

2017 DRAFTING REQUEST

Bill

For: **Joel Kleefisch (608) 266-8551** Drafter: **chanaman**
 By: **Katie** Secondary Drafters:
 Date: **2/6/2017** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Kleefisch@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Fentanyl analogs

Instructions:

See attached

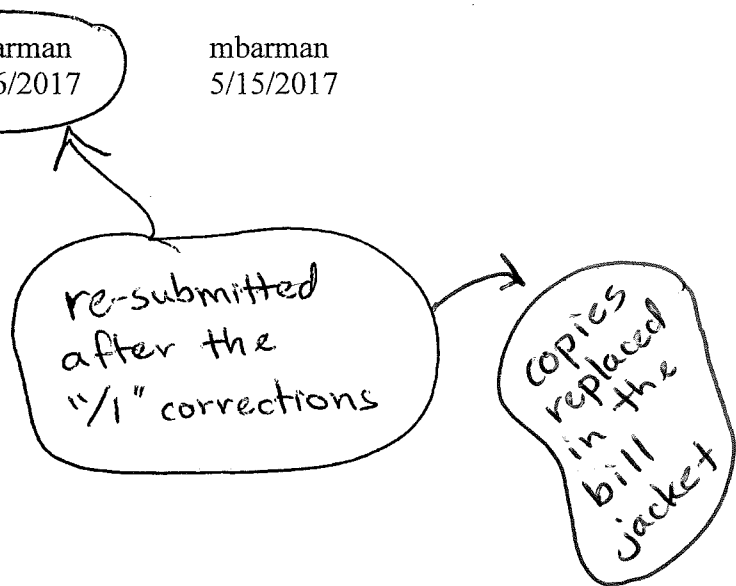
Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 5/15/2017	aernsttr 5/15/2017	hkohn 2/6/2017		
/1			mbarman 5/16/2017	mbarman 5/15/2017	

FE Sent For:

not needed

<END>



Hanaman, Cathlene

From: Scott, Katie
Sent: Monday, February 06, 2017 12:04 PM
To: Hanaman, Cathlene
Subject: Bill draft request - Fentanyl analogs

Hi Cathlene,

Could we get a bill drafted that states the following:

961.14 (2) (nd) *Fentanyl Analogs*. Any compound, except compounds scheduled elsewhere in this chapter, structurally derived from fentanyl by replacement of the phenyl portion of the phenethyl group by any monoheterocyclic group whether or not further substituted on the heterocyclic group; by substitution on the phenethyl group or any heterocyclic replacement group, the piperidine ring, or the aniline ring with alkyl, alkenyl, alkoxy, hydroxyl, halide, haloalkyl, amino or nitro groups; by substitution at the 4-position of the piperidine ring with any aryl, alkoxycarbonyl, alkoxyalkyl, or acyloxy group; by replacement of the N-propionyl group by another acyl group; or by any combination of these modifications. Substances specified under this subdivision include:

- c 3. Acryl fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-propenamide)
- f 6. Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide)
- L 12. Isobutyryl fentanyl (2-methyl-N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide)
- o 15. 4-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide)
- p 16. Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)-4-piperidinyl]-acetamide)
- g 17. Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide)
- t 20. Valeryl fentanyl (N-phenyl- N-[1-(2-phenylethyl)piperidin-4-yl]pentanamide)

Renumber the following:

- 961.14 (2) (a) to 961.14 (2) (nd) 1. a
- 961.14 (2) (ae) to 961.14 (2) (nd) 2. b
- 961.14 (2) (cd) to 961.14 (2) (nd) 4. d
- 961.14 (2) (cg) to 961.14 (2) (nd) 5. e
- 961.14 (2) (dg) to 961.14 (2) (nd) 7. g
- 961.14 (2) (er) to 961.14 (2) (nd) 8. h
- 961.14 (2) (eu) to 961.14 (2) (nd) 9. i
- 961.14 (2) (ey) to 961.14 (2) (nd) 10. j
- 961.14 (2) (ne) to 961.14 (2) (nd) 11. k
- 961.14 (2) (qs) to 961.14 (2) (nd) 13. m
- 961.14 (2) (rj) to 961.14 (2) (nd) 14. n
- 961.14 (2) (tg) to 961.14 (2) (nd) 18. r
- 961.14 (2) (xm) to 961.14 (2) (nd) 19. s

Let me know if you have any questions.


Thank you!

Katie Scott

Office of Representative Joel Kleefisch

38th Assembly District

(608) 266-8552





State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2044/P1

CMH:...

ahz

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

504

909

1 **AN ACT ...; relating to:** fentanyl analogs and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

Current law classifies controlled substances in one of five schedules. The classification is based on 1) whether there is a currently accepted medical use for the controlled substance; 2) the potential of the controlled substance for abuse; and 3) the nature of the dependence that the controlled substance may produce. Schedule I controlled substances are those that have a high potential for abuse and dependence and no currently accepted medical use. This bill adds fentanyl analogs to the synthetic opiates category under Schedule I and reorganizes some substances from the general synthetic opiates category to the specific fentanyl analog category. Like other Schedule I substances, a person who possesses a fentanyl analog is guilty of a Class I felony and a person who manufactures, distributes, or delivers a fentanyl analog is guilty of a Class E felony. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 961.01 (12g) of the statutes is amended to read:

3 961.01 (12g) "Isomer" means an optical isomer, but in ss. 961.14 (2) (~~er~~) (nd)

4 8. and (~~qs~~) 13. and 961.16 (2) (b) 1. "isomer" includes any geometric isomer; in ss.

5 961.14 (2) (~~eg~~), (~~tg~~) and (~~xm~~) (nd) 5., 18., and 19. and 961.20 (4) (am) "isomer" includes

Handwritten: (nd) 14. with arrows pointing to (rj) and (4) in the text below.

- 1 any positional isomer; and in ss. 961.14 (2) ~~(rj)~~ and (4) and 961.18 (2m) "isomer"
- 2 includes any positional or geometric isomer.

History: 1971 c. 219; 1979 c. 89; 1981 c. 200, 206; 1983 a. 500 s. 43; 1989 a. 31; CSB 2.21; 1993 a. 87, 129, 138, 184, 281, 482; 1995 a. 281 s. 2; 1995 a. 448 ss. 112 to 143, 247, 248, 464 to 468; Stats. 1995 s. 961.01; 1997 a. 35 s. 338; 1997 a. 67; 1999 a. 85; 2003 a. 33; 2005 a. 14, 52; 2011 a. 32; 2013 a. 151.

- 3 SECTION 2. 961.14 (2) (a), (ae), (cd), (cg), (dg), (er), (eu), (ey), (ne), (qs), (rj), (tg)
- 4 and (xm) of the statutes are renumbered 961.14 (2) (nd) 1., 2., 4., 5., 7., 8., 9., 10., 11.,
- 5 13., 14., 18. and 19.

6 SECTION 3. 961.14 (2) (nd) of the statutes is created to read:

7 961.14 (2) (nd) Fentanyl analogs, including any compound, except compounds

8 scheduled elsewhere in this chapter, structurally derived from fentanyl by

9 replacement of the phenyl portion of the phenethyl group by any monocycle whether

10 or not further substituted in or on the monocycle; by substitution in or on the

11 phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halo, haloalkyl, amino or nitro

12 groups; by substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester,

13 ether hydroxy, halo, haloalkyl, amino or nitro groups; by replacement of the aniline

14 ring with any aromatic monocycle whether or not further substituted in or on the

15 aromatic monocycle; by replacement of the N-propionyl group by another acyl group;

16 or by any combination of these modifications. Substances specified under this

17 paragraph include all of the following:

- 18 3. Acryl fentanyl
- 19 (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-propenamide);
- 20 6. Cyclopentyl fentanyl
- 21 (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);
- 22 12. Isobutyryl fentanyl
- 23 (2-methyl-N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide);

- | | | | |
|----|--|-----------------------|-----------------------------------|
| 1 | 15. | 4-methoxybutyryl | fen tanyl |
| 2 | (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide); | | |
| 3 | 16. | | Ocf entanil |
| 4 | (N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)-4-piperidinyl]-acetamid); | | |
| 5 | } | | |
| 6 | 17. | Para-fluoroisobutyryl | fen tanyl |
| 7 | (N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanami | | |
| 8 | de); | | |
| 9 | 20. | Valeryl | fen tanyl (N-phenyl- |
| 10 | N-[1-(2-phenylethyl)piperidin-4-yl]pentanamide). | | |
| 11 | (END) | | |



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2044/P1
CMH:ahe

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to renumber** 961.14 (2) (a), (ae), (cd), (cg), (dg), (er), (eu), (ey), (ne), (qs),
2 (rj), (tg) and (xm); **to amend** 961.01 (12g); and **to create** 961.14 (2) (nd) of the
3 statutes; **relating to:** fentanyl analogs and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

Current law classifies controlled substances in one of five schedules. The classification is based on 1) whether there is a currently accepted medical use for the controlled substance; 2) the potential of the controlled substance for abuse; and 3) the nature of the dependence that the controlled substance may produce. Schedule I controlled substances are those that have a high potential for abuse and dependence and no currently accepted medical use. This bill adds fentanyl analogs to the synthetic opiates category under Schedule I and reorganizes some substances from the general synthetic opiates category to the specific fentanyl analog category. Like other Schedule I substances, a person who possesses a fentanyl analog is guilty of a Class I felony and a person who manufactures, distributes, or delivers a fentanyl analog is guilty of a Class E felony.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 961.01 (12g) of the statutes is amended to read:

1 961.01 **(12g)** "Isomer" means an optical isomer, but in ss. 961.14 (2) ~~(er)~~ (nd)
2 ~~8.~~ and ~~(es)~~ 13. and 961.16 (2) (b) 1. "isomer" includes any geometric isomer; in ss.
3 961.14 (2) ~~(eg)~~, ~~(tg)~~ and ~~(xm)~~ (nd) 5., 18., and 19. and 961.20 (4) (am) "isomer" includes
4 any positional isomer; and in ss. 961.14 (2) ~~(rj)~~ (nd) 14. and (4) and 961.18 (2m)
5 "isomer" includes any positional or geometric isomer.

6 **SECTION 2.** 961.14 (2) (a), (ae), (cd), (cg), (dg), (er), (eu), (ey), (ne), (qs), (rj), (tg)
7 and (xm) of the statutes are renumbered 961.14 (2) (nd) 1., 2., 4., 5., 7., 8., 9., 10., 11.,
8 13., 14., 18. and 19.

9 **SECTION 3.** 961.14 (2) (nd) of the statutes is created to read:

10 961.14 **(2)** (nd) Fentanyl analogs, including any compound, except compounds
11 scheduled elsewhere in this chapter, structurally derived from fentanyl by
12 replacement of the phenyl portion of the phenethyl group by any monocycle whether
13 or not further substituted in or on the monocycle; by substitution in or on the
14 phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halo, haloalkyl, amino or nitro
15 groups; by substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester,
16 ether hydroxy, halo, haloalkyl, amino or nitro groups; by replacement of the aniline
17 ring with any aromatic monocycle whether or not further substituted in or on the
18 aromatic monocycle; by replacement of the N-propionyl group by another acyl group;
19 or by any combination of these modifications. Substances specified under this
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- 21 3. Acryl fentanyl
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10 de);
11 20. Valeryl fentanyl (N-phenyl-
12 N-[1-(2-phenylethyl)piperidin-4-yl]pentanamide).

13

(END)

Barman, Mike

From: LRB.Legal
To: Rep.Kleefisch
Subject: Draft review: LRB -2044/1
Attachments: 17-2044/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.

We will jacket this draft for introduction in the Assembly.

← **per CMH**

If you have any questions concerning the draft or would like to have it redrafted, please contact Cathlene M. Hanaman, Deputy Chief and Chief Operating Officer, at (608) 267-9810, at cathlene.hanaman@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2044/1
CMH:ahc

2017 BILL

05-15-2017
Before changes

1 AN ACT *to renumber* 961.14 (2) (a), (ae), (cd), (cg), (dg), (er), (eu), (ey), (ne), (qs),
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05-16-2017
corrected copy

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- 5 16. Ocfentanil
- 6 (N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)-4-piperidinyl]-acet
- 7 amide); CTL-J
- 8 17. Para-fluoroisobutyryl fentanyl
- 9 (N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propan
- 10 amide); CTL-J
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- 12 N-[1-(2-phenylethyl)piperidin-4-yl]pentanamide).

13 (END)

changes