

Calendar No. 398

116TH CONGRESS
2D SESSION

S. 3148

To amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2019

Mr. JOHNSON (for himself, Mr. COTTON, Mr. CASSIDY, Mrs. BLACKBURN, Ms. ERNST, Mr. BRAUN, Mr. ALEXANDER, Mr. McCONNELL, and Mr. LANKFORD) introduced the following bill; which was read the first time

JANUARY 3, 2020

Read the second time and placed on the calendar

A BILL

To amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stopping Overdoses
5 of Fentanyl Analogues Act”.

1 **SEC. 2. FENTANYL-RELATED SUBSTANCES.**

2 Section 202(c) of the Controlled Substances Act (21
3 U.S.C. 812) is amended—

4 (1) by adding at the end of subsection (b) of
5 Schedule I the following:

6 “(23) Isobutyryl fentanyl.

7 “(24) Para-Methoxybutyrylfentanyl.

8 “(25) Valeryl fentanyl.

9 “(26) Cyclopentyl fentanyl.

10 “(27) Para-Chloroisobutyryl fentanyl.”; and

11 (2) by adding at the end of Schedule I the fol-
12 lowing:

13 “(e)(1) Unless specifically exempted or unless listed
14 in another schedule, any material, compound, mixture, or
15 preparation which contains any quantity of fentanyl-re-
16 lated substances, or which contains their salts, isomers,
17 and salts of isomers whenever the existence of such salts,
18 isomers, and salts of isomers is possible within the specific
19 chemical designation.

20 “(2) In paragraph (1), the term ‘fentanyl-related sub-
21 stances’ includes the following:

22 “(A) Any substance that is structurally related
23 to fentanyl by one or more of the following modifica-
24 tions:

25 “(i) By replacement of the phenyl portion
26 of the phenethyl group by any monocycle,

1 whether or not further substituted in or on the
2 monocycle.

3 “(ii) By substitution in or on the phenethyl
4 group with alkyl, alkenyl, alkoxy, hydroxy, halo,
5 haloalkyl, amino or nitro groups.

6 “(iii) By substitution in or on the piper-
7 idine ring with alkyl, alkenyl, alkoxy, ester,
8 ether, hydroxy, halo, haloalkyl, amino or nitro
9 groups.

10 “(iv) By replacement of the aniline ring
11 with any aromatic monocycle whether or not
12 further substituted in or on the aromatic mono-
13 cycle.

14 “(v) By replacement of the N-propionyl
15 group by another acyl group.

16 “(B) 4'-Methyl acetyl fentanyl.

17 “(C) Crotonyl fentanyl.

18 “(D) 2'-Fluoro ortho-fluorofentanyl.

19 “(E) Ortho-Methyl acetylfentanyl.

20 “(F) Thiofuranyl fentanyl.

21 “(G) Ortho-Fluorobutyryl fentanyl.

22 “(H) Ortho-Fluoroacryl fentanyl.

23 “(I) Beta-Methyl fentanyl.

24 “(J) Phenyl fentanyl.

25 “(K) Para-Methylfentanyl.

1 “(L) Beta’-Phenyl fentanyl.

2 “(M) Benzodioxole fentanyl.”.

3 This Act shall take effect one day after the date of

4 enactment.

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