HB 2486

Introduced by
Representatives Payne: Longdon, Travers, Senator Shope

AN ACT

AMENDING TITLE 36, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 5; REPEALING TITLE 36, CHAPTER 2, ARTICLE 5, ARIZONA REVISED STATUTES; Appropriating monies; RELATING TO RESEARCH GRANTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 2, Arizona Revised Statutes, is amended by adding article 5, to read:

ARTICLE 5. PSILOCYBIN RESEARCH

36-281. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:
1. "ADVISORY COUNCIL" MEANS THE PSILOCYBIN RESEARCH ADVISORY COUNCIL ESTABLISHED BY SECTION 36-283.
2. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.
3. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES.

36-282. Research grants; psilocybin research; priority; immunity

A. THE DIRECTOR SHALL PROVIDE FROM MONIES APPROPRIATED COMPETITIVE RESEARCH GRANTS FOR WHOLE MUSHROOM PSILOCYBIN PHASE ONE, PHASE TWO AND PHASE THREE CLINICAL TRIALS THAT ARE CAPABLE OF BEING APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO EVALUATE THE EFFECTS OF WHOLE MUSHROOM PSILOCYBIN ON TREATING ANY OF THE FOLLOWING:
1. POST-TRAUMATIC STRESS DISORDER.
2. SYMPTOMS ASSOCIATED WITH LONG COVID-19.
3. DEPRESSION.
4. ANXIETY DISORDERS.
5. SYMPTOMS ASSOCIATED WITH END-OF-LIFE DISTRESS.
6. OBSESSIVE COMPULSIVE DISORDER.
7. SUBSTANCE ABUSE AND ADDICTION DISORDERS.
8. EATING DISORDERS.
9. CHRONIC PAIN.
10. INFLAMMATORY DISORDERS.
11. AUTOIMMUNE DISORDERS.
12. SEIZURE DISORDERS.
13. OTHER DEGENERATIVE DISORDERS.
B. THE DEPARTMENT SHALL ANNOUNCE THE OPENING OF THE APPLICATION PROCESS AT LEAST THIRTY DAYS BEFORE APPLICATIONS ARE AVAILABLE AND ALLOW AT LEAST NINETY DAYS FOR APPLICANTS TO COMPLETE THEIR SUBMISSION. THE RESEARCH GRANTS SHALL BE AWARDED NOT LATER THAN JULY 1 OF EACH YEAR FOR THREE YEARS. IF IN ANY YEAR THERE IS NOT A PROPOSAL THAT MEETS THE CRITERIA FOR A RESEARCH GRANT TO BE AWARDED FOR A WHOLE MUSHROOM PSILOCYBIN CLINICAL TRIAL, THE DIRECTOR SHALL POSTPONE THE AWARD TO THE FOLLOWING YEAR.
C. CLINICAL TRIALS THAT ARE FUNDED PURSUANT THIS SECTION SHALL PRIORITIZE:
1. USING WHOLE MUSHROOM PSILOCYBIN CULTIVATED UNDER A SCHEDULE I LICENSE ISSUED BY THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION.
2. USING VETERANS, FIRST RESPONDERS, FRONTLINE HEALTH CARE WORKERS AND PERSONS FROM UNDERSERVED COMMUNITIES AS THE RESEARCH SUBJECTS.
D. NOTWITHSTANDING TITLE 13, CHAPTER 34, A PERSON WHO RECEIVES A GRANT FOR A WHOLE MUSHROOM PSILOCYBIN CLINICAL TRIAL PURSUANT TO THIS
SECTION AND ANY OF THE PERSON'S EMPLOYEES WORKING ON THE CLINICAL TRIAL MAY NOT BE CHARGED WITH OR PROSECUTED FOR POSSESSION OF PSILOCYBIN WHEN THE PERSON IS WORKING ON THE CLINICAL TRIAL.

36-283. **Psilocybin research advisory council; members; recommendations**

A. THE PSILOCYBIN RESEARCH ADVISORY COUNCIL IS ESTABLISHED IN THE DEPARTMENT CONSISTING OF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE WHO IS EMPLOYED BY THE DEPARTMENT AND THE FOLLOWING MEMBERS APPOINTED BY THE DIRECTOR:

1. ONE MEMBER WHO HAS A FEDERAL LICENSE TO STUDY PSYCHEDELICS AND WHO IS A PHYSICIAN LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17.
2. ONE MEMBER WHO IS A MILITARY VETERAN.
3. ONE MEMBER WHO IS A LAW ENFORCEMENT OFFICER IN THIS STATE.
4. ONE MEMBER WHO IS A PROFESSOR OR RESEARCHER FROM A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS AND WHO SPECIALIZES IN CLINICAL RESEARCH OR PSYCHEDELIC STUDIES.

B. THE DIRECTOR SHALL SERVE AS CHAIRPERSON OF THE ADVISORY COUNCIL.
C. ADVISORY COUNCIL MEMBERS ARE ELIGIBLE TO RECEIVE REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38, CHAPTER 4, ARTICLE 2.
D. THE ADVISORY COUNCIL SHALL:

1. ESTABLISH CRITERIA FOR THE CLINICAL TRIALS THAT QUALIFY TO RECEIVE RESEARCH GRANTS.
2. OVERSEE THE APPLICATION PROCESS AND REVIEW APPLICATIONS FOR THE CLINICAL TRIAL RESEARCH GRANTS TO ASSIST THE DIRECTOR IN SELECTING THE MOST CREDIBLE CLINICAL TRIALS TO AWARD THE RESEARCH GRANTS.
3. ENSURE THAT ALL ADVISORY COUNCIL MEETINGS ARE OPEN TO THE PUBLIC AND ALLOW FOR PUBLIC TESTIMONY.

Sec. 2. **Repeal**

Title 36, chapter 2, article 5, Arizona Revised Statutes, as added by this act, is repealed from and after December 31, 2028.

Sec. 3. **Appropriation; department of health services; psilocybin research grants; exemption**

A. The sum of $30,000,000 is appropriated from the state general fund in fiscal year 2023-2024 to the department of health services for psilocybin research grants pursuant to title 36, chapter 2, article 5, Arizona Revised Statutes, as added by this act.

B. The appropriation made in subsection A of this section is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations, except that any monies remaining unexpended and unencumbered on July 1, 2029 revert to the state general fund.