House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

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2014

CHAPTER 36

HOUSE BILL 2453

AN ACT

AMENDING SECTIONS 13-3401 AND 13-3404, ARIZONA REVISED STATUTES; RELATING TO DRUG OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-3401, Arizona Revised Statutes, is amended to read:

13-3401. Definitions

In this chapter, unless the context otherwise requires:

1. "Administer" means to apply, inject or facilitate the inhalation or ingestion of a substance to the body of a person.

2. "Amidone" means any substance identified chemically as (4-4-diphenyl-6-dimethylamine-heptanone-3), or any salt of such substance, by whatever trade name designated.

3. "Board" means the Arizona state board of pharmacy.

4. "Cannabis" means the following substances under whatever names they may be designated:

(a) The resin extracted from any part of a plant of the genus cannabis, and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or its resin. Cannabis does not include oil or cake made from the seeds of such plant, any fiber, compound, manufacture, salt, derivative, mixture or preparation of the mature stalks of such plant except the resin extracted from the stalks or any fiber, oil or cake or the sterilized seed of such plant which is incapable of germination.

(b) Every compound, manufacture, salt, derivative, mixture or preparation of such resin or tetrahydrocannabinol.

5. "Coca leaves" means cocaine, its optical isomers and any compound, manufacture, salt, derivative, mixture or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine or substances from which cocaine or ecgonine may be synthesized or made.

6. "Dangerous drug" means the following by whatever official, common, usual, chemical or trade name designated:

(a) Any material, compound, mixture or preparation ~~which~~ THAT contains any quantity of the following hallucinogenic substances and their salts, isomers, whether optical, positional or geometric, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(i) Alpha-ethyltryptamine.

(ii) ALPHA-METHYLTRYPTAMINE.

(iii) (2-AMINOPROPYL) BENZOFURAN (APB).

(iv) (2-AMINOPROPYL)-2,3-DIHYDROBENZOFURAN (APDB).

~~(ii)~~ (v) Aminorex.

~~(iii)~~ (vi) 4-bromo-2, 5-dimethoxyphenethylamine.

~~(iv)~~ (vii) 4-bromo-2, 5-dimethoxyamphetamine.

~~(v)~~ (viii) Bufotenine.

(vix) [3-(3-CARBAMOYLPHENYL)PHENYL]N-CYCLOHEXYL CARBAMATE (URB-597).

~~(vi)~~ (x) Diethyltryptamine.

~~(vii)~~ (xi) 2, 5-dimethoxyamphetamine.

~~(viii)~~ (xii) Dimethyltryptamine.

(xiii) 5-METHOXY-ALPHA-METHYLTRYPTAMINE.

~~(ix)~~ (xiv) 5-methoxy-3, 4-methylenedioxyamphetamine.

~~(x)~~ (xv) 4-methyl-2, 5-dimethoxyamphetamine.

~~(xi)~~ (xvi) Ibogaine.

~~(xii)~~ (xvii) Lysergic acid amide.

~~(xiii)~~ (xviii) Lysergic acid diethylamide.

~~(xiv)~~ (xix) Mescaline.

~~(xv)~~ (xx) 4-methoxyamphetamine.

~~(xvi)~~ (xxi) Methoxymethylenedioxyamphetamine (MMDA).

~~(xvii)~~ (xxii) Methylenedioxyamphetamine (MDA).

~~(xviii)~~ (xxiii) 3, 4-methylenedioxymethamphetamine.

~~(xix)~~ (xxiv) 3, 4-methylenedioxy-N-ethylamphetamine.

~~(xx)~~ (xxv) N-ethyl-3-piperidyl benzilate (JB-318).

~~(xxi)~~ (xxvi) N-hydroxy-3, 4-methylenedioxyamphetamine.

~~(xxii)~~ (xxvii) N-methyl-3-piperidyl benzilate (JB-336).

(xxviii) N-METHYLTRYPTAMINE MIMETIC SUBSTANCES THAT ARE ANY SUBSTANCES DERIVED FROM N-METHYLTRYPTAMINE BY ANY SUBSTITUTION AT THE NITROGEN, ANY SUBSTITUTION AT THE INDOLE RING, ANY SUBSTITUTION AT THE ALPHA CARBON, ANY SUBSTITUTION AT THE BETA CARBON OR ANY COMBINATION OF THE ABOVE. N-METHYLTRYPTAMINE MIMETIC SUBSTANCES DO NOT INCLUDE MELATONIN (5-METHOXY-N-ACETYLTRYPTAMINE). SUBSTANCES IN THE N-METHYLTRYPTAMINE GENERIC DEFINITION INCLUDE ACO-DMT, BAEOCYSTINE, BROMO-DALT, DIPT, DMT, DPT, HO-DET, HO-DIPT, HO-DMT, HO-DPT, HO-MET, MEO-DALT, MEO-DET, MEO-DIPT, MEO-DMT, MEO-DPT, MEO-NMT, MET, NMT AND NORBUFOTENIN.

~~(xxiii)~~ (xxix) N-(1-phenylcyclohexyl) ethylamine (PCE).

~~(xxiv)~~ (xxx) Nabilone.

~~(xxv)~~ (xxxi) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).

~~(xxvi)~~ (xxxii) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).

~~(xxvii)~~ (xxxiii) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.

~~(xxviii)~~ (xxxiv) Para-methoxyamphetamine (PMA).

(xxxv) PSILACETIN.

~~(xxix)~~ (xxxvi) Psilocybin.

~~(xxx)~~ (xxxvii) Psilocyn.

~~(xxxi)~~ (xxxviii) Synhexyl.

~~(xxxii)~~ (xxxix) Trifluoromethylphenylpiperazine (TFMPP).

~~(xxxiii)~~ (xl) Trimethoxyamphetamine (TMA).

~~(xxxiv)~~ (xli) 1-pentyl-3-(naphthoyl)indole (JWH-018 and isomers).

~~(xxxv)~~ (xlii) 1-butyl-3-(naphthoyl)indole (JWH-073 and isomers).

~~(xxxvi)~~ (xliii) 1-hexyl-3-(naphthoyl)indole (JWH-019 and isomers).

~~(xxxvii)~~ (xliv) 1-pentyl-3-(4-chloro naphthoyl)indole (JWH-398 and isomers).

~~(xxxviii)~~ (xlv) 1-(2-(4-(morpholinyl)ethyl))-3-(naphthoyl)indole (JWH-200 and isomers).

~~(xxxix)~~ (xlvi) 1-pentyl-3-(methoxyphenylacetyl)indole (JWH-250 and isomers).

~~(xl)~~ (xlvii) (2-methyl-1-propyl-1H-indol-3-YL)-1-naphthalenyl-methanone (JWH-015 and isomers).

~~(xli)~~ (xlviii) (6AR, 10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan2-YL)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol) (HU-210).

~~(xlii)~~ (xlix) 5-(1,1-dimethylheptyl)-2-(3-hydroxycyclohexyl)-phenol (CP 47,497 and isomers).

~~(xliii)~~ (l) 5-(1,1-dimethyloctyl)-2-(3-hydroxycyclohexyl)-phenol (cannabicyclohexanol, CP-47,497 C8 homologue and isomers).

(b) Any material, compound, mixture or preparation ~~which~~ THAT contains any quantity of cannabimimetic substances and their salts, isomers, whether optical, positional or geometric, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation. For the purposes of this subdivision, "cannabimimetic substances" means any substances within the following structural classes:

(i) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent. Substances in the 2-(3-hydroxycyclohexyl)phenol generic definition include CP-47,497, CP-47,497 C8-Homolog, CP-55,940 and CP-56,667.

(ii) 3-(naphthoyl)indole or 3-(naphthylmethane)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent. Substances in the 3-(naphthoyl)indole generic definition include AM-678, AM-2201, JWH-004, JWH-007, JWH-009, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020, JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072, JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096, JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-175, JWH-180, JWH-181, JWH-182, JWH-184, JWH-185, JWH-189, JWH-192, JWH-193, JWH-194, JWH-195, JWH-196, JWH-197, JWH-199, JWH-200, JWH-210, JWH-211, JWH-212, JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242, JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399, JWH-400, JWH-412, JWH-413, JWH-414 and JWH-415.

(iii) 3-(naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent. Substances in the 3-(naphthoyl)pyrrole generic definition include JWH-030, JWH-145, JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244, JWH-245, JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-346, JWH-348, JWH-363, JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371, JWH-373 and JWH-392.

(iv) 1-(naphthylmethylene)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

Substances in the 1-(naphthylmethylene)indene generic definition include JWH-176.

(v) 3-(phenylacetyl)indole or 3-(benzoyl)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent. Substances in the 3-(phenylacetyl)indole generic definition include AM-694, AM-2233, JWH-167, JWH-201, JWH-202, JWH-203, JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH-237, JWH-248, JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306, JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-4, RCS-8, SR-18 and SR-19.

(vi) 3-(cyclopropylmethanone) indole or 3-(cyclobutylmethanone) indole or 3-(cyclopentylmethanone) indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent. Substances in the 3-(cyclopropylmethanone) indole generic definition include UR-144, fluoro-UR-144 and XLR-11.

(vii) 3-ADAMANTOYLINDOLE WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED ON THE INDOLE RING TO ANY EXTENT, WHETHER OR NOT SUBSTITUTED ON THE ADAMANTLY RING TO ANY EXTENT. SUBSTANCES IN THE 3-ADAMANTOYLINDOLE GENERIC DEFINITION INCLUDE AB-001.

(viii) N-(ADAMANTYL)-INDOLE-3-CARBOXAMIDE WITH SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED ON THE INDOLE RING TO ANY EXTENT, WHETHER OR NOT SUBSTITUTED ON THE ADAMANTLY RING TO ANY EXTENT. SUBSTANCES IN THE N-(ADAMANTYL)-INDOLE-3-CARBOXAMIDE GENERIC DEFINITION INCLUDE SDB-001.

(ix) INDAZOLE-3-CARBOXAMIDE WITH SUBSTITUTION AT A NITROGEN ATOM OF THE INDAZOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED ON THE INDAZOLE RING TO ANY EXTENT, WHETHER OR NOT SUBSTITUTED ON THE NITROGEN OF THE CARBOXAMIDE TO ANY EXTENT. SUBSTANCES IN THE INDAZOLE-3-CARBOXAMIDE GENERIC DEFINITION INCLUDE AKB-48, FLUORO-AKB-48, APINACA, AB-PINACA AND AB-FUBINACA.

(x) 8-QUINOLINYL-INDOLE-3-CARBOXYLATE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY EXTENT, WHETHER OR NOT SUBSTITUTED ON THE QUINOLINE RING TO ANY EXTENT. SUBSTANCES IN THE 8-QUINOLINYL-INDOLE-3-CARBOXYLATE GENERIC DEFINITION INCLUDE PB-22 AND FLUORO-PB-22.

(c) Any material, compound, mixture or preparation ~~which~~ THAT contains any quantity of the following substances and their salts, isomers, whether optical, positional or geometric, and salts of isomers having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) Alpha-pyrrolidinobutiophenone (Alpha-PBP).

(ii) Alpha-pyrrolidinopropiophenone (Alpha-PPP).

(iii) Alpha-pyrrolidinovalerophenone (Alpha-PVP).

(iv) ALPHA-PYRROLIDINOVALEROTHIOPHENONE (ALPHA-PVT).

(v) AMINOINDANE MIMETIC SUBSTANCES THAT ARE DERIVED FROM AMINOINDANE BY ANY SUBSTITUTION AT THE INDANE RING, REPLACEMENT OF THE AMINO GROUP WITH

ANOTHER N GROUP OR ANY COMBINATION OF THE ABOVE. SUBSTANCES IN THE AMINOINDANE GENERIC DEFINITION INCLUDE MDAI, MMAI, IAI AND AMMI.

~~(iv)~~ (vi) Amphetamine.

~~(v)~~ (vii) Benzphetamine.

~~(vi)~~ (viii) Benzylpiperazine (BZP).

~~(vii)~~ (vix) Beta-keto-n-methylbenzodioxolylbutanamine (Butylone).

~~(viii)~~ (x) Beta-keto-n-methylbenzodioxolylpentanamine (Pentylone).

~~(ix)~~ (xi) Butorphanol.

~~(x)~~ (xii) Cathine ((+)-norpseudoephedrine).

~~(xi)~~ (xiii) Cathinomimetic substances ~~which~~ THAT are any substances derived from cathinone, (2-amino-1-phenyl-1-propanone) by any substitution at the phenyl ring, any substitution at the 3 position, any substitution at the nitrogen atom or any combination of the above substitutions.

~~(xii)~~ (xiv) Cathinone.

~~(xiii)~~ (xv) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).

~~(xiv)~~ (xvi) Chlorphentermine.

~~(xv)~~ (xvii) Clortermine.

~~(xvi)~~ (xviii) Diethylpropion.

~~(xvii)~~ (xix) Dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI).

~~(xviii)~~ (xx) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).

~~(xix)~~ (xxi) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

~~(xx)~~ (xxii) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).

~~(xxi)~~ (xxiii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

~~(xxii)~~ (xxiv) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).

~~(xxiii)~~ (xxv) Dimethylcathinone (Metamfepramone).

~~(xxiv)~~ (xxvi) Ethcathinone.

~~(xxv)~~ (xxvii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).

~~(xxvi)~~ (xxviii) Fencamfamin.

~~(xxvii)~~ (xxix) Fenethylline.

~~(xxviii)~~ (xxx) Fenproporex.

(xxxi) FLUOROAMPHETAMINE.

(xxxii) FLUOROMETHAMPHETAMINE.

~~(xxix)~~ (xxxiii) Fluoromethcathinone.

~~(xxx)~~ (xxxiv) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).

~~(xxxi)~~ (xxxv) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).

~~(xxxii)~~ (xxxvi) Mazindol.

~~(xxxiii)~~ (xxxvii) Mefenorex.

~~(xxxiv)~~ (xxxviii) Methamphetamine.

~~(xxxv)~~ (xxxix) Methcathinone.

(xl) METHIOPROPAMINE.

~~(xxxvi)~~ (xli) Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).

~~(xxxvii)~~ (xlii) Methoxymethcathinone (methedrone).

~~(xxxviii)~~ (xliii) Methoxyphenethylamine mimetic substances ~~which~~ THAT are any substances derived from 2, 5-dimethoxy-phenethylamine by any substitution at the phenyl ring, any substitution at the nitrogen atom, ANY SUBSTITUTIONS AT THE CARBON ATOMS OF THE ETHYLAMINE, or any combination of the above substitutions.

~~(xxxix)~~ (xliv) 4-methylaminorex.

~~(xl)~~ (xlv) Methyl-a-pyrrolidinobutiophenone (MPBP).

~~(xli)~~ (xlvi) Methylenedioxy-alphapyrrolidinopropiophenone (MDPPP).

~~(xlii)~~ (xlvii) Methylenedioxyethcathinone (Ethylone).

~~(xliii)~~ (xlviii) Methylenedioxymethcathinone (Methylone).

~~(xliv)~~ (xlix) Methylenedioxypyrovalerone (MDPV).

~~(xlv)~~ (l) Methylmethcathinone (Mephedrone).

~~(xlvi)~~ (li) Methylphenidate.

~~(xlvii)~~ (lii) Modafinil.

~~(xlviii)~~ (liii) Naphthylpyrovalerone (Naphyrone).

~~(xlix)~~ (liv) N-ethylamphetamine.

~~(l)~~ (lv) N, N-dimethylamphetamine.

~~(li)~~ (lvi) Pemoline.

~~(lii)~~ (lvii) Phendimetrazine.

~~(liii)~~ (lviii) Phenmetrazine.

~~(liv)~~ (lix) Phentermine.

~~(lv)~~ (lx) Pipradol.

~~(lvi)~~ (lxi) Propylhexedrine.

~~(lvii)~~ (lxii) Pyrovalerone.

~~(lviii)~~ (lxiii) Sibutramine.

~~(lix)~~ (lxiv) Spa ((-)-1-dimethylamino-1,2-diphenylethane).

(d) Any material, compound, mixture or preparation ~~which~~ THAT contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(i) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, unless specifically excepted.

(ii) Alprazolam.

(iii) Bromazepam.

(iv) Camazepam.

(v) Carisoprodol.

(vi) Chloral betaine.

(vii) Chloral hydrate.

(viii) Chlordiazepoxide.

(ix) Chlorhexadol.

(x) Clobazam.

(xi) Clonazepam.

(xii) Clorazepate.

(xiii) Clotiazepam.

(xiv) Cloxazolam.

(xv) Delorazepam.
(xvi) Diazepam.
(xvii) Dichloralphenazone.
(xviii) Estazolam.
(xix) Ethchlorvynol.
(xx) Ethinamate.
(xxi) Ethyl loflazepate.
(xxii) Fenfluramine.
(xxiii) Fludiazepam.
(xxiv) Flunitrazepam.
(xxv) Flurazepam.
(xxvi) Gamma hydroxy butyrate.
(xxvii) Glutethimide.
(xxviii) Halazepam.
(xxix) Haloxazolam.
(xxx) HYDROXYPHENCYCLIDINE (HO-PCP).
~~(xxx)~~ (xxxi) Ketamine.
~~(xxxi)~~ (xxxii) Ketazolam.
~~(xxxii)~~ (xxxiii) Loprazolam.
~~(xxxiii)~~ (xxxiv) Lorazepam.
~~(xxxiv)~~ (xxxv) Lormetazepam.
~~(xxxv)~~ (xxxvi) Lysergic acid.
~~(xxxvi)~~ (xxxvii) Mebutamate.
~~(xxxvii)~~ (xxxviii) Mecloqualone.
~~(xxxviii)~~ (xxxix) Medazepam.
~~(xxxix)~~ (xl) Meprobamate.
~~(xl)~~ (xli) Methaqualone.
~~(xli)~~ (xlii) Methohexital.
(xliii) 2-(METHOXYPHENYL)-2-(ETHYLAMINO)CYCLOHEXANONE(METHOXETAMINE).
(xliv) 2-(METHOXYPHENYL)-2-(METHYLAMINO)CYCLOHEXANONE(METHOXYKETAMINE).
(xlv) METHOXYPHENCYCLIDINE(MEO-PCP).
~~(xlii)~~ (xlvi) Methyprylon.
~~(xliii)~~ (xlvii) Midazolam.
~~(xliv)~~ (xlviii) Nimetazepam.
~~(xlv)~~ (xlix) Nitrazepam.
~~(xlvi)~~ (l) Nordiazepam.
~~(xlvii)~~ (li) Oxazepam.
~~(xlviii)~~ (lii) Oxazolam.
~~(xlix)~~ (liii) Paraldehyde.
~~(l)~~ (liv) Petrichloral.
~~(li)~~ (lv) Phencyclidine (PCP).
(lvi) PHENCYCLIDINE MIMETIC SUBSTANCES THAT ARE ANY SUBSTANCES DERIVED FROM PHENYLCYCLOHEXYLPIPERIDINE BY ANY SUBSTITUTION AT THE PHENYL RING, ANY SUBSTITUTION AT THE PIPERIDINE RING, ANY SUBSTITUTION AT THE CYCLOHEXYL RING,

ANY REPLACEMENT OF THE PHENYL RING OR ANY COMBINATION OF THE ABOVE. SUBSTANCES IN THE PHENYLCYCLOHEXYLPIPERIDINE GENERIC DEFINITION INCLUDE AMINO-PCP, BCP, BROMO-PCP, BTCP, CHLORO-PCP, FLUORO-PCP, HO-PCP, MEO-PCP, METHYL-PCP, NITRO-PCP, OXO-PCP, PCE, PCM, PCPY, TCP AND TCPY.

~~(liii)~~ (lvii) Pinazepam.

~~(liiii)~~ (lviii) Prazepam.

~~(liiv)~~ (lix) Scopolamine.

~~(liv)~~ (lx) Sulfondiethylmethane.

~~(livi)~~ (lxi) Sulfonethylmethane.

~~(livii)~~ (lxii) Sulfonmethane.

~~(liviii)~~ (lxiii) Quazepam.

~~(lix)~~ (lxiv) Temazepam.

~~(lx)~~ (lxv) Tetrazepam.

~~(lxi)~~ (lxvi) Tiletamine.

~~(lxii)~~ (lxvii) Triazolam.

~~(lxiii)~~ (lxviii) Zaleplon.

~~(lxiv)~~ (lxix) Zolazepam.

~~(lxv)~~ (lxx) Zolpidem.

(e) Any material, compound, mixture or preparation ~~which~~ THAT contains any quantity of the following anabolic steroids and their salts, isomers or esters:

(i) Boldenone.

(ii) Clostebol (4-chlorotestosterone).

(iii) Dehydrochloromethyltestosterone.

(iv) Drostanolone.

(v) Ethylestrenol.

(vi) Fluoxymesterone.

(vii) Formebulone (formebolone).

(viii) Mesterolone.

(ix) Methandriol.

(x) Methandrostenolone (methandienone).

(xi) Methenolone.

(xii) Methyltestosterone.

(xiii) Mibolerone.

(xiv) Nandrolone.

(xv) Norethandrolon.

(xvi) Oxandrolone.

(xvii) Oxymesterone.

(xviii) Oxymetholone.

(xix) Stanolone (4-dihydrotestosterone).

(xx) Stanozolol.

(xxi) Testolactone.

(xxii) Testosterone.

(xxiii) Trenbolone.

7. "Deliver" means the actual, constructive or attempted exchange from one person to another, whether or not there is an agency relationship.

8. "Director" means the director of the department of health services.

9. "Dispense" means distribute, leave with, give away, dispose of or deliver.

10. "Drug court program" means a program that is established pursuant to section 13-3422 by the presiding judge of the superior court in cooperation with the county attorney in a county for the purpose of prosecuting, adjudicating and treating drug dependent persons who meet the criteria and guidelines for entry into the program that are developed and agreed on by the presiding judge and the prosecutor.

11. "Drug dependent person" means a person who is using a substance that is listed in paragraph 6, 19, 20, 21 or 28 of this section and who is in a state of psychological or physical dependence, or both, arising from the use of that substance.

12. "Federal act" has the same meaning prescribed in section 32-1901.

13. "Isoamidone" means any substance identified chemically as (4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3), or any salt of such substance, by whatever trade name designated.

14. "Isonipecaine" means any substance identified chemically as (1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester), or any salt of such substance, by whatever trade name designated.

15. "Ketobemidone" means any substance identified chemically as (4-(3-hydroxyphenyl)-1-methyl-4-piperidylethyl ketone hydrochloride), or any salt of such substance, by whatever trade name designated.

16. "Licensed" or "permitted" means authorized by the laws of this state to do certain things.

17. "Manufacture" means produce, prepare, propagate, compound, mix or process, directly or indirectly, by extraction from substances of natural origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis. Manufacture includes any packaging or repackaging or labeling or relabeling of containers. Manufacture does not include any producing, preparing, propagating, compounding, mixing, processing, packaging or labeling done in conformity with applicable state and local laws and rules by a licensed practitioner incident to and in the course of his licensed practice.

18. "Manufacturer" means a person who manufactures a narcotic or dangerous drug or other substance controlled by this chapter.

19. "Marijuana" means all parts of any plant of the genus cannabis, from which the resin has not been extracted, whether growing or not, and the seeds of such plant. Marijuana does not include the mature stalks of such plant or the sterilized seed of such plant which is incapable of germination.

20. "Narcotic drugs" means the following, whether of natural or synthetic origin and any substance neither chemically nor physically distinguishable from them:

(a) Acetyl-alpha-methylfentanyl.
(b) Acetylmethadol.
(c) Alfentanil.
(d) Allylprodine.
(e) Alphacetylmethadol.
(f) Alphameprodine.
(g) Alphamethadol.
(h) Alpha-methylfentanyl.
(i) Alpha-methylthiofentanyl.
(j) Alphaprodine.
(k) Amidone (methadone).
(l) Anileridine.
(m) Benzethidine.
(n) Benzylfentanyl.
(o) Betacetylmethadol.
(p) Beta-hydroxyfentanyl.
(q) Beta-hydroxy-3-methylfentanyl.
(r) Betameprodine.
(s) Betamethadol.
(t) Betaprodine.
(u) Bezitramide.
(v) Buprenorphine and its salts.
(w) Cannabis.
(x) Carfentanil.
(y) Clonitazene.
(z) Coca leaves.
(aa) Dextromoramide.
(bb) Dextropropoxyphene.
(cc) Diampromide.
(dd) Diethylthiambutene.
(ee) Difenoxin.
(ff) Dihydrocodeine.
(gg) Dimenoxadol.
(hh) Dimepheptanol.
(ii) Dimethylthiambutene.
(jj) Dioxaphetyl butyrate.
(kk) Diphenoxylate.
(ll) Dipipanone.
(mm) Ethylmethylthiambutene.
(nn) Etonitazene.
(oo) Etoxeridine.
(pp) Fentanyl.
(qq) FENTANYL MIMETIC SUBSTANCES THAT ARE ANY SUBSTANCES DERIVED FROM FENTANYL BY ANY SUBSTITUTION IN THE PHENETHYL GROUP, ANY SUBSTITUTION IN THE PIPERIDINE RING, ANY SUBSTITUTION IN THE ANILINE RING, ANY REPLACEMENT OF THE

PHENYL PORTION OF THE PHENETHYL GROUP, ANY REPLACEMENT OF THE N-PROPIONYL GROUP OR ANY COMBINATION OF THE ABOVE.

~~(qq)~~ (rr) Furethidine.
~~(rr)~~ (ss) Hydroxypethidine.
~~(ss)~~ (tt) Isoamidone (isomethadone).
~~(tt)~~ (uu) Pethidine (meperidine).
~~(uu)~~ (vv) Ketobemidone.
~~(vv)~~ (ww) Levomethorphan.
~~(ww)~~ (xx) Levomoramide.
~~(xx)~~ (yy) Levophenacylmorphan.
~~(yy)~~ (zz) Levorphanol.
~~(zz)~~ (aaa) Metazocine.
~~(aaa)~~ (bbb) 3-methylfentanyl.
~~(bbb)~~ (ccc) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
~~(ccc)~~ (ddd) 3-methylthiofentanyl.
~~(ddd)~~ (eee) Morpheridine.
~~(eee)~~ (fff) Noracymethadol.
~~(fff)~~ (ggg) Norlevorphanol.
~~(ggg)~~ (hhh) Normethadone.
~~(hhh)~~ (iii) Norpipanone.
~~(iii)~~ (jjj) Opium.
~~(jjj)~~ (kkk) Para-fluorofentanyl.
~~(kkk)~~ (lll) Pentazocine.
~~(lll)~~ (mmm) Phenadoxone.
~~(mmm)~~ (nnn) Phenampromide.
~~(nnn)~~ (ooo) Phenazocine.
~~(ooo)~~ (ppp) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
~~(ppp)~~ (qqq) Phenomorphan.
~~(qqq)~~ (rrr) Phenoperidine.
~~(rrr)~~ (sss) Piminodine.
~~(sss)~~ (ttt) Piritramide.
~~(ttt)~~ (uuu) Proheptazine.
~~(uuu)~~ (vvv) Properidine.
~~(vvv)~~ (www) Propiram.
~~(www)~~ (xxx) Racemethorphan.
~~(xxx)~~ (yyy) Racemoramide.
~~(yyy)~~ (zzz) Racemorphan.
~~(zzz)~~ (aaaa) Remifentanil.
~~(aaaa)~~ (bbbb) Sufentanil.
~~(bbbb)~~ (cccc) Thenylfentanyl.
~~(cccc)~~ (dddd) Thiofentanyl.
~~(dddd)~~ (eeee) Tilidine.
~~(eeee)~~ (ffff) Trimeperidine.

21. "Opium" means any compound, manufacture, salt, isomer, salt of isomer, derivative, mixture or preparation of the following, but does not include apomorphine or any of its salts:

(a) Acetorphine.
(b) Acetyldihydrocodeine.
(c) Benzylmorphine.
(d) Codeine.
(e) Codeine methylbromide.
(f) Codeine-N-oxide.
(g) Cyprenorphine.
(h) Desomorphine.
(i) Dihydromorphine.
(j) Drotebanol.
(k) Ethylmorphine.
(l) Etorphine.
(m) Heroin.
(n) Hydrocodone.
(o) Hydromorphinol.
(p) Hydromorphone.
(q) Levo-alphacetylmethadol.
(r) Methyldesorphine.
(s) Methyldihydromorphine.
(t) Metopon.
(u) Morphine.
(v) Morphine methylbromide.
(w) Morphine methylsulfonate.
(x) Morphine-N-oxide.
(y) Myrophine.
(z) Nalorphine.
(aa) Nicocodeine.
(bb) Nicomorphine.
(cc) Normorphine.
(dd) Oxycodone.
(ee) Oxymorphone.
(ff) Pholcodine.
(gg) Thebacon.
(hh) Thebaine.

22. "Ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine product" means a product that contains ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine and that is all of the following:

(a) Approved for sale under the federal act.

(b) Labeled, advertised and marketed only for an indication that is approved by the federal food and drug administration.

(c) Either:

(i) A nonliquid that is sold in package sizes of not more than three grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenlypropanolamine and that is packaged in blister packs containing not more than two dosage units or, if the use of blister packs is technically infeasible, that is packaged in unit dose packets or pouches.

(ii) A liquid that is sold in package sizes of not more than three grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine.

23. "Peyote" means any part of a plant of the genus lophophora, known as the mescal button.

24. "Pharmacy" means a licensed business where drugs are compounded or dispensed by a licensed pharmacist.

25. "Practitioner" means a person licensed to prescribe and administer drugs.

26. "Precursor chemical I" means any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers or salts of optical isomers:

(a) N-acetylanthranilic acid.
(b) Anthranilic acid.
(c) Ephedrine.
(d) Ergotamine.
(e) Isosafrole.
(f) Lysergic acid.
(g) Methylamine.
(h) N-ethylephedrine.
(i) N-ethylpseudoephedrine.
(j) N-methylephedrine.
(k) N-methylpseudoephedrine.
(l) Norephedrine.
(m) (-)-Norpseudoephedrine.
(n) Phenylacetic acid.
(o) Phenylpropanolamine.
(p) Piperidine.
(q) Pseudoephedrine.

27. "Precursor chemical II" means any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers or salts of optical isomers:

(a) 4-cyano-2-dimethylamino-4, 4-diphenyl butane.
(b) 4-cyano-1-methyl-4-phenylpiperidine.
(c) Chlorephedrine.
(d) Chlorpseudoephedrine.
(e) Ethyl-4-phenylpiperidine-4-carboxylate.
(f) 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
(g) 1-methyl-4-phenylpiperidine-4-carboxylic acid.
(h) N-formyl amphetamine.

(i) N-formyl methamphetamine.
(j) Phenyl-2-propanone.
(k) 1-piperidinocyclohexane carbonitrile.
(l) 1-pyrrolidinocyclohexane carbonitrile.

28. "Prescription-only drug" does not include a dangerous drug or narcotic drug but means:

(a) Any drug which because of its toxicity or other potentiality for harmful effect, or the method of its use, or the collateral measures necessary to its use, is not generally recognized among experts, qualified by scientific training and experience to evaluate its safety and efficacy, as safe for use except by or under the supervision of a medical practitioner.

(b) Any drug that is limited by an approved new drug application under the federal act or section 32-1962 to use under the supervision of a medical practitioner.

(c) Every potentially harmful drug, the labeling of which does not bear or contain full and adequate directions for use by the consumer.

(d) Any drug required by the federal act to bear on its label the legend "Caution: Federal law prohibits dispensing without prescription" or "Rx only".

29. "Produce" means grow, plant, cultivate, harvest, dry, process or prepare for sale.

30. "Regulated chemical" means the following substances in bulk form that are not a useful part of an otherwise lawful product:

(a) Acetic anhydride.
(b) Hypophosphorous acid.
(c) Iodine.
(d) Sodium acetate.
(e) Red phosphorus.
(f) Gamma butyrolactone (GBL).
(g) 1, 4-butanediol.
(h) Butyrolactone.
(i) 1, 2 butanolide.
(j) 2-oxanalone.
(k) Tetrahydro-2-furanone.
(l) Dihydro-2(3H)-furanone.
(m) Tetramethylene glycol.

31. "Retailer" means either:

(a) A person other than a practitioner who sells any precursor chemical or regulated chemical to another person for purposes of consumption and not resale, whether or not the person possesses a permit issued pursuant to title 32, chapter 18.

(b) A person other than a manufacturer or wholesaler who purchases, receives or acquires more than twenty-four grams of a precursor chemical.

32. "Sale" or "sell" means an exchange for anything of value or advantage, present or prospective.

33. "Sale for personal use" means the retail sale for a legitimate medical use in a single transaction to an individual customer, to an employer for dispensing to employees from first aid kits or medicine chests or to a school for administration pursuant to section 15-344.

34. "Scientific purpose" means research, teaching or chemical analysis.

35. "Suspicious transaction" means a transaction to which any of the following applies:

(a) A report is required under the federal act.

(b) The circumstances would lead a reasonable person to believe that any person is attempting to possess a precursor chemical or regulated chemical for the purpose of unlawful manufacture of a dangerous drug or narcotic drug, based on such factors as the amount involved, the method of payment, the method of delivery and any past dealings with any participant.

(c) The transaction involves payment for precursor or regulated chemicals in cash or money orders in a total amount of more than two hundred dollars.

(d) The transaction involves a sale, a transfer or furnishing to a retailer for resale without a prescription of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine that is not an ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine product.

36. "Threshold amount" means a weight, market value or other form of measurement of an unlawful substance as follows:

(a) One gram of heroin.

(b) Nine grams of cocaine.

(c) Seven hundred fifty milligrams of cocaine base or hydrolyzed cocaine.

(d) Four grams or 50 milliliters of PCP.

(e) Nine grams of methamphetamine, including methamphetamine in liquid suspension.

(f) Nine grams of amphetamine, including amphetamine in liquid suspension.

(g) One-half milliliter of lysergic acid diethylamide, or in the case of blotter dosage units fifty dosage units.

(h) Two pounds of marijuana.

(i) For any combination consisting solely of those unlawful substances listed in subdivisions (a) through (h) of this paragraph, an amount equal to or in excess of the threshold amount, as determined by the application of section 13-3420.

(j) For any unlawful substance not listed in subdivisions (a) through (h) of this paragraph or any combination involving any unlawful substance not listed in subdivisions (a) through (h) of this paragraph, a value of at least one thousand dollars.

37. "Transfer" means furnish, deliver or give away.

38. "Vapor-releasing substance containing a toxic substance" means a material which releases vapors or fumes containing any of the following:

(a) Ketones, including acetone, methyl ethyl ketone, mibk, miak, isophorone and mesityl oxide.

(b) Hydrocarbons, including propane, butane, pentane, hexane, heptane and halogenated hydrocarbons.

(c) Ethylene dichloride.

(d) Pentachlorophenol.

(e) Chloroform.

(f) Methylene chloride.

(g) Trichloroethylene.

(h) Difluoroethane.

(i) Tetrafluoroethane.

(j) Aldehydes, including formaldehyde.

(k) Acetates, including ethyl acetate and butyl acetate.

(l) Aromatics, including benzene, toluene, xylene, ethylbenzene and cumene.

(m) Alcohols, including methyl alcohol, ethyl alcohol, isopropyl alcohol, butyl alcohol and diacetone alcohol.

(n) Ether, including Diethyl ether and petroleum ether.

(o) Nitrous oxide.

(p) Amyl nitrite.

(q) Isobutyl nitrite.

39. "Weight" unless otherwise specified includes the entire weight of any mixture or substance that contains a detectable amount of an unlawful substance. If a mixture or substance contains more than one unlawful substance, the weight of the entire mixture or substance is assigned to the unlawful substance that results in the greater offense. If a mixture or substance contains lysergic acid diethylamide, the offense that results from the unlawful substance shall be based on the greater offense as determined by the entire weight of the mixture or substance or the number of blotter dosage units. For the purposes of this paragraph, "mixture" means any combination of substances from which the unlawful substance cannot be removed without a chemical process.

40. "Wholesaler" means a person who in the usual course of business lawfully supplies narcotic drugs, dangerous drugs, precursor chemicals or regulated chemicals that he himself has not produced or prepared, but not to a person for the purpose of consumption by the person, whether or not the wholesaler has a permit that is issued pursuant to title 32, chapter 18. Wholesaler includes a person who sells, delivers or dispenses a precursor chemical in an amount or under circumstances that would require registration as a distributor of precursor chemicals under the federal act.

Sec. 2. Section 13-3404, Arizona Revised Statutes, is amended to read:

13-3404. Sale of precursor or regulated chemicals; report; exemptions; violation; classification

A. A manufacturer, wholesaler, retailer or other person who sells, transfers or otherwise furnishes any precursor chemical or regulated chemical to any person in this state shall submit a report to the department of public safety of all of those transactions UNLESS THE ENTITY IS REQUIRED TO REPORT SIMILAR TRANSACTIONS TO A FEDERAL AGENCY.

B. The department of public safety shall provide a common reporting form ~~which~~ THAT contains at least the following information:

1. The name of the substance.

2. The proprietary name of the product, if any.

3. The quantity of the substance sold, transferred or furnished.

4. The date the substance is to be sold, transferred or furnished.

5. The name and address of the person buying or receiving the substance.

6. The name and address of the manufacturer, wholesaler, retailer or other person selling, transferring or furnishing the substance.

C. ~~A manufacturer, wholesaler, retailer or other person who sells, transfers or otherwise furnishes a precursor chemical or regulated chemical to a person in this state~~ AN ENTITY THAT IS REQUIRED TO REPORT PURSUANT TO SUBSECTION A OF THIS SECTION, not less than twenty-one days before delivery of the substance, shall submit a report of the transaction to the department of public safety, except that the department of public safety may authorize the submission of the reports on a monthly basis with respect to repeated, regular transactions between the furnisher and the recipient involving the same substance if the department of public safety determines that both of the following exist:

1. A pattern of regular supply of the substance exists between the manufacturer, wholesaler, retailer or other person who sells, transfers or otherwise furnishes such substance and the recipient of the substance.

2. The recipient has established a record of utilization of the substance for lawful purposes.

D. ~~A manufacturer, wholesaler, retailer or other person who~~ AN ENTITY THAT IS REQUIRED TO REPORT PURSUANT TO SUBSECTION A OF THIS SECTION AND THAT receives from a source outside of this state any precursor chemical or regulated chemical shall submit a report of such transaction to the department of public safety ~~in accordance with rules adopted by that department~~ AS PRESCRIBED IN SUBSECTION B OF THIS SECTION.

E. Subsections A, B, C and D OF THIS SECTION do not apply to any of the following:

1. The sale, transfer or furnishing of ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine products.

2. The sale for personal use of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine products totaling four packages or less.

3. The sale, transfer or furnishing of a precursor chemical or regulated chemical by a wholesaler or manufacturer if both parties to the transaction possess a valid and current permit issued pursuant to title 32, chapter 18 and a valid and current precursor list I chemical distributor registration or controlled substance distributor registration issued pursuant to the federal act.

F. Any manufacturer, wholesaler, retailer or other person who sells, transfers or otherwise furnishes any precursor chemical or regulated chemical to any person in this state in a suspicious transaction shall report the transaction in writing to the department of public safety.

G. A person who is regulated by the provisions of this chapter and who discovers the theft, disappearance or other loss of any precursor chemical II or regulated chemical or the excessive or unusual loss of any precursor chemical I shall report the theft or loss in writing to the department of public safety within three days after such discovery. Any difference between the quantity of any precursor chemical II or regulated chemical received and the quantity shipped and any excessive or unusual loss of any precursor chemical I shipped shall be reported in writing to the department of public safety within three days of actual knowledge of the discrepancy. A report made pursuant to this subsection shall also include the name of the common carrier or person who transports the substance and the date of shipment of the substance.

H. ~~Any manufacturer, wholesaler, retailer or other person who sells, transfers or otherwise furnishes any precursor chemical or regulated chemical to any person in this state~~ AN ENTITY THAT IS REQUIRED TO REPORT PURSUANT TO SUBSECTION A OF THIS SECTION shall maintain records as described in subsection B OF THIS SECTION relating to all such transactions for not less than two years, except that this requirement does not apply to sales for personal use of ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine products by a permitted retailer. These records shall be open for inspection and copying by peace officers in the performance of their duties. A peace officer shall not divulge pricing information obtained pursuant to this subsection except in connection with a prosecution, investigation, judicial proceeding or administrative proceeding or in response to a judicial order.

I. This section does not apply to any of the following transactions:

1. The sale, transfer or furnishing to or by any practitioner or any pharmacist acting pursuant to a prescription.

2. The sale, transfer or furnishing to or by a hospital, long-term health care provider or managed health care provider or any other licensed or permitted health care provider that administers or dispenses precursor chemical I medication under the supervision of a practitioner.

3. The sale, transfer or furnishing of iodine either:

(a) In an amount of two ounces or less by weight.

(b) To a licensed or permitted wholesaler, health care facility, pharmacy or practitioner.

(c) As a tincture of iodine or topical solution of iodine.

4. The sale, transfer or furnishing of red phosphorous in an amount of less than four ounces.

5. The movement from one facility of a licensee or permittee to another facility of the same licensee or permittee without sale.

6. The sale, transfer or furnishing of dietary supplements if all of the following apply:

(a) The dietary supplements are not otherwise prohibited by law.

(b) The dietary supplements contain naturally occurring ephedrine, ephedrine alkaloids or pseudoephedrine, or their salts, isomers or salts of isomers, or a combination of these substances that both:

(i) Are contained in the matrix of organic material in which they naturally occur.

(ii) Do not exceed five per cent of the total weight of the natural product.

(c) The dietary supplements are manufactured and distributed for legitimate use in a manner that reduces or eliminates the likelihood of abuse.

(d) The dietary supplements are labeled in compliance with the dietary supplement health and education act of 1994 (21 United States Code section 321).

J. The department of public safety shall grant an exemption from the reporting requirements under subsection C OF THIS SECTION to any person who supplies a precursor chemical or regulated chemical if the person can demonstrate to the department's satisfaction that the recipient requires the substance for a lawful purpose and that special circumstances prevent the supplier from reporting the transaction to the department twenty-one days or more before delivery.

~~K. The director of the department of public safety may adopt rules to carry out the provisions of this section which are not inconsistent with the statutes of this state.~~

~~L.~~ K. ~~A permitted manufacturer, wholesaler or retailer who sells, transfers or otherwise furnishes any precursor chemical or regulated chemical to any person in this state~~ AN ENTITY THAT IS REQUIRED TO REPORT PURSUANT TO SUBSECTION A OF THIS SECTION may satisfy the reporting or record keeping requirements of this section by submitting to the department of public safety either:

1. Computer readable data from which all of the required information may be derived.

2. Copies of reports that are filed pursuant to federal law and that contain all of the information required by this section.

~~M.~~ L. This chapter does not preclude any person, including a licensee, permittee, manufacturer, wholesaler or retailer, from instituting contact with and disclosing transactions or transaction records to appropriate federal, state or local law enforcement agencies if the person has information that may be relevant to a possible violation of any criminal statute or to the evasion or attempted evasion of any reporting or record keeping requirement of this chapter.

~~N.~~ M. Any person, including a licensee, permittee, manufacturer, wholesaler or retailer or any officer, employee or agent of any licensee, permittee, manufacturer, wholesaler or retailer, that keeps or files a record as prescribed by this section or that communicates or discloses information or records under this section is not liable to its customer, a state or local agency or any person for any loss or damage caused in whole or in part by the making, filing or governmental use of the report or any information contained in that report.

~~O.~~ N. Notwithstanding any other law, a county, city or town shall not enact an ordinance that is more restrictive than the requirements of this section.

~~P.~~ O. It is unlawful for a person to knowingly:

1. Fail to submit a report that is required by this section.

2. Fail to maintain a record that is required by this section.

3. Furnish false information or omit any material information in any report or record that is required by this section.

4. Cause another person to furnish false information or to omit any material information in any report or record that is required by this section.

5. Participate in any wholesale or retail transaction or series of transactions that is structured by a person with the intent to avoid the filing by any party to the transaction of any report that is required by this section.

~~Q.~~ P. A person who violates subsection ~~P.~~ O, paragraph 3, 4 or 5 OF THIS SECTION is guilty of a class 5 felony. A person who violates subsection ~~P.~~ O, paragraph 1 or 2 OF THIS SECTION is guilty of a class 6 felony.

Sec. 3. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

APPROVED BY THE GOVERNOR APRIL 15, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 15, 2014.

Passed the House February 20, 2014

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting

with Emergency

Speaker of the House

Cheryl Laube

Chief Clerk of the House

Passed the Senate April 9, 2014

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

with Emergency

President of the Senate

Chamein Billington

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

10 day of April, 2014

at 12:00 o'clock P M.

Mikhaila Howard

Secretary to the Governor

Approved this 15th day of

April

at 2:54 o'clock P. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 15th day of April, 2014

at 3:03 o'clock P M.

Ken Bennett

Secretary of State

H.B. 2453