

Report From Agency

STATE OF WISCONSIN CONTROLLED SUBSTANCES BOARD

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
CONTROLLED SUBSTANCES BOARD : CR 24-085**

- I. THE PROPOSED RULE:** The proposed rule, including the analysis and text, is attached.
- II. REFERENCE TO APPLICABLE FORMS:** N/A
- III. FISCAL ESTIMATE AND EIA:** The Fiscal Estimate and EIA is attached.
- IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**
This rule schedules 2-methyl AP-237 as a schedule I controlled substance. The Controlled Substances Board will promulgate a final rule, without making the determinations or findings required by ss. 961.11(1), (1m), (1r) and (2) or s. 961.13 and omitting the notice of proposed rulemaking, listing 2-methyl AP-237 as a schedule I controlled substance. Pursuant to s. 961.11(4), Stats., the Controlled Substances Board by affirmative action similarly treats 2-methyl AP-237 under chapter 961, Stats. by creating the following:
- CSB 2.008 Addition of 2-Methyl AP-237 to Schedule I.** Section 961.14 (2) (qz), Stats., is created to read:
- 961.14 (2) (qz)** 2-methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one).
- The Affirmative Action order, dated May 13, 2024, took effect on May 20, 2024, upon publication in the Administrative Register and expires upon promulgation of a final rule.
- V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**
Per s. 961.11(4), Stats., if no objection is made, the board shall promulgate a final rule for which notice of proposed rulemaking is omitted. Therefore, the Board did not hold a public hearing. No other public comments were received.
- VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**
Legislative Council Staff did not make any recommendations.
- VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:** N/A