest date by which the Secretary of State must provide a review of the petition	Thursday, December 7, 2017
Date that Secretary of State supplied Sponsoring Committee with petition title for petition	Friday, December 15, 2017
Date that Sponsoring Committee returned petition to Secretary of State for review	Friday, December 15, 2017
Date that Secretary of State approved petition for circulation	Friday, December 15, 2017
Deadline for submitting petition signatures to the Secretary of State (120 days before the election at which the measure is to appear on the ballot <u>or</u> one year from the date the petition is approved for circulation)	<p style="text-align: center;">2018 Primary Election – Prior to midnight on Monday, February 12, 2018</p> <p style="text-align: center;">2018 General Election – Prior to midnight on Monday, July 9, 2018</p> <p style="text-align: center;">One year from date petition was approved for circulation – December 17, 2018</p>
Number of signatures needed to place measure on ballot.	13,452
Contact person for the sponsoring committee	<p>Josh Dryer 3027 7th St W #101 West Fargo ND 58078</p> <p>(701) 550-6728 JoshDryer@outlook.com</p>

**INITIATIVE PETITION
TO THE SECRETARY OF STATE,
STATE OF NORTH DAKOTA**

We, the undersigned, being qualified electors request the following initiated law be placed on the ballot as provided by law.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

David Owen Chairperson 3A Noren Hall Grand Forks, ND 58202	Josh Dryer 3027 7 th St. West Apt. 101. West Fargo, ND 58078	John T Bjorklund 750 S. 43 rd St. Apt. 1134 Grand Forks, ND 58201	Casey Brevik 707 Broadway Apt. 4 Fargo, ND 58102	Jacob Knaack 3548 47 th St. S Apt. 108 Fargo, ND 58104	Jason K. Coghill 3027 7 th St. W. Apt. 311 West Fargo, ND 58078	Keedan Holzworth 66 N. Stanley Dr. Lincoln, ND 58504
Bradley Foster 1145 12 th St. N Fargo, ND 58102	Ernest Joseph Pelter Ill. 3541 24 th Ave. S. Apt. 115 Grand Forks, ND 58201	Alex Larson 720 12 th St. N Fargo, ND 58102	Eric Olson 915 4 th Ave. S. Fargo, ND 58103	Sarah Fuglseth 1441 30 th Ave. S. Unit E. Fargo, ND 58103	Cyrus Sarabakhsh 1717 40 th St. SW Apt. 323 Fargo, ND 58103	Michelle Tait 222 Crown Butte Dr. Mandan, ND 58554
Tisha L Denault 232 2 nd St. Minto, ND 58261	Jennifer Bailey 1119 University Dr. Apt. 1319 Bismarck, ND 58504	Kevin Johnson 662 San Juan Dr. S. Fargo, ND 58103	Donald Bailey 1119 University Dr. Bismarck, ND 58504	Chad Hellwig 700 S. 12 th St. Apt. 236 Bismarck, ND 58504	Nicole Moos 106 W Buffalo St. Mandan, ND 58554	Erika Zimmerman 409 2 nd Ave NW Mandan, ND 58554
Jolene Berger 3004 Manchester St. Bismarck, ND 585504	Todd Were 52 Benteen Dr. Lincoln, ND 58504	Dustin Peyer 328 SE 1 st St Driscoll, ND 58532	Mark Burke 3004 Manchester St. Bismarck, ND 58504	Sandra L Farrell 100 SW 3 rd St Lot B8 Parkview Estates Mandan, ND 58554	Duwayne Hendrickson 1001 54 th St SE Minot, ND 58701	Brian S Taylor Jr. 3100 E Rosser Ave Apt 11 Bismarck, ND 58501

PETITION TITLE

This initiated measure would amend the North Dakota Century Code by removing hashish, marijuana, and tetrahydrocannabinols from the list of schedule I controlled substances in section 19-03.1-05; adding penalties for individuals under the age of twenty-one in possession of, or attempting to distribute, marijuana; and adding penalties for individuals who distribute marijuana to anyone under the age of twenty-one. It would amend the definition for drug paraphernalia in section 19-03.4-01 to only apply to non-marijuana controlled substances. It would amend section 25-03.1-45 to create a process to automatically expunge the record of an individual who has a drug conviction for a controlled substance that has been legalized; create an appeals process for an individual who believes the state did not expunge a record properly; and eliminate the state's sovereign immunity for damages resulting from expungement lawsuits. It would create chapter 66-01 to define the terms marijuana and marijuana paraphernalia; to prevent prosecution for non-violent marijuana related activity; and to nullify and repeal any North Dakota Century Code language which conflicts with chapter 66-01.

FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED. IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED. IF MATERIAL IS NOT UNDERSCORED OR OVERSTRUCK, THE MATERIAL IS EXISTING LAW THAT IS NOT BEING CHANGED.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 19-03.1-05 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-05. Schedule I

1. The controlled substances listed in this section are included in schedule I.
2. Schedule I consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.
3. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, salts, and salts of isomers esters, and ethers, whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - a. Acetylmethadol.
 - b. Allylprodine.
 - c. Alphacetylmethadol.
 - d. Alphameprodine.
 - e. Alphamethadol.
 - f. Benzethidine.
 - g. Betacetylmethadol.
 - h. Betameprodine.
 - i. Betamethadol.
 - j. Betaprodine.
 - k. Clonitazene.
 - l. Dextromoramide.
 - m. Diampromide.
 - n. Diethylthiambutene.

- o. Difenoxin.
- p. Dimenoxadol.
- q. Dimephtanol.
- r. Dimethylthiambutene.
- s. Dioxaphetyl butyrate.
- t. Dipipanone.
- u. Ethylmethylthiambutene.
- v. Etonitazene.
- w. Etoxidine.
- x. Furethidine.
- y. Hydroxypethidine.
- z. Ketobemidone.
- aa. Levomoramide.
- bb. Levophenacetyl morphan.
- cc. Morpheridine.
- dd. MPPP (also known as 1-methyl-4-phenyl-4-propionoxypiperidine).
- ee. Noracymethadol.
- ff. Norlevorphanol.
- gg. Normethadone.
- hh. Norpipanone.
- ii. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-acetoxypiperidine).
- jj. Phenadoxone.
- kk. Phenampromide.
- ll. Phenomorphan.
- mm. Phenoperidine.
- nn. Piritramide.
- oo. Proheptazine.
- pp. Propieridine.
- qq. Propiram.
- rr. Racemoramide.
- ss. Tilidine.
- tt. Trimeperidine.
- uu. 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (also known as U-47700).
- vv. 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (also known as MT-45).
- ww. 3,4-dichloro-N-[1-(dimethylamino)cyclohexyl]methylbenzamide (also known as AH-7921).
- xx. Fentanyl derivatives. Unless specifically excepted or unless listed in another schedule or are not FDA approved drugs, and are derived from N-(1-(2-Phenylethyl)-4-piperidinyl)-N-phenylpropanamide (Fentanyl) by any substitution on or replacement of the phenethyl group, any substitution on the piperidine ring, any substitution on or replacement of the propanamide group, any substitution on the anilido phenyl group, or any combination of the above. Examples include:
 - (1) N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide (also known as Acetyl-alpha-methylfentanyl).
 - (2) N-[1-(alpha-methyl-beta-phenylethyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine (also known as methylfentanyl).
 - (3) N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide known as Alpha-methylthiofentanyl).
 - (4) N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamid (also known as Beta-hydroxyfentanyl).
 - (5) N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide (also known as Beta-hydroxy-3-methylfentanyl).
 - (6) N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide known as 3-Methylfentanyl).

- (7) N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide known as 3-Methylthiofentanyl).
 - (8) N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide (also known as Para-fluorofentanyl).
 - (9) N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]propanamide (also known as Thiofentanyl).
 - (10) N-(1-phenylethyl)piperidin-4-yl)-N-phenylfuran-2-carboxamide (also known as Furanyl Fentanyl).
 - (11) N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide; N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (also known as Butyryl Fentanyl).
 - (12) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide; N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide (also known as Beta-Hydroxythiofentanyl).
 - (13) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (also known as Acetyl Fentanyl).
 - (14) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]prop-2-enamide (also known as Acrylfentanyl).
 - (15) N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]pentanamide (also known as Valeryl Fentanyl).
4. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
- a. Acetorphine.
 - b. Acetyldihydrocodeine.
 - c. Benzylmorphine.
 - d. Codeine methylbromide.
 - e. Codeine-N-Oxide.
 - f. Cyprenorphine.
 - g. Desomorphine.
 - h. Dihydromorphine.
 - i. Drotebanol.
 - j. Etorphine (except hydrochloride salt).
 - k. Heroin.
 - l. Hydromorphenol.
 - m. Methyldesorphine.
 - n. Methyldihydromorphine.
 - o. Morphine methylbromide.
 - p. Morphine methylsulfonate.
 - q. Morphine-N-Oxide.
 - r. Myrophine.
 - s. Nicocodeine.
 - t. Nicomorphine.
 - u. Normorphine.
 - v. Pholcodine.
 - w. Thebacon.
5. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers):
- a. Alpha-ethyltryptamine, its optical isomers, salts, and salts of isomers (also known as etryptamine; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole).
 - b. Alpha-methyltryptamine.
 - c. 4-methoxyamphetamine (also known as 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine; PMA).
 - d. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA.
 - e. Hashish.

- f. ~~e.~~ Ibogaine (also known as 7-Ethyl-6, 6B, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5 H-pyrido [1', 2':1, 2] azepero (5,4-b) indole; Tabernanthe iboga).
- g. ~~f.~~ Lysergic acid diethylamide.
- h. ~~Marjuana.~~
- i. ~~g.~~ Parahexyl (also known as 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro- 6,6,9-trimethyl- 6H-dibenzol[b,d]pyran; Synhexyl).
- j. ~~h.~~ Peyote (all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or its extracts).
- k. ~~i.~~ N-ethyl-3-piperidyl benzilate.
- l. ~~j.~~ N-methyl-3-piperidyl benzilate.
- m. ~~k.~~ Psilocybin.
- n. ~~Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extracts of such plant, including synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to these substances contained in the plant, such as the following:~~
- (1) ~~Delta-1-cis or trans-tetrahydrocannabinol, and their optical isomers. Other names: Delta-9-tetrahydrocannabinol.~~
- (2) ~~Delta-6-cis or trans-tetrahydrocannabinol, and their optical isomers.~~
- (3) ~~Delta-3,4-cis or trans-tetrahydrocannabinol, and its optical isomers.~~
- (~~Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.~~)
- o. ~~j.~~ Cannabinoids, synthetic. It includes the optical, position, and geometric isomers.
- (1) ~~Indole carboxaldehydes. Any compound structurally derived from 1H-indole-3-carboxaldehyde or 1H-2-carboxaldehyde substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, tetrahydropyranlylmethyl, benzyl, or halo benzyl group; and, at the hydrogen of the carboxaldehyde by a phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:~~
- (a) ~~Substitution to the indole ring to any extent; or~~
- (b) ~~Substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group to any extent; or~~
- (c) ~~A nitrogen heterocyclic analog of the indole ring; or~~
- (d) ~~A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.~~
- (e) ~~Examples include:~~
- [1] ~~1-Pentyl-3-(1-naphthyl)indole - Other names: JWH-018 and AM-678.~~
- [2] ~~1-Butyl-3-(1-naphthyl)indole - Other names: JWH-073.~~
- [3] ~~1-Pentyl-3-(4-methoxy-1-naphthyl)indole - Other names: JWH-081.~~
- [4] ~~1-[2-(4-morpholinyl)ethyl]-3-(1-naphthyl)indole - Other names: JWH-200.~~
- [5] ~~1-Propyl-2-methyl-3-(1-naphthyl)indole - Other names: JWH-015.~~
- [6] ~~1-Hexyl-3-(1-naphthyl)indole - Other names: JWH-019.~~
- [7] ~~1-Pentyl-3-(4-methyl-1-naphthyl)indole - Other names: JWH-122.~~
- [8] ~~1-Pentyl-3-(4-ethyl-1-naphthyl)indole - Other names: JWH-210.~~
- [9] ~~1-Pentyl-3-(4-chloro-1-naphthyl)indole - Other names: JWH-398.~~
- [10] ~~1-(5-fluoropentyl)-3-(1-naphthyl)indole - Other names: AM-2201.~~
- [11] ~~1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole - Other names: RCS-8.~~
- [12] ~~1-Pentyl-3-(2-methoxyphenylacetyl)indole - Other names: JWH-250.~~
- [13] ~~1-Pentyl-3-(2-methylphenylacetyl)indole - Other names: JWH-251.~~

- [14] 1-Pentyl-3-(2-chlorophenylacetyl)indole - Other names: JWH-203.
- [15] 1-Pentyl-3-(4-methoxybenzoyl)indole - Other names: RCS-4.
- [16] 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole - Other names: AM-694.
- [17] 4-Methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone - Other names: WIN 48,098 and Pravadoline.
- [18] 1-Pentylindol-3-yl-(2,2,3,3-tetramethylcyclopropyl)methanone --Other names: UR-144.
- [19] 1-(5-fluoropentyl)indol-3-yl)-(2,3,3-tetramethylcyclopropyl)methanone - Other names: XLR-11.
- [20] 1-(2-morpholin-4-ylethyl)-1H-indol-3-yl)-(2,3,3-tetramethylcyclopropyl)methanone - Other names: A-796,260.
- [21] 1-(5-fluoropentyl)-1H-indazol-3-yl)(naphthalen-1-yl)methanone --Other names: THJ-2201.
- [22] 1-naphthalenyl(1-pentyl-1H-indazol-3-yl)-methanone -- Other names: THJ-018.
- [23] 1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone - Other names: FUBIMINA.
- [24] 1-[(N-methylpiperidin-2-yl)methyl]-3-(adamant-1-yl) indole -Other names: AM-1248.
- [25] 1-Pentyl-3-(1-adamantyl)indole - Other names: AB-001 and JWH-018 adamantyl analog.
- (2) Indole carboxamides. Any compound structurally derived from 1H-indole-3-carboxamide or 1H-2-carboxamide substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, tetrahydropranyl, methyl, benzyl, or halo benzyl group; and, at the nitrogen of the carboxamide by a phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:
- (a) Substitution to the indole ring to any extent; or
 - (b) Substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group to any extent; or
 - (c) A nitrogen heterocyclic analog of the indole ring; or
 - (d) A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.
 - (e) Examples include:
 - [1] N-Adamantyl-1-pentyl-1H-indole-3-carboxamide - Other names: JWH-018 adamantyl carboxamide, APICA, SDB-001, and 2NE1.
 - [2] N-Adamantyl-1-fluoropentylindole-3-carboxamide - Other names: STS-135.
 - [3] N-Adamantyl-1-pentyl-1H-indazole-3-carboxamide - Other names: AKB 48 and APINACA.
 - [4] N-1-naphthalenyl-1-pentyl-1H-indole-3-carboxamide - Other names: NNEI and MN-24.
 - [5] N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide - Other names: ADBICA.
 - [6] (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide - Other names: AB-PINACA.
 - [7] N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide - Other names: AB-FUBINACA.
 - [8] (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide - Other names: 5-Fluoro AB-PINACA.
 - [9] N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide - Other names: ADB-PINACA.
 - [10] N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide - Other names: AB-CHMINACA.
 - [11] N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide - Other names: ADB-FUBINACA.
 - [12] N-(3s,5s,7s)-adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide - Other names: FUB-AKB48 and AKB48 N-(4-fluorobenzyl) analog.
 - [13] 1-(5-fluoropentyl)-N-(quinolin-8-yl)-1H-indazole-3-carboxamide - Other names: 5-fluoro-THJ.
 - [14] (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate - Other names: 5-fluoro AMB.
 - [15] methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate - Other names: FUB-AMB.

- [16] N-[1-(aminocarbonyl)-2,2-dimethylpropyl]-1-(cyclohexylmethyl)-1 H-indazole-3-carboxamide - Other names: MAB-CHMINACA and ADB-CHMINACA.
- [17] Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate - Other names: 5F-ADB and 5F-MDMB-PINACA.
- [18] N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide - Other names: 5F-APINACA and 5F-AKB48.
- [19] Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate - Other names: MDMB-CHIMICA and MMB-CHIMINACA.
- [20] Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate - Other names: MDMB-FUBINACA.
- (3) Indole carboxylic acids. Any compound structurally derived from 1H-indole-3-carboxylic acid or 1H-2-carboxylic acid substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, tetrahydropyran-4-ylmethyl, benzyl, or halo benzyl group; and, at the hydroxyl group of the carboxylic acid by a phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:
- Substitution to the indole ring to any extent; or
 - Substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, propionaldehyde group to any extent; or
 - A nitrogen heterocyclic analog of the indole ring; or
 - A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.
- (e) Examples include:
- 1-(cyclohexylmethyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: BB-22 and QUCHIC.
 - naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate - Other names: FDU-PB-22.
 - 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: PB-22 and QUPIC.
 - 1-(5-Fluoropentyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: 5-Fluoro PB-22 and 5F-PB-22.
 - quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate - Other names: FUB-PB-22.
 - naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate - Other names: NM2201.
- (4) Naphthylmethylindoles. Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples include:
- 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane - Other names: JWH-175.
 - 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane - Other names: JWH-184.
- (5) Naphthylpyrroles. Any compound containing a 3-(1-naphthyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples include: (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone - Other names: JWH-307.
- (6) Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2 (4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples include: E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane - Other names: JWH-176.
- (7) Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not substituted in the cyclohexyl ring to any extent. Examples include:

- (a) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other names: CP 47,497.
- (b) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other names: Cannabicyclohexanol and CP 47,497 C8 homologue.
- (c) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol - Other names: CP 55,940.
- (8) Others specifically named:
- (a) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol - Other names: HU-210.
- (b) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol - Other names: Dexamabinol and HU-211.
- (c) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone - Other names: WIN 55,212-2.
- (d) Naphthalen-1-yl-(4-pentylloxynaphthalen-1-yl)methanone - Other names: CB-13.
- p. Substituted phenethylamines. This includes any compound, unless specifically named in this schedule, or listed under a different schedule, structurally derived from phenylethan-2-amine by substitution on the phenyl ring in any of the following ways, that is to say, by substitution with a fused methylenedioxy ring, fused furan ring, or fused tetrahydrofuran ring; by substitution with two alkoxy groups; by substitution with one alkoxy and either one fused furan, tetrahydrofuran, or tetrahydropyran ring system; or by substitution with two fused ring systems from any combination of the furan, tetrahydrofuran, or tetrahydropyran ring systems.
- (1) Whether or not the compound is further modified in any of the following ways, that is to say:
- (a) By substitution of phenyl ring by any halo, hydroxyl, alkyl, trifluoromethyl, alkoxy, or alkylthio groups;
- (b) By substitution at the 2-position by any alkyl groups; or
- (c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, hydroxybenzyl, methylenedioxybenzyl, or methoxybenzyl groups.
- (2) Examples include:
- (a) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (also known as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine).
- (b) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (also known as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine).
- (c) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (also known as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine).
- (d) 2-(2,5-Dimethoxyphenyl)ethanamine (also known as 2C-H or 2,5-Dimethoxyphenethylamine).
- (e) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-I or 2,5-Dimethoxy-4-iodophenethylamine).
- (f) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (also known as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine).
- (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (also known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine).
- (h) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine).
- (i) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine).
- (j) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine).
- (k) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine (also known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine).
- (l) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine (also known as DOI or 2,5-Dimethoxy-4-iodoamphetamine).
- (m) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane (also known as DOB or 2,5-Dimethoxy-4-bromoamphetamine).
- (n) 1-(4-chloro-2,5-dimethoxyphenyl)propan-2-amine (also known as DOC or 2,5-Dimethoxy-4-chloroamphetamine).
- (o) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (also known as 2C-B-NBOMe; 2,5B-NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine).
- (p) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (also known as 2C-I-NBOMe; 2,5I-NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine).
- (q) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine (also known as mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-methoxybenzyl)phenethylamine).
- (r) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (also known as 2C-C-NBOMe; 2,5C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine).
- (s) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine (also known as 2CB-5-hemiFLY).

- (t) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine (also known as 2C-B-FLY).
- (u) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyranol[2,3-g]chromen-5-yl)ethanamine (also known as 2C-B-butterFLY).
- (v) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-tetrahydrobenzo[1,2-b:4,5-b']difuran-4-yl)-2-aminoethane (also known as 2C-B-FLY-NBOMe).
- (w) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine (also known as bromo-benzodifuranyl-isopropylamine or bromo-dragonFLY).
- (x) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine (also known as 2C-I-NBOH or 2,5I-NBOH).
- (y) 5-(2-Aminopropyl)benzofuran (also known as 5-APB).
- (z) 6-(2-Aminopropyl)benzofuran (also known as 6-APB).
- (aa) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (also known as 5-APDB).
- (bb) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (also known as 6-APDB).
- (cc) 2,5-dimethoxy-amphetamine (also known as 2,5-dimethoxy-a- methylphenethylamine; 2,5-DMA).
- (dd) 2,5-dimethoxy-4-ethylamphetamine (also known as DOET).
- (ee) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (also known as 2C-T-7).
- (ff) 5-methoxy-3,4-methylenedioxy-amphetamine.
- (gg) 4-methyl-2,5-dimethoxy-amphetamine (also known as 4-methyl-2,5-dimethoxy-a-methylphenethylamine; DOM and STP).
- (hh) 3,4-methylenedioxy amphetamine (also known as MDA).
- (ii) 3,4-methylenedioxy-methamphetamine (also known as MDMA).
- (jj) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA). (kk) 3,4,5-trimethoxy amphetamine.

(ll) Mescaline (also known as 3,4,5-trimethoxyphenethylamine).

q. Substituted tryptamines. This includes any compound, unless specifically excepted, specifically named in this schedule, or listed under a different schedule, structurally derived from 2-(1H-indol-3-yl)ethanamine (i.e., tryptamine) by mono- or di-substitution of the amine nitrogen with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom in a cyclic structure whether or not the compound is further substituted at the alpha-position with an alkyl group or whether or not further substituted on the indole ring to any extent with any alkyl, halo, hydroxyl, or acetoxy groups. Examples include:

- (1) 5-methoxy-N,N-diallyltryptamine (also known as 5-MeO-DALT).
- (2) 4-acetoxy-N,N-dimethyltryptamine (also known as 4-AcO-DMT or O-Acetylpsilocin).
- (3) 4-hydroxy-N-methyl-N-ethyltryptamine (also known as 4-HO-MET).
- (4) 4-hydroxy-N,N-diisopropyltryptamine (also known as 4-HO-DIPT).
- (5) 5-methoxy-N-methyl-N-isopropyltryptamine (also known as 5-MeO-MIPT).
- (6) 5-methoxy-N,N-dimethyltryptamine (also known as 5-MeO-DMT).
- (7) Bufotenine (also known as 3-(Beta-Dimethyl-aminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine).
- (8) 5-methoxy-N,N-diisopropyltryptamine (also known as 5-MeO-DIPT).
- (9) Diethyltryptamine (also known as N,N-Diethyltryptamine; DET).
- (10) Dimethyltryptamine (also known as DMT).
- (11) Psilocyn.

r. 1-[3-(trifluoromethylphenyl)]piperazine (also known as TFMPP).

s. 1-[4-(trifluoromethylphenyl)]piperazine.

t. 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (also known as 5,6-Methylenedioxy-2-aminoindane or MDAI).

u. 2-(Ethylamino)-2-(3-methoxyphenyl)cyclohexanone (also known as Methoxetamine or MXE).

v. Ethylamine analog of phencyclidine (also known as N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE).

w. Pyrrolidine analog of phencyclidine (also known as 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP).

x. Thiophene analog of phencyclidine (also known as (1-[1-(2-thienyl) cyclohexyl]piperidine; 2-Thienylanalog of phencyclidine; TPCP, TCP).

y. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (also known as TCPy).

z. Salvia divinorum, salvinorin A, or any of the active ingredients of salvia divinorum.

6. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

a. Flunitrazepam.

b. Gamma-hydroxybutyric acid.

c. Mecloqualone.

d. Methaqualone.

7. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

a. Amirex (also known as 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine).

b. Cathinone.

c. Substituted cathinones. Any compound, material, mixture, preparation, or other product, unless listed in another schedule or an approved food and drug administration drug (e.g., bupropion, pyrovalerone), structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(1) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(2) By substitution at the 3-position with an acyclic alkyl substituent;

(3) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(4) By inclusion of the 2-amino nitrogen atom in a cyclic structure. Some trade or other names:

(a) 3,4-Methylenedioxy-alpha-pyrrolidinopropiophenone (also known as MDPPP).

(b) 3,4-Methylenedioxy-N-ethylcathinone (also known as Ethylone, MDEC, or bk-MDEA).

(c) 3,4-Methylenedioxy-N-methylcathinone (also known as Methylone or bk-MDMA).

(d) 3,4-Methylenedioxypyrovalerone (also known as MDPV).

(e) 3,4-Dimethylmethcathinone (also known as 3,4-DMMC).

(f) 2-(methylamino)-1-phenylpentan-1-one (also known as Pentadrone).

(g) 2-Fluoromethcathinone (also known as 2-FMC).

(h) 3-Fluoromethcathinone (also known as 3-FMC).

(i) 4-Methylethcathinone (also known as 4-MEC and 4-methyl-N-ethylcathinone).

(j) 4-Fluoromethcathinone (also known as Flephedrone and 4-FMC).

(k) 4-Methoxy-alpha-pyrrolidinopropiophenone (also known as MOPPP).

(l) 4-Methoxymethcathinone (also known as Methedrone; bk-PMMA).

(m) 4'-Methyl-alpha-pyrrolidinobutiophenone (also known as MPBP).

(n) Alpha-methylamino-butyrophenone (also known as Buphedrone or MABP).

(o) Alpha-pyrrolidinobutiophenone (also known as alpha-PBP).

(p) Alpha-pyrrolidinopropiophenone (also known as alpha-PPP).

(q) Alpha-pyrrolidinopentiophenone (also known as Alpha-pyrrolidinoverophenone or alpha-PVP).

(r) Beta-keto-N-methylbenzodioxolylbutanamine (also known as Butylene or bk-MBDB).

(s) Ethcathinone (also known as N-Ethylcathinone).

(t) 4-Methylmethcathinone (also known as Mephedrone or 4-MMC).

(u) Methcathinone.

(v) N,N-dimethylcathinone (also known as metamfepramone).

(w) Naphthylpyrovalerone (naphyrone).

(x) B-Keto-Methylbenzodioxolylpentanamine (also known as Pentylone).

(y) 4-Methyl-alpha-pyrrolidinopropiophenone (also known as 4-MePPP and MPPP).

- d. Fenethyliline.
- e. Fluoroamphetamine.
- f. Fluoromethamphetamine.
- g. (\pm)cis-4-methylaminorex (also known as (\pm)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).
- h. N-Benzylpiperazine (also known as BZP, 1-benzylpiperazine).
- i. N-ethylamphetamine.
- j. N, N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine).

SECTION 2. AMENDMENT. Section 19-03.1-23 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-23. Prohibited acts A- Mandatory terms of imprisonment and fines-

1. Except as authorized by this chapter, it is unlawful for a person to willfully, as defined in section 12.1-02-02, manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance, or to deliver, distribute, or dispense a controlled substance by means of the internet, but a person who violates section 12-46-24 or 12-47-21 may not be prosecuted under this subsection. A person who violates this subsection with respect to:
 - a. A controlled substance classified in schedule I or II which is a narcotic drug, or methamphetamine, is guilty of a class B felony and must be sentenced:
 - (1) For a second offense, to imprisonment for at least three years.
 - (2) For a third or subsequent offense, to imprisonment for ten years.
 - b. Any other controlled substance classified in schedule I, II, or III, or a controlled substance analog is guilty of a class B felony. Except for a person who manufactures, delivers, or possesses with the intent to manufacture or deliver marijuana, any person found guilty under this subdivision must be sentenced:
 - (1) For a second offense, to imprisonment for at least two years.
 - (2) For a third or subsequent offense, to imprisonment for five years.
 - c. A substance classified in schedule IV, is guilty of a class C felony and must be sentenced:
 - (1) For a second offense, to imprisonment for at least three months.
 - (2) For a third offense, to imprisonment for at least six months.
 - (3) For a fourth or subsequent offense, to imprisonment for three years.
 - d. A substance classified in schedule V, is guilty of a class A misdemeanor.
2. A prior misdemeanor conviction under subsection 8 or a prior conviction under subsection 3 or 4 of section 19-03.4-03 may not be considered a prior offense under subsections 1 and 4.
3. Except as authorized by this chapter, it is unlawful for any person to willfully, as defined in section 12.1-02-02, create, deliver, distribute, or dispense a counterfeit substance by means of the internet or any other means, or possess with intent to deliver, a counterfeit substance by means of the internet or any other means, but any person who violates section 12-46-24 or 12-47-21 may not be prosecuted under this subsection. Any person who violates this subsection with respect to:
 - b. A counterfeit substance classified in schedule I, II, or III, is guilty of a class B felony.
 - c. A counterfeit substance classified in schedule IV, is guilty of a class C felony.
 - d. A counterfeit substance classified in schedule V, is guilty of a class A misdemeanor.
4. For second or subsequent offenses, in addition to any other penalty imposed under this section, if the person who violates this chapter was at least twenty-one years of age at the time of the offense, and delivered a controlled substance to a person under the age of eighteen, the person is subject to, and the court shall impose a term of imprisonment of at least four years.
 - b. Which is to run consecutively to any other sentence imposed. It is not a defense that the defendant did not know the age of a person protected under subdivision a.
 - c. The penalty in subdivision a does not apply to a person who manufactures, delivers, or possesses with the intent to manufacture or deliver marijuana.

5. A person at least eighteen years of age who solicits, induces, intimidates, employs, hires, or uses a person under eighteen years of age to aid or assist in the manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance for the purpose of receiving consideration or payment for the manufacture or delivery of any controlled substance is guilty of a class B felony and must be sentenced:
 - a. For a second or subsequent offense, to imprisonment for at least three years.
 - b. It is not a defense to a violation of this subsection that the defendant did not know the age of a person protected under this subsection.
6. Except for a prior conviction equivalent to a misdemeanor violation of subsection 8 or a prior conviction under subsection 3 or 4 of section 19-03.4-03, a violation of this title or a law of another state or the federal government which is equivalent to an offense with respect to the manufacture, delivery, or intent to deliver a controlled substance under this title committed while the offender was an adult and which resulted in a plea or finding of guilt must be considered a prior offense under subsections 1, 4, and 5. The prior offense must be alleged in the complaint, information, or indictment. The plea or finding of guilt for the prior offense must have occurred before the date of the commission of the offense or offenses charged in the complaint, information, or indictment.
7. It is unlawful for a person to willfully, as defined in section 12.1-02-02:
 - a. Serve as an agent, intermediary, or other entity that causes the internet to be used to bring together a buyer and seller to engage in the delivery, distribution, or dispensing of a controlled substance in a manner not authorized by this chapter; or
 - b. Offer to fill or refill a prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire.
8. A person who violates this subsection is guilty of a class C felony.
 - a. It is unlawful for any person to willfully, as defined in section 12.1-02-02, possess a controlled substance or a controlled substance analog unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this chapter, but any person who violates section 12-46-24 or 12-47-21 may not be prosecuted under this subsection.
 - b. Except as otherwise provided in this subsection, any person who violates this subsection is guilty of a class A misdemeanor for the first offense under this subsection and a class C felony for a second or subsequent offense under this subsection.
 - c. If, at the time of the offense the person is in or on the real property comprising a public or private elementary or secondary school or a public career and technical education school, the person is guilty of a class B felony, unless the offense involves marijuana.
 - d. A person who violates this subsection regarding possession of marijuana is guilty of a class B misdemeanor.
 - e. If an individual is sentenced to the legal and physical custody of the department of corrections and rehabilitation under this subsection, the department may place the individual in a drug and alcohol treatment program designated by the department. Upon the successful completion of the drug and alcohol treatment program, the department shall release the individual from imprisonment to begin any court-ordered period of probation.
 - f. If the individual is not subject to any court-ordered probation, the court shall order the individual to serve the remainder of the sentence of imprisonment on supervised probation subject to the terms and conditions imposed by the court.
 - g. Probation under this subsection may include placement in another facility, treatment program, or drug court. If an individual is placed in another facility or treatment program upon release from imprisonment, the remainder of the sentence must be considered as time spent in custody.
 - h. An individual incarcerated under this subsection as a result of a second probation revocation is not eligible for release from imprisonment upon the successful completion of treatment.
 - i. A person who violates this subsection regarding possession of five or fewer capsules, pills, or tablets of a schedule II, III, IV, or V controlled substance or controlled substance analog is guilty of a class A misdemeanor.
9. Except as provided by section 19-03.1-45, a court may order a person who violates this chapter or chapter 19-03.4 to undergo a drug addiction evaluation by a licensed addiction counselor. The evaluation must indicate the prospects for rehabilitation and whether addiction treatment is required. If ordered, the evaluation must be submitted to the court before imposing punishment for a felony violation or a misdemeanor violation. A court shall order a person who violates subdivision e of subsection 8 to undergo the drug addiction evaluation.
10. ~~If a person pleads guilty or is found guilty of a first offense regarding possession of one ounce [28.35 grams] or less of marijuana and a judgment of guilt is entered, a court, upon motion, shall seal the court record of that conviction if the person is not subsequently convicted within two years of a further violation of this chapter. Once sealed, the court record may not be opened even by order of the court. Any individual under the age of 21 found in possession of marijuana shall be held to the same penalties as though they were a minor in possession of alcohol whatever those may be.~~

11. Any individual who distributes marijuana to those under the age of 21, or is an individual under the age of 21 who attempts to distribute marijuana is subject the same penalties as though they were convicted of selling alcohol to a minor whatever those may be.

SECTION 3. AMENDMENT. Section 19-03.4-01 of the North Dakota Century Code is amended and reenacted as follows:

19-03.4-01. Definition – Drug paraphernalia.

In this chapter, unless the context otherwise requires, “drug paraphernalia” means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a non-marijuana controlled substance in violation of chapter 19-03.1. The term includes:

1. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a non-marijuana controlled substance or from which a controlled substance can be derived.
2. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled non-marijuana substances.
3. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a non-marijuana controlled substance.
4. Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled non-marijuana substances.
5. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled non-marijuana substances.
6. Diluents and adulterants, including quinine hydrochloride, mannitol, dextrose, and lactose, used, intended for use, or designed for use in cutting a non-marijuana controlled substance.
7. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, ~~marijuana~~ a non-marijuana substance.
8. Blenders, bowls, containers, spoons, grinders, and mixing devices used, intended for use, or designed for use in compounding, manufacturing, producing, processing, or preparing controlled non-marijuana substances.
9. Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled non-marijuana substances.
10. Containers and other objects used, intended for use, or designed for use in storing or concealing non-marijuana controlled substances or products or materials used or intended for use in manufacturing, producing, processing, or preparing controlled substances.
11. Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.
12. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, ~~hashish~~, or ~~hashish~~ into the human body, including:
 - a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls.
 - b. Water pipes.
 - c. Carburetion tubes and devices.
 - d. Smoking and carburetion masks.
 - e. Objects, sometimes commonly referred to as roach clips, used to hold burning material, for example, a marijuana cigarette, that has become too small or too short to be held in the hand.

- f. Miniature cocaine spoons and cocaine vials.
- g. Chamber pipes.
- h. Carburetor pipes.
- i. Electric pipes.
- j. Air-driven pipes.
- k. Chillums.
- l. Bongs.
- m. Ice pipes or chillers.

13. Ingredients or components to be used or intended or designed to be used in manufacturing, producing, processing, preparing, testing, or analyzing a non-marijuana controlled substance, whether or not otherwise lawfully obtained, including anhydrous ammonia, nonprescription medications, methamphetamine precursor drugs, or lawfully dispensed controlled substances.

SECTION 4. AMENDMENT. Section 25-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-45. Expungement of records.

In this chapter, unless the context otherwise requires, illegitimate drug violation is defined as follows. Any violation in the state of North Dakota, for a controlled substance that has been legalized or for an activity regarding the substance has been legalized, wherein the person has a record of punitive action by the state whether it be a plea deal or conviction.

1. Any individual who has an illegitimate drug conviction as defined in this chapter shall hereby have their records expunged and sealed by the court automatically.
 - a. This process shall occur for those not incarcerated within 30 days of the passage of a law which creates an illegitimate drug conviction.
 - b. This process shall occur, for those incarcerated, no sooner than 30 days after their release from prison and after the passage of a law which has legalized the behavior for which they were incarcerated
 - c. Should an individual have any of their records automatically expunged, the state shall notify the individual of such action and explain the implications of that action within 10 calendar days of the time of expungement via certified mail.
2. Process for appeals
 - a. An individual shall have the right to appeal for expungement if they believe they would qualify but their record has not been expunged after the 30 day time period outlined in this chapter. This appeal shall be filed with the appropriate court, and the individual filing the appeal shall have the right to decide between a jury trial, or direct trial with a judge
 - (1) Upon receiving an appeal request, the state shall establish a court hearing for the appellate in less than 30 calendar days from the filing of the appeal to the court.
 - (2) Should the state be ordered to expunge or seal records as a result of this appeal, the state shall pay all legal expenses for both parties.
3. Penalties
 - a. The State shall waive all sovereign immunity for damages in regard to lawsuits dealing with expungement proceedings.
 - b. Any individual shall have the right to sue in court for damages as a result for failure to properly expunge records.

4. Expungement for mental health reasons.

- a. Following the discharge of a respondent from a treatment facility or the state hospital or the issuance of a court order denying a petition for commitment, a respondent may at any time move to have all court records pertaining to the proceedings expunged on condition that the respondent file a full release of all claims of whatever nature arising out of the proceedings.

SECTION 5. AMENDMENT. Chapter 66.1-01 of the North Dakota Century Code is enacted as follows:

66-01 01. Definitions

1. "Marijuana" means any plant in the cannabis family, as well as any substance derived from or contained in the cannabis plant
2. "Marijuana paraphernalia" means any item related to any activity regarding the use, manufacture, distribution, cultivation, or purification of marijuana

66-01 02. Criminal Penalties

1. No person over the age of 21 shall be prosecuted in any court for any non-violent marijuana related activity, with the exception of the sale of marijuana to a person under the age of 21. Activities include but are not limited to : growing manufacturing, distributing, selling, or testing of marijuana.
2. No person over the age of 21 shall be prosecuted in any court for any drug paraphernalia relating to any non-violent marijuana activity.

66-01 03. Statement of Supremacy

1. In the event of the existence of any language in the North Dakota Century Code which conflicts with this chapter those sections are hereby nullified and repealed.

INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers shall also legibly print their name, complete residential address or rural route or general delivery address, and the date of signing on the petition. Every qualified elector signing a petition must do so in the presence of the individual circulating the petition.

QUALIFIED ELECTORS

Month/Day /Year	PRINTED Name of Qualified Elector	SIGNED Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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State of North Dakota

County of _____
(county where signed)

I, _____, being sworn, say that I am a qualified elector; that I reside at _____,
(circulator) _____
(address)

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

(signature of circulator)

Subscribed and sworn to before me on _____, 20_____, at _____, North Dakota
(city)

(Notary Stamping Device)

(signature of notarial officer)