

ACT NO. 7472

BILL NO. 30-0038

THIRTIETH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2013

An Act to amend title 19, part III, chapter 29, subchapter I of the Virgin Islands Code by criminalizing the sale of synthetic cannabinoids or synthetic marijuana and bath salts

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Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 5, subtitle 3, part I, chapter 301 of the Virgin Islands Code is amended in section 3504a after (a) the word 'marijuana' by inserting the words 'synthetic marijuana'.

SECTION 2. Title 19, part III, chapter 29, of the Virgin Islands Code is amended in the following instances:

(a) In section 593, by adding two appropriately designated paragraphs that read as follows:

() The term 'bath salts' means a synthetic cathinone, either 3, 4-methylenedioxypropylamphetamine (MDPV) or mephedrone.

() The terms 'synthetic cannabinoid agonists', 'piperazines', or 'synthetic marijuana' mean any chemical compound that contains Benzylpiperazine, Trifluoromethylphenylpiperazine, 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol, 1-Butyl-3-(1-naphthoyl)indole, 1-Pentyl-3-(1-naphthoyl)indole, dexanabinol, (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone (JWH-200), 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250), or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol). The term does not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with Virgin Islands and federal law.'

(b) In section 595(c), Schedule I (c) by:

(1) striking 'Marijuana' and inserting 'Cannabis sativa or Marijuana';

(2) inserting a new paragraph (11) that reads '(11) Synthetic cannabinoids or synthetic marijuana'; and

(3) renumbering the existing paragraphs accordingly.

(c) In section 595(c), by adding a new subsection (d) under Schedule I, to read as follows:

‘(d) Unless specifically excepted or unless listed in another schedule, any substance that contains any quantity of the following substances, including their salts isomers and salts of isomers, which have a stimulant effect on the central nervous system:

(1) 3-Flouromethcathinone.

(2) 4-Flouromethacathinone.

(3) Mephedrone or 4-methylmethcathinone.

(4) 4-methoxymethcathinone.

(5) Methylenedioxypropylvalerone (MDPV) or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone.

(6) Methylone or 3,4-Methylenedioxypropylmethcathinone.

(7) 4-Methyl-alpha-pyrrolidinobutiophenone (MPBP).’

(d) In section 604(b), paragraph (1), subparagraphs (A) and (B), and paragraphs (2), (3) and (4) by striking the word ‘marihuana’ and inserting the words ‘marijuana, synthetic marijuana’.

(e) In section 605(c), by amending paragraph (2), subparagraph (B) by striking the word ‘marihuana’ and inserting the words ‘marijuana, synthetic marijuana’.

(f) In section 606(c), by striking ‘marihuana’ and inserting ‘marijuana, synthetic marijuana,’.

(g) In section 607(b), paragraph (1), by striking ‘marihuana’ and inserting ‘marijuana, synthetic marijuana,’.

(h) In section 614a, subsection (a), paragraph (1), after each occurrence of ‘marijuana’ by inserting ‘or synthetic marijuana’.

SECTION 3. Title 19, part III, chapter 29, subchapter III, section 644 of the Virgin Islands Code is amended in subsections (c), (d), (e) and (f), after each occurrence of ‘marijuana’ by inserting ‘or synthetic marijuana’.

Thus passed by the Legislature of the Virgin Islands on April 16, 2013.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 19th Day of April, A.D., 2013.

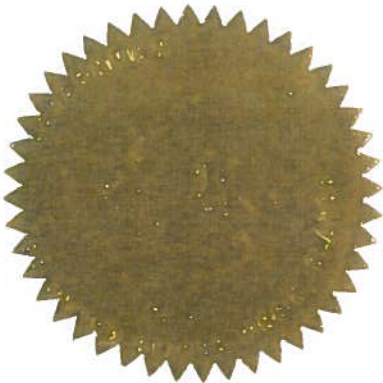


Handwritten signature of Shawn-Michael Malone in black ink.

Shawn-Michael Malone
President

Handwritten signature of Janette Millin Young in black ink.

Janette Millin Young
Legislative Secretary



Bill No. 30-0038 is hereby approved.

Witness my hand and the Seal of the
Government of the United States
Virgin Islands at Charlotte Amalie,
St. Thomas, this 3rd day of May 2013,
A.D.

Handwritten signature of John P. deJongh, Jr. in blue ink.

John P. deJongh, Jr.
Governor