

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB301

Hearing Date: Friday February 19, 2021
Committee On: Judiciary
Introducer: Hansen, B.
One Liner: Change drug schedules and penalties and adopt federal drug provisions under the Uniform Controlled Substances Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Brandt, DeBoer, Geist, Lathrop, McKinney, Morfeld, Pansing
Brooks, Slama
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:
Senator Ben Hansen
Marcia Mueting

Representing:
Introducer
Nebraska Pharmacists Association

Opponents:
Spike Eickholt

Representing:
Nebraska Criminal Defense Attorneys Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB301 would make several changes to Nebraska's Uniform Controlled Substances Act.

Section 1 would amend Sec. 28-401 to make several changes. The first change would remove the exclusion of CBD obtained through the UNMC Medical Cannabidiol Pilot Study from the definition of marijuana. Some sections related to the study are still in statute, but the study terminated October 1, 2019 pursuant to LB390 (2015).

This section would also add an exclusion from the definition of "hashish or concentrated cannabis" for CBD contained in a product approved by the FDA. This section would add a similar exclusion from the definition of "cannabinoid receptor".

Section 2 would amend Sec. 28-405 to make several changes. The first would be to update the date reference for the list of products exempted by the DEA to January 31, 2021. The next change would be to add new chemical compounds to the list of opiates related to fentanyl to Schedules I and II. This section would also exclude CBD contained in FDA-approved products from the definition of THC. This section would also add several new compounds to the list of barbiturates in Schedule III. This section would also add several new compounds to the list of anabolic steroids in Schedule III. This section

would also add new substances to Schedule IV. This section would add new substances to Schedule V and delete CBD in FDA-approved products.

Section 3 would amend Sec. 28-416 to allow a person to be prosecuted for possession with intent to deliver for any detectable amount of amphetamine or methamphetamine.

Explanation of amendments:

AM498

This amendment would delete Section 3 of the original bill.

Steve Lathrop, Chairperson