



HB 291 Highlights

- Currently, scheduling a controlled substance must occur through legislation, which often takes one to two years.
- New drugs frequently come into the illicit drug market before the legislature has the opportunity to respond which creates public health and safety concerns. For example, drug traffickers are able to simply change one chemical component of a drug, and thereby remove it from the controlled substances list, despite its damaging effects. This has been seen with spice and other synthetic opioids in recent years.
- **HB 291** allows the attorney general to schedule a controlled substance by emergency regulation. The attorney general would consult with the Controlled Substances Advisory Committee as well as the chief medical officer for public health to assess the danger of the substance.
- A substance scheduled by emergency regulation could remain on the schedule for 720 days. The regulation would need to be made permanent through the normal regulations process within that period or it would expire.
- Nothing in this legislation impairs the ability of the legislature to schedule controlled substances or to repeal a regulation adopted by the attorney general.