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## SB 35 CONTROLLED SUBSTANCES UPDATE LEGISLATION

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- ❖ SB 35 is an annual bill introduced by the Department of Health to update South Dakota's controlled substance statute to be consistent with federal DEA scheduling actions that have occurred since the last legislative session.
- ❖ There are four different schedules of controlled substances:
  - Schedule I drugs have a high potential for abuse, no accepted medical use in the U.S., and a lack of accepted safety for use under medical supervision.
  - Schedule II drugs have a high potential for abuse, a currently accepted medical use in the U.S. or a currently accepted medical use with severe restrictions, and when abused may lead to severe psychological or physical dependence.
  - Schedule III drugs have a potential for abuse less than the substances listed in Schedule I and II, a well-documented and approved medical use in the U.S., and when abused may lead to moderate to low physical dependence or high psychological dependence.
  - Schedule IV drugs have the lowest potential for abuse of all scheduled substances, a currently accepted medical use in the U.S., and a limited physical dependence or psychological dependence potential.
- ❖ Section 1 amends SDCL 34-20B-13 to add 2-Methyl AP-237 to Schedule I. 2-Methyl AP-237 has a pharmacological profile similar to other opioids such as fentanyl, morphine, and heroin.
- ❖ Section 2 adds  $\alpha$ -PiHP to the list of "trade and other names" for cathinones in SDCL 34-20B-14 (Schedule I). Cathinones are chemically similar to ephedrine and other amphetamines.
- ❖ Section 3 of the bill is an emergency clause which will allow the updates to take place immediately upon final passage of the bill.

**The Department of Health respectfully requests your support of SB 35.**