



358368

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2015	.	
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The Committee on Criminal Justice (Clemens) recommended the following:

1 **Senate Substitute for Amendment (109668) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (d) is added to subsection (5) of
7 section 893.03, Florida Statutes, to read:

8 893.03 Standards and schedules.—The substances enumerated
9 in this section are controlled by this chapter. The controlled
10 substances listed or to be listed in Schedules I, II, III, IV,



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11 and V are included by whatever official, common, usual,
12 chemical, or trade name designated. The provisions of this
13 section shall not be construed to include within any of the
14 schedules contained in this section any excluded drugs listed
15 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
16 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
17 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
18 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
19 Anabolic Steroid Products."

20 (5) SCHEDULE V.—A substance, compound, mixture, or
21 preparation of a substance in Schedule V has a low potential for
22 abuse relative to the substances in Schedule IV and has a
23 currently accepted medical use in treatment in the United
24 States, and abuse of such compound, mixture, or preparation may
25 lead to limited physical or psychological dependence relative to
26 the substances in Schedule IV.

27 (d) Mitragynine or 7-hydroxymitragynine, except for any
28 drug product approved by the United States Food and Drug
29 Administration which contains mitragynine or 7-
30 hydroxymitragynine, including any of their isomers, esters,
31 ethers, salts, and salts of isomers, esters, and ethers, if the
32 existence of such isomers, esters, ethers, and salts is possible
33 within the specific chemical designation.

34 Section 2. Subsection (11) is added to section 893.13,
35 Florida Statutes, to read:

36 893.13 Prohibited acts; penalties.—

37 (11) (a) Notwithstanding any other provision of this
38 section, only a person younger than 21 years of age who
39 possesses, sells, manufactures, or delivers, or who possesses



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40 with intent to sell, manufacture, or deliver, mitragynine or 7-
41 hydroxymitragynine, which is specified as a Schedule V
42 controlled substance in s. 893.03(5)(d), commits a violation of
43 this section.

44 (b) A person who sells or attempts to sell mitragynine or
45 7-hydroxymitragynine to a person under 21 years of age commits a
46 misdemeanor of the first degree, punishable as provided in s.
47 775.082 or s. 775.083.

48 Section 3. This act shall take effect October 1, 2015

49
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete everything before the enacting clause
53 and insert:

54 A bill to be entitled
55 An act relating to controlled substances; amending s.
56 893.03, F.S.; including a specified substance as a
57 Schedule V controlled substance; amending s. 893.13,
58 F.S.; prohibiting a person younger than 21 years of
59 age from possessing a specified Schedule V controlled
60 substance; providing a penalty for a person who sells
61 or attempts to sell a specified substance to a person
62 younger than 21 years of age; providing an effective
63 date.