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MEMORANDUM

To: Senate Public Health & Welfare Committee
From: Office of Revisor of Statutes
Date: March 5, 2024
Subject: Bill Brief on House Bill 2596

House Bill 2596 adds and removes certain substances in schedules I, II, IV, and V of the uniform controlled substances act and makes conforming changes to the criminal code with fentanyl-related controlled substances.

Section 1 amends K.S.A. 21-5701, the definition section of the uniform controlled substances act, by adding to the definition of “fentanyl-related controlled substance” references to the newly scheduled fentanyl derivatives in K.S.A. 65-4105(b). This definition is related to enhanced criminal penalties enacted last session for manufacture of fentanyl-related controlled substances.

Section 2 amends K.S.A. 65-4105, which are substances included in schedule I of the controlled substances act by adding references to several substances that have been scheduled at the federal level, but mostly derivatives of fentanyl. Some substances have also moved to correct the alphabetical order in the statute.

Section 3 amends K.S.A. 65-4107, which are substances included in schedule II of the controlled substances act by adding substances to the opium-derived exceptions.

Section 4 amends K.S.A. 65-4111, which are substances included in schedule IV of the controlled substances act by adding three substances and removing fenfluramine from the controlled substances act following its removal at the federal level.

Section 5 amends K.S.A. 65-4113, which are substances included in schedule V of the controlled substances act by adding the substance ganaxolone.

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