

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 09-0518.01 Michael Dohr

HOUSE BILL 09-1157

HOUSE SPONSORSHIP

Waller, Baumgardner, Bradford, King S., Liston, Stephens

SENATE SPONSORSHIP

(None),

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE DESIGNATION OF N-BENZYLPIPERAZINE AS A**
102 **SCHEDULE I CONTROLLED SUBSTANCE, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes any material, compound, or mixture containing N-benzylpiperazine (BZP) a schedule I controlled substance.

Makes a 5-year statutory appropriation.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 18-18-203 (2), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **18-18-203. Schedule I.** (2) Unless specifically excepted by
5 Colorado or federal law or Colorado or federal regulation or more
6 specifically included in another schedule, the following controlled
7 substances are listed in schedule I:

8 (h) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
9 CONTAINING ANY QUANTITY OF N-BENZYLPIPERAZINE (BZP), INCLUDING
10 ITS SALTS, ISOMERS, AND SALTS OF ISOMERS.

11 **SECTION 2.** Article 18 of title 17, Colorado Revised Statutes, is
12 amended BY THE ADDITION OF A NEW SECTION to read:

13 **17-18-105. Appropriation to comply with section 2-2-703 - HB**
14 **09-1157 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
15 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
16 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 09-1157,
17 ENACTED IN 2009:

18 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
19 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
20 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
21 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
22 SECTION 17-1-116, THE SUM OF ONE HUNDRED FIFTY THOUSAND SEVEN
23 HUNDRED SEVENTY-THREE DOLLARS (\$150,773).

24 [REDACTED]

25 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
26 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
27 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT

1 OTHERWISE APPROPRIATED, THE SUM OF THIRTY THOUSAND THREE
2 HUNDRED EIGHTY-SIX DOLLARS (\$30,386).

3

4

5 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

6 **SECTION 3.** [REDACTED] 24-75-302 (2) (v), Colorado Revised
7 Statutes, is amended [REDACTED] to read:

8 **24-75-302. Capital construction fund - capital assessment fees**

9 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
10 through July 1, 2012, a sum as specified in this subsection (2) shall accrue
11 to the capital construction fund. The state treasurer and the controller
12 shall transfer such sum out of the general fund and into the capital
13 construction fund as moneys become available in the general fund during
14 the fiscal year beginning on said July 1. Transfers between funds
15 pursuant to this subsection (2) shall not be deemed to be appropriations
16 subject to the limitations of section 24-75-201.1. The amount that shall
17 accrue pursuant to this subsection (2) shall be as follows:

18 (v) On July 1, 2009, five hundred twenty-three thousand one
19 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
20 regular session of the sixty-fifth general assembly; plus five hundred
21 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
22 06-207, enacted at the second regular session of the sixty-fifth general
23 assembly; plus forty-three thousand five hundred ninety-seven dollars
24 pursuant to H.B. 06-1145, enacted at the second regular session of the
25 sixty-fifth general assembly; plus five hundred twenty-three thousand one
26 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
27 second regular session of the sixty-fifth general assembly; plus one

1 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
2 07-096, enacted at the first regular session of the sixty-sixth general
3 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.
4 07-1326, enacted at the first regular session of the sixty-sixth general
5 assembly; plus one hundred twenty-five thousand one hundred sixty-five
6 dollars pursuant to S.B. 08-239, enacted at the second regular session of
7 the sixty-sixth general assembly; plus twelve thousand five hundred
8 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
9 session of the sixty-sixth general assembly; PLUS ONE HUNDRED FIFTY
10 THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS PURSUANT TO H.B.
11 09-1157, ENACTED AT THE FIRST REGULAR SESSION OF THE
12 SIXTY-SEVENTH GENERAL ASSEMBLY;

13

14 **SECTION 4. Effective date - applicability.** This act shall take
15 effect July 1, 2009, and shall apply to offenses committed on or after said
16 date.

17 **SECTION 5. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.