Sixty-ninth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Representative Wolff

A BILL for an Act to create and enact subdivision lll of subsection 3 of section 19-03.1-05 of the North Dakota Century Code, relating to the scheduling of kratom synthetic derivatives as a schedule I controlled substance; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Subdivision lll of subsection 3 of section 19-03.1-05 the North Dakota Century Code is created and enacted as follows:

lll. Kratom synthetic derivatives. Unless specifically excepted or listed in another schedule, any of the following kratom synthetic derivatives, its isomers, esters, ethers, salts, and salts of isomers:

(1) Methyl (E)2-((2S,3S,7aS)-3-ethyl-7a-hydroxy-8-methoxy-1,2,3,4,6,7,7a,12b-octahydroindolo[2,3-a]quinolizin-2-yl)-3-methoxyacrylate (also known as 7-hydroxymitragynine; also known as (alphaE,2S,3S,7aS,12bS)-3-ethyl-1,2,3,4,6,7,7a,12b-octahydro-7a-hydroxy-8-methoxy-a-(methoxymethylene)-indolo[2,3-a]quinolizine-2-acetic acid, methyl ester) above a specified threshold described as:

(a) Any botanical material of the plant mitragyna speciosa, also known as kratom, and contains more than 0.05 percentage of 7-hydroxymitragynine on a dry weight basis, or,

(b) Any alternative article or material to that described in subparagraph a, that is:

[1] Resulting from synthetic methods and containing 7-hydroxymitragynine present in amounts greater than 0.05 percentage weight/weight, weight/volume, or volume/volume, or greater than 1 milligram of 7-hydroxymitragynine in the article, or;

[2] Material derived from mitragyna speciosa and further processed to manufacture alternative dosage forms such as extracts, concentrates, processed edibles, or pressed pills, and which may have materials that have been exposed to chemical, thermal, or other methods leading to chemical transformations that result in 7-hydroxymitragynine present in amounts greater than 0.05 percentage weight/weight, weight/volume, or volume/volume, or greater than 1 milligram of 7-hydroxymitragynine in the article.

(2) Methyl (E)-2-((1'S,6'S,7'S)-6'-ethyl-4-methoxy-3-oxo-3',5',6',7',8',8a'-hexahydro-2'H-spiro[indoline-2,1'-indolizine]-7'-yl)-3-methoxyacrylate (also known as mitragynine pseudoindoxyl).

(3) Methyl (E)-2-((2S,3S,7aS,12aR,12bS)-3-ethyl-7a-hydroxy-8-methoxy-1,2,3,4,6,7,7a,12,12a,12b-decahydroindolo[2,3-a]quinolizin-2-yl)-3-methoxyacrylate (also known as MGM-15; also known as dihydro-7-hydroxymitragynine).

(4) Methyl (E)-2-((2S,3S,7aS,12aR,12bS)-3-ethyl-9-fluoro-7a-hydroxy-8-methoxy-1,2,3,4,6,7,7a,12,12a,12b-decahydroindolo[2,3-a]quinolizin-2-yl)-3-methoxyacrylate (also known as MGM-16; also known as fluoro-dihydro-7-hydroxymitragynine; also known as 9-fluoro derivate of dihydro-7-hydroxymitragynine; also known as the 10-fluoro derivate of dihydro-7-hydroxymitragynine).

(5) Methyl (E)-2-[(2S,3S,7aS,12bS)-7a-acetyloxy-3-ethyl-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate (also known as 7-acetoxymitragynine).

SECTION 2. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.