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HOUSE BILL NO. 280**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee for Courts of Justice
on February 4, 2000)

(Patron Prior to Substitute—Delegate Suit)

A *BILL* to amend the Code of Virginia by adding a section numbered § 18.2-251.3, relating to possession of a "date rape" drug; penalties.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered § 18.2-251.3 as follows:

§ 18.2-251.3. Possession and distribution of gamma-hydroxybutyric acid; gamma-butyrolactone; 1, 4, butanediol; tetramethylene glycol; and 2(3H)-furanone dihydro; enhanced penalty.

Notwithstanding the provisions of §§ 54.1-3446, the substances gamma-butyrolactone; 1, 4, butanediol; tetramethylene glycol; and 2(3H)-furanone dihydro when intended for human consumption, and the substance gamma-hydroxybutyric acid, shall be deemed to be listed on Schedule I for purposes of penalties for violations of the Drug Control Act (§ 54.1-3400 et. seq.).

Any person who knowingly manufactures, sells, gives, distributes or possesses the substances gamma-butyrolactone; 1, 4, butanediol; tetramethylene glycol; or 2(3H)-furanone dihydro, when intended for human consumption, or the substance gamma-hydroxybutyric acid shall be punished in accordance with §§ 18.2-248 and 18.2-250 as if those substances were Schedule I controlled substances.

This section shall not apply to any person who knowingly manufactures, distributes, prescribes or possesses gamma-hydroxybutyric acid that is being investigated for use under Section 505 of the Federal Food, Drug, and Cosmetic Act. However, it shall be a violation of this section if any person knowingly manufactures, distributes, prescribes or possesses gamma-hydroxybutyric acid in a manner other than permitted according to applications submitted to the United States Food and Drug Administration.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 in FY 2010.