



**State of Tennessee**  
**PUBLIC CHAPTER NO. 433**

**SENATE BILL NO. 614**

**By Yager, Burks, Green, Haile**

Substituted for: House Bill No. 1043

By Lundberg, Rich, Curtis Johnson, Travis, Mark White, Shepard, Rogers, Shipley, Joe Carr, Butt, Spivey, Matlock, Farmer, Calfee, Faison, Dale Carr, Swann, Keisling, Holt, Doss, Hawk, Carter, Sexton, Towns, Marsh, Wirgau, Eldridge, Powers, Lamberth, Coley, Sparks, Durham, Goins, Womick, Todd, Sanderson, Haynes, McCormick, Hardaway, Matthew Hill, Timothy Hill, Van Huss

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4, relative to imitation controlled substances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-453, is amended by deleting subsection (d) and substituting instead the following:

(d) For purposes of this section:

(1) "Imitation controlled substance" means a pill, capsule, tablet, or substance in any form whatsoever if it:

(A) Is not a controlled substance enumerated in this part;

(B) Is subject to abuse;

(C) Purports, by express or implied representations, to act like a controlled substance that is a stimulant or depressant of the central nervous system; and

(D) Is not commonly used or recognized for use in that particular formulation for any purpose other than as a stimulant or depressant of the central nervous system; or

(2)(A) The chemical structure of the substance is a derivative or analogue of the chemical structure of a controlled substance; and

(B) The substance is not commonly used or recognized for use in that particular formulation for any purpose other than as a stimulant or depressant of the central nervous system.

(3) "Imitation controlled substance" does not include a pill, capsule, tablet, or substance in any form whatsoever if it is marketed or promoted, or sold as permitted by the United States food and drug administration.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.

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PASSED: April 18, 2013

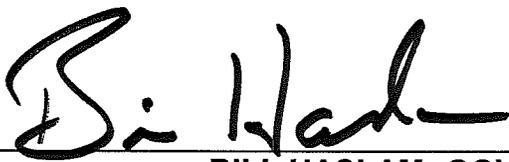


**RON RAMSEY**  
**SPEAKER OF THE SENATE**



**BETH HARWELL, SPEAKER**  
**HOUSE OF REPRESENTATIVES**

APPROVED this 16<sup>th</sup> day of May 2013



**BILL HASLAM, GOVERNOR**