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

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

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

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

(2) (a) * * * CBD * * * solution prepared from Cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi * * * under appropriate federal and state regulatory approvals may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the
state under appropriate federal and state regulatory approvals and registrations. For the purposes of clinical trials under this section, CBD solution must meet the standard of exemption from control under Section 41-29-113.

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

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

(* * *d) Research of CBD * * * solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as
they are applicable. Authorized entities may enter into public-private partnerships to facilitate research. 

* * *

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

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

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

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

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD * * * solution shall not be subject to prosecution for
unlawful possession, use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

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

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

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

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

SCHEDULE I

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

(1) Acetyl-alpha-methylfentanyl;
(2) Acetyl Fentanyl
(3) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide;
(4) Acetylmethadol;
(5) Alphacetylmethadol, except levo-alphacetylmethadol (levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
(6) Alphameprodine;
(7) Alphamethadol;
(8) Alpha-methylfentanyl;
(9) Alpha-methylthiofentanyl;
(10) Benzethidine;
(11) Betacetylmethadol;
(12) Beta-hydroxyfentanyl;
(13) Beta-hydroxy-3-methylfentanyl;
(14) Betameprodine;
(15) Betamethadol;
(16) Betaprodine;
(17) Clonitazene;
(18) Dextromoramide;
(19) Diampromide;
(20) Diethylthiambutene;
(21) Difenoxin;
(22) Dimenoxadol;
(23) Dimepheptanol;
(24) Dimethylthiambutene;
(25) Dioxaphethyl butyrate;
(26) Dipipanone;
(27) Ethylmethylthiambutene;
(28) Etonitazene;
(29) Etoxeridine;
(30) Furethidine;
(31) Hydroxypethidine;
(32) Ketobemidone;
(33) Levomoramide;
(34) Levophenacylmorphan;
(35) 3-methylfentanyl;
(36) 3-methylthiofentanyl;
(37) Morpheridine;
(38) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
(39) Noracymethadol;
(40) Norlevorphanol;
(41) Normethadone;
(42) Norpipanone;
(43) Para-fluorofentanyl;
(44) PEPAP
(45) Phenadoxone;
(46) Phenampronide;
(47) Phenomorphan;
(48) Phenoperidine;
(49) Piritramide;
(50) Proheptazine;
(51) Properidine;
(52) Propiram;
(53) Racemoramide;
(54) Thiofentanyl;
(55) Tilidine;
(56) Trimeperidine.

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

(1) Acetorphine;
(2) Acetyldihydrocodeine;
(3) Benzylmorphine;
(4) Codeine methylbromide;
(5) Codeine-N-Oxide;
(6) Cyprenorphine;
(7) Desomorphine;
(8) Dihydromorphine;
(9) Drotebanol;
(10) Etorphine; (except hydrochloride salt);
(11) Heroin;
(12) Hydromorphinol;
(13) Methyldesorphine;
(14) Methyldihydromorphine;
(15) Monoacetylmorphine;
(16) Morphine methylbromide;
(17) Morphine methylsulfonate;
(18) Morphine-N-Oxide;
(19) Myrophine;
(20) Nicocodeine;
(21) Nicomorphine;
(22) Normorphine;
(23) Pholcodine;
(24) Thebacon.

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

1. Alpha-ethyltryptamine;
2. 4-bromo-2,5-dimethoxy-amphetamine;
3. 4-bromo-2,5-dimethoxyphenethylamine;
4. 2,5-dimethoxyamphetamine;
5. 2,5-dimethoxy-4-ethylamphetamine (DOET);
6. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);
7. 4-methoxyamphetamine;
8. 5-methoxy-3,4-methylenedioxy-amphetamine;
9. 4-methyl-2,5-dimethoxy-amphetamine;
10. 3,4-methylenedioxy amphetamine;
11. 3,4-methylenedioxyamphetamine (MDMA);
(12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);

(13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy MDA, N-OHMDA, and N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine);

(14) 3,4,5-trimethoxy amphetamine;

(15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);

(16) Alpha-methyltryptamine (also known as AMT);

(17) Bufotenine;

(18) Diethyltryptamine;

(19) Dimethyltryptamine;

(20) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

(21) Ibogaine;

(22) Lysergic acid diethylamide (LSD);

(23) (A) Marijuana;

(B) Hashish;

(24) Mescaline;

(25) Parahexyl;

(26) Peyote;

(27) N-ethyl-3-piperidyl benzilate;

(28) N-methyl-3-piperidyl benzilate;

(29) Psilocybin;

(30) Psilocyn;
Tetrahydrocannabinols, meaning tetrahydrocannabinols contained in a plant of the genus Cannabis (cannabis plant), as well as the synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant such as the following:

(A) 1 cis or trans tetrahydrocannabinol;
(B) 6 cis or trans tetrahydrocannabinol;
(C) 3,4 cis or trans tetrahydrocannabinol.

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

"Tetrahydrocannabinols" excludes dronabinol and nabilone.)

However, the following products are exempted from control:

(i) THC-containing industrial products made from cannabis stalks (e.g., paper, rope and clothing);
(ii) Processed cannabis plant materials used for industrial purposes, such as fiber retted from cannabis stalks for use in manufacturing textiles or rope;
(iii) Animal feed mixtures that contain sterilized cannabis seeds and other ingredients (not derived from the cannabis plant) in a formula designed, marketed and distributed for nonhuman consumption;
(iv) Personal care products that contain oil from sterilized cannabis seeds, such as shampoos, soaps, and body lotions (if the products do not cause THC to enter the human body); and

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

(32) Phencyclidine;
(33) Ethylamine analog of phencyclidine (PCE);
(34) Pyrrolidine analog of phencyclidine (PHP, PCPy);
(35) Thiophene analog of phencyclidine;
(36) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (TCPy);
(37) 4-methylmethcathinone (mephedrone);
(38) 3,4-methylenedioxypyrovalerone (MDPV);
(39) 2-(2,5-dimethoxy-4-ethylphenyl)ethanamine (2C-E);
(40) 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
(41) 2-(4-chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
(42) 2-(4-iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);

or 2,5-dimethoxy-4-iodophenethylamine;
(43) 2-[4-(ethylthio)-2,5-dimethoxyphenyl]ethanamine
(2C-T-2);
268  
269  (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 (2C-P);  
273  (48)  3,4-methylenedioxy-N-methylcathinone (methylone);  
274  (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-benzodiazequin-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,
compound, mixture, or preparation which contains any quantity of a synthetic cannabinoid found in any of the following chemical groups, whether or not substituted to any extent, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

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

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

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

(D) Naphthylmethylindolines, being any compound structurally derived from 1-(1-naphthylmethyl)indene, whether or not substituted in the indene ring to any extent or in the naphthyl ring to any extent;
(E) Phenylacetylindoles, being any compound structurally derived from 3-phenylacetylindole, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

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

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

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

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

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

(K) Quinolinyl ester indoles, being any compound structurally derived from 1H-indole-3-carboxylic acid-8-quinolinyl
ester, whether or not substituted in the indole ring to any extent
or the quinolone ring to any extent;

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

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

(d) **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, including their salts, isomers, and salts of isomers,
whenever the existence of such salts, isomers, and salts of
isomers is possible within the specific chemical designation:

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

(2) Mecloqualone;

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

1. Aminorex;
2. N-benzylpiperazine (also known as BZP; 1-benzylpiperazine);
3. Cathinone;
4. Fenethylline;
5. Methcathinone;
6. 4-methylaminorex (also known as 2-amino-4-methyl-5-phenyl-2-oxazoline);
7. N-ethylamphetamine;
8. Any material, compound, mixture or preparation which contains any quantity of N,N-dimethylamphetamine. (Other names include: N,N-alpha-trimethyl-benzeneethanamine, and N,N-alpha-trimethylphenethylamine);
9. Unless listed in another schedule, any compound other than bupropion that is structurally derived from 2-Amino-1-phenyl-1-propanone by modification in any of the following ways:
   (i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide...
substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

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

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

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

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

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

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

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

(v) 2-(methylamino)-1-phenylpentan-1-one ("pentedrone");
(vi) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one ("pentyline");
(vii) 4-fluoro-N-methylcathinone ("4-FMC");
(viii) 3-fluoro-N-methylcathinone ("3-FMC");
(ix) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one ("naphyrone");
(x) Alpha-pyrrolidinobutiophenone ("α-PBP").

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