

Senate Bill 295

By: Senator Bulloch of the 11th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated,
2 relating to regulation of controlled substances, so as to prohibit certain conduct relative to
3 the chemical Salvinorin A; to prohibit certain conduct relative to the plant *Salvia divinorum*;
4 to provide for exceptions; to provide punishment for violations; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
9 regulation of controlled substances, is amended by adding a new Code section to read as
10 follows:

11 "16-13-30.6.

12 (a)(1) It shall be unlawful to knowingly produce, manufacture, distribute, possess, or
13 possess with intent to produce, manufacture, or distribute the chemical Salvinorin A.

14 (2) Paragraph (1) of this subsection shall not apply to any dosage form of Salvinorin A
15 which is legally obtainable from a retail establishment without a prescription and is
16 recognized by the federal Food and Drug Administration as a homeopathic drug.

17 (3) Paragraph (1) of this subsection shall not prohibit possessing, planting, cultivating,
18 growing, or harvesting the plant *Salvia divinorum* for esthetic, landscaping, or decorative
19 purposes.

20 (b) It shall be unlawful to possess, plant, cultivate, grow, or harvest the plant *Salvia*
21 *divinorum* other than for esthetic, landscaping, or decorative purposes.

22 (c) This Code section shall not apply to employees or contractors of any accredited college
23 or school of medicine or pharmacy at a public or private university in this state while
24 performing medical or pharmacological research for such institution.

25 (d) A violation of this Code section shall be a misdemeanor."

1

SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.