

HB 3434 -- Redline

Engrossed to Enrolled -- Relating to the controlled substance schedules and to clean-up errors identified in the code sections

Deletions ~~struck~~ · Insertions underlined

WEST VIRGINIA LEGISLATURE REGULAR SESSION ~~ENGROSSED~~ENROLLED House Bill 3434 ~~By~~E Delegate~~YDELEGATE~~
~~Kelly~~KELLY ~~(By~~(BY~~REQUEST~~Request~~OF~~of~~THE~~DEPARTMENTthe~~OF~~HOMELANDDepartment~~SECURITY~~of Homeland Security
~~- West~~West~~VIRGINIA~~Virginia~~TATE~~POLIC~~)~~State~~[Passed~~Police~~April~~[Introduced11, -March-17, 2025;
~~referred in to effect the 90 Committee days on from the passage Judiciary](July Eng 10, 2025)]~~Enr HB 3434 ~~AAN~~
~~BILL~~ACT to amend and reenact Sec.60A-2-204, Sec.60A-2-206, Sec.60A-2-208, Sec.60A-2-210, and Sec.60A-2-
212 of the Code of West Virginia, 1931, as amended, relating to the controlled substance schedules and
to clean-up errors identified in the code sections.

EngEnr HB 3434 Beta-hydroxyfentanyl(N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N- phenylpropanamide);
EngEnr HB 3434 Hydroxypethidine;
~~Norfentanyl (N-Phenyl-N-4-piperidinyl-propanamide);~~
EngEnr HB 3434 Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
EngEnr HB 3434 Thebacon.

1-(4-methoxyphenyl)-N-methylpropan-2-amine (other ~~names: para-methoxymethamphetamine, names: PMMA);~~
para-methoxymethamphetamine, PMMA);

EngEnr HB 3434 3,4-methylenedioxy-N-ethylamphetamine (also known as (ethyl-alpha-methyl-3,4
(methylenedioxy) phenethylamine, N-ethyl MDA, MDE, MDEA);
7-Ethyl-6, 6 Beta, 7, 8, 9, 10, 12, ~~13-octahydro-2~~13-octahydro- ~~methoxy-6,~~2-methoxy-6, 9-methano-5H-
pyrido [1', 2':
3-Hexyl -1-hydroxy-7, 8, 9, ~~10-tetrahydro-6,~~10-tetrahydro- 6, 6, 9-trimethyl-6H-dibenzo [b,d] pyran;
EngEnr HB 3434 Psilocybin;
EngEnr HB 3434 4-methylmethcathinone (Mephedrone);
EngEnr HB 3434 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
tetrahydrobenzo[c]chromen-1-ol) { also known as HU-211} ;
EngEnr HB 3434 HU-211, (dexanabinol, (6AS,10AS)-9-(hydroxymethyl)-6,6-Dimethyl-3-(2-methyloctan-2- YL)-
6A,7,10,10atetrahydrobenzo[C]chromen-1-OL);
JWH-250, 1-pentyl-3-(2-methoxyphenylacetyl)indole.] Methyl ~~2-(1-(5-fluoropentyl)-1H-indazole-3-~~
~~carboxamido)-3,3-dimethylbu(5F-ate~~2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylb(5F-oate
ADB);
Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate ~~(MDMB-(MDMB-FUBINACA));~~
FUBINACA);

Synthetic Phenethylamines ~~2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethan(25I-NBOMe/~~2-(4-iodo-
2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethana(25I-NBOMe/ 2C-I- NBOMe);
EngEnr HB 3434 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe/2C-C- NBOMe);
N-[1-[2-hydroxy-2-(thiophen-2-yl)ethylpiperidin-4-yl]-N-phenylpropionamide, also known as ~~N-[1-[2-~~
~~hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamid(beta-~~N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-
piperidinyl]-N-phenylpropanamide(beta- hydroxythiofentanyl);
EngEnr HB 3434 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (etodesnitazene);
~~2-(4-ethoxybenzyl)5-nitro-1-(2-(pyrrolidin-1-yl)H-benzimidazole~~2-(4-ethoxybenzyl)5-nitro-1-(2-
(pyrrolidin-1-yl)ethyl)-1 H-benzimidazole (N-pyrrolidino etonitazene, etonitazepyne);
Opioid Receptor Agonist 2-Methyl ~~AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-~~
~~one)~~AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one) AH-7921 (3,4-dichloro-N-
(1dimethylamino)cyclohexylmethyl]benzamide).

EngEnr HB 3434 JWH 015;
Phenylacetylindoles or any compound containing a 3- Phenylacetylindole structure with substitution at
the nitrogen atom of the indole ring whether or not further substituted in the indole EngEnr HB 3434
ring to any extent and whether or not substituted in the phenyl ring to any extent.

EngEnr HB 3434 Adamantoylindoles or any compound containing a 3-(-1-Adamantoyl) indole structure with
substitution at the nitrogen atom of the indole ring whether or not further substituted in the
adamantoyl ring system to any extent.

Enr HB 3434 FDU-PB-22 (1-Naphthyl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate);
~~Eng~~HB 3434 FUB-PB-22 (Quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate);
Enr HB 3434 Clonazolam (6-(2-chlorophenyl)-1-methyl-8-nitro-4 H-[1,2,4]triazolo[4,3-
a][1,4]benzodiazepine);

~~Eng HB 3434~~ Cloniprazepam (5-(2-chlorophenyl)-1-(cyclopropylmethyl)-1,3-dihydro-7-nitro-2H-1,4-benzodiazepin-2-one);

~~Enr HB 3434~~ Methaqualone;

~~Eng HB 3434~~ Clonazepam (6-(2-chlorophenyl)-1-methyl-8-nitro-4 H-[1,2,4]triazolo[4,3 a][1,4]benzodiazepine);

Etizolam (~~4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-[1,2,4]triazolo[4,3-(4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f[1,2,4]triazolo[4,3-~~ a][1,4]diazepine);

~~4-4-hydroxybutyrate; hydroxybutyrate;~~

~~Declazepam~~ Diclazepam (~~7-Chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2H-1,4-(7-Chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2H-1,4-benzodiazepin-2- benzodiazepin-2-one); one);~~

~~Enr HB 3434~~ (f) Stimulants.

~~Eng HB 3434~~ Aminorex;

~~4,4'-Dimethylaminorex (4,4'-DMAR; 4,4'-Dimethylaminorex(4,4'-DMAR;~~

~~Ethylphenidate (ethyl~~ Ethylphenidate (ethyl 2-phenyl-2-(piperidin-2-yl)acetate);

~~Mesocarb~~ Mesocarb (~~N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl)carbamimidate); (N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl)carbamimidate);~~

~~Enr HB 3434~~ 2-chloroamphetamine;

~~Eng HB 3434~~ 3-chloroamphetamine;

~~Eng~~ HB 3434 Methoxyacetyl fentanyl (2-methoxy-N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]-acetamide);

or Any other synthetic chemical compound that is a Cannabinoid receptor type 1 agonist as demonstrated by binding studies and functional assays that is not listed in Schedules II, III, IV, ~~and~~ ~~Eng~~ HB 3434 ~~and~~ V, not federal Food and Drug Administration approved drug or used within legitimate, approved medical research.

~~Eng~~ HB 3434 Hydrocodone;

~~Eng~~ HB 3434 Dihydrocodeine;

and ~~Eng~~ HB 3434 Thiafentanil (4-(methoxycarbonyl)-4-(N-phenmethoxyacetamido)-1-2-(thienyl)ethylpiperidine), including its isomers, esters, ethers, salts and salts of isomers, esters and ethers.

~~Eng~~ HB 3434 Some trade or other names:

~~Eng~~ HB 3434 (c) Depressants.

~~(+)(+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone]; -)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone];~~

~~Eng~~ HB 3434 (14) Methypylon;

~~(15) Perampanel, (15) Perampanel,~~ and its salts, isomers, and salts of isomers;

~~(15)(16)(16)~~ Sulfondiethylmethane;

~~(16)(17)(17)~~ Sulfonethylmethane;

~~(17)(18)(18)~~ Sulfonmethane;

~~(18)(19)(19)~~ Thiamylal;

~~(19)(20)(20)~~ Thiopental;

~~(20)~~ (21) Tiletamine and zolazepam or any salt of tiletamine and zolazepam;

and ~~(21)(22)(22)~~ Vinbarbital.

~~Eng~~ HB 3434 (D) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6aR-trans)-6a, 7, 8, 10a- tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d] ~~pyran-pyran-1-1~~ ol or (-)-delta-9-(trans)-tetrahydrocannabinol).

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or ~~Eng~~ HB 3434 preparation which contains any quantity of the following substances, including their isomers, esters, ethers, salts and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation.

~~Eng~~ HB 3434 Daridorexant;

~~Eng~~ HB 3434 Nitrazepam;

~~Eng~~ HB 3434 Fencamfamin;

Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or ~~Eng~~ HB 3434 preparation which contains any quantity of the following substances, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation.

(d) Any compound, mixture, or preparation containing as its single active ingredient ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers except products which are for pediatric use primarily intended for administration to children under the age of 12: ~~Provided, 12: That neither the offenses set forth in section four hundred one, article four of this chapter, nor the penalties therein, shall be applicable to ephedrine, pseudoephedrine or phenylpropanolamine which shall be subject to the provisions of article ten of this chapter.~~

~~Eng~~Provided, HB That 3434 neither (e) the Depressants: offenses set forth in section four hundred one, article four of this chapter, nor the penalties therein, shall be applicable to ephedrine, pseudoephedrine or phenylpropanolamine which shall be subject to the provisions of article ten of this chapter.

Enr HB 3434 (e) Depressants:

~~Ganaxolone (3?-hydroxy-3?-methyl-5?-pregnan-20-one);~~Ganaxolone (3?-hydroxy-3?-methyl-5?-pregnan-20-one);
~~35~~Enr HB 3434 The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

Clerk of the Senate Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

President of the Senate _____ The within is
this the.....

Day of

..., 2025.

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Governor 37