

Commonwealth of Kentucky
Ohio County Fiscal Court
Ordinance No. 2012-18

**ORDINANCE PROHIBITING THE POSSESSION OR SALE OF AM CANNABINOIDS, CP
CANNABINOIDS, JWH CANNABINOIDS AND HU CANNABINOIDS**

ARTICLE 1: PURPOSE, DEFINITIONS, PROHIBITIONS AND PENALTY

SECTION 1. PURPOSE

The purpose of this ordinance is to stop the possession or sale of AM cannabinoids, CP cannabinoids, JWH cannabinoids and HU cannabinoids. These substances are harmful if consumed and present a significant public health danger that can result in hospitalization or death.

SECTION 2. DEFINITIONS

- 2.1 "AM cannabinoids" means any synthetic cannabinoids created by Alexandros Makriyannis or his research group including but not limited to AM-087; AM-251; AM-281; AM-356; AM-374; AM-381; AM-404; AM-411; AM-630; AM-661; AM-678; AM-679; AM-694; AM-855; AM-881; AM-883; AM-905; AM-906; AM-919; AM-926; AM-938; AM-1116; AM-1172; AM-1220; AM-1221; AM-1235; AM-1241; AM-1248; AM-2201; AM-2212; AM-2.213; AM-2232; AM-2233; AM-2102; AM-4030. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 2.2 "CP cannabinoids" means CP-47,497; (C6)-CP-47,497; (C7)-CP-47,497; (C8)-CP-47,497; (C9)-CP-47,497; CP-50,556-1; CP-55,244; CP-55,940; CP-945,598. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 2.3 "HU cannabinoids" means any synthetic cannabinoids synthesized at the Hebrew University including but not limited to HU-210; HU-211; HU-243; HU-308; HU-320; HU-331; HU-336; HU-345. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 2.4 "JWH cannabinoids" means any synthetic cannabinoids created by John W. Huffman or his research group including but not limited to JWH-007; JWH-015; JWH-018; JWH-019; JWH-030; JWH-047; JWH-048; JWH-051; JWH-057; JWH-073; JWH-081; JWH-098; JWH-116; JWH-120; JWH-122; JWH-133; JWH-139; JWH-147; JWH-148; JWH-149; JWH-161; JWH-164; JWH-166; JWH-167; JWH-171; JWH-175; JWH-176; JWH-181; JWH-182; JWH-184; JWH-185; JWH-192; JWH-193; JWH-194; JWH-195; JWH-196; JWH-197; JWH-198; JWH-199; JWH-200; JWH-203; JWH-205; JWH-210; JWH-213; JWH-229; JWH-234; JWH-249; JWH-250; JWH-251; JWH-253; JWH-258; JWH-300; JWH-302; JWH-307; JWH-336; JWH-350; JWH-359; JWH-

387;JWH-398;JWH-424. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;

- 2.5 "Person" means individual, corporation, government or governmental subdivision or agency, business trust, *estate*, trust, partnership or association, or any other legal entity;
- 2.6 "Possession" means to have actual physical possession or otherwise to exercise actual dominion or control over a tangible object;
- 2.7 "Traffic" means to manufacture, distribute, dispense, sell, transfer, or possess with intent to manufacture, distribute, dispense, or sell a controlled substance; and
- 2.8 "Transfer" means to dispose of a controlled substance to another person without consideration and not in furtherance of commercial distribution.

SECTION 3. PROHIBITION OF POSSESSION OR SALE OF AM CANNABINOIDS, CP CANNABINOIDS, JWH CANNABINOIDS OR HU CANNABINOIDS

3.1 Trafficking in AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids

A person is guilty of trafficking in AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids when he or she knowingly and unlawfully traffics in AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids.

3.2 Possession of AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids

A person is guilty of possession of AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids when he or she knowingly and unlawfully possesses AM cannabinoids, CP cannabinoids, JWH cannabinoids or HU cannabinoids.

SECTION 4. PENALTY

Any person violating section 3.1 or 3.2 of this ordinance shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than \$500.00, or imprisonment for not more than 12 months, or both, for each offense. If current or future Kentucky law(s) (KRS, etc.) prohibits any substance(s) contained in this ordinance, the Kentucky law(s) (KRS, etc.) shall be applied instead of this ordinance for both prosecution and penalty.

SECTION 5. CONSTITUTIONALITY

If any article, section, sentence or part of a sentence in this ordinance is found to be unconstitutional, it is the intent of the drafter to strike only the unconstitutional provision(s) and for the remainder of the ordinance to remain in effect.

ARTICLE II: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its adoption.

This the ____ day of _____, 2011.

INTRODUCED AND PUBLICLY READ on the first reading
on the ____ day of _____, 20__.

PUBLICLY READ AND APPROVED on the second reading
on the ____ day of _____, 20__.