

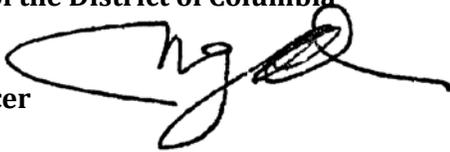
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Kwame R. Brown
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: April 27, 2012

SUBJECT: Fiscal Impact Statement – “District of Columbia Uniform Controlled Substances Synthetic Cannabinoids Amendment Act of 2011”

REFERENCE: Bill Number 19-575 as Introduced on November 1, 2011

Conclusion

Funds are sufficient in the FY 2012 budget and the proposed FY 2013 through FY 2016 budget and financial plan to implement the bill.

Background

In February 2012, the Drug Enforcement Administration extended a 2011 order¹ adding five² synthetic cannabinoids³ to Schedule I of the Controlled Substances Act.⁴ The bill adds to the District’s banned Schedule III⁵ drugs these synthetic cannabinoids as well as other chemical structures or chemical combinations banned in the Synthetic Drug Control Act of 2011⁶ and many other jurisdictions.⁷ The banned chemical structures and synthetic chemical combinations include:

- 2-(3-hydroxycyclohexyl) phenol;
- 3-(1-naphthoyl) indole or 3-(1-naphthylmethane) indole;
- 3-(1-naphthoyl) pyrrole;

¹ 21 CFR Part 1308, Schedules of Controlled Substances: Extension of Temporary Placement of Five Synthetic Cannabinoids Into Schedule I of the Controlled Substances Act (Federal Register, Vol. 77, No. 40).

² The five banned are JWH-018, JWH-073, JWH-200, CP-47, 497, and CP-47, 497 C8 homologue.

³ Defined in the bill as any substance that contains a preparation, mixture, or substance mixed or infused with a series of chemicals outlined in the bill.

⁴ 21 USC § 812, Schedules of Controlled Substances.

⁵ D.C. Official Code § 48-902.08.

⁶ H.R. 1254, passed by the House of Representatives (December 2011).

⁷ According to the National Alliance for Model State Drug Laws, Summary of Synthetic Cannabinoid Bills and Proposed Regulations (April 2012).

The Honorable Kwame R. Brown

FIS: B19-575 "District of Columbia Uniform Controlled Substances Synthetic Cannabinoids Amendment Act of 2011," as Introduced

- 1-(1-naphthylmethylene) indene;
- 3-phenylacetylindole or 3-benzoylindole;
- AM694;
- AM2201;
- CP-47, 497;
- CP-47, 497, C8-homolog;
- JWH-018;
- AM678;
- JWH-019;
- JWH-073;
- JWH-081;
- JWH-122;
- JWH-200;
- JWH-203;
- JWH-250;
- JWH-398;
- SR-18;
- RCS-8;
- SR-19; and
- RCS-4.

Financial Plan Impact

Funds are sufficient in the FY 2012 budget and the proposed FY 2013 through FY 2016 budget and financial plan to implement the bill. Some of these substances are banned federally and adding them to the District's schedule ensures cases are brought to the Superior Court of the District of Columbia.⁸ There are no costs associated with the bill's implementation.

⁸ Currently, legal cases related to violations of the DEA Order can only be brought into District court.