

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **HB 2105**

Introduced by  
Representative Payne

## **AN ACT**

**AMENDING LAWS 2023, CHAPTER 139, SECTION 6; RELATING TO PSILOCYBIN RESEARCH.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Laws 2023, chapter 139, section 6 is amended to read:

3 Sec. 6. Department of health services; psilocybin research  
4 grants; advisory council; delayed repeal;  
5 definitions

6 A. The director shall provide from monies appropriated competitive  
7 research grants for whole mushroom psilocybin phase one, phase two and  
8 phase three clinical trials that are capable of being approved by the  
9 United States food and drug administration to evaluate the effects of  
10 whole mushroom psilocybin on treating any of the following:

- 11 1. Post-traumatic stress disorder.
- 12 2. Symptoms associated with long COVID-19.
- 13 3. Depression.
- 14 4. Anxiety disorders.
- 15 5. Symptoms associated with end-of-life distress.
- 16 6. Obsessive compulsive disorder.
- 17 7. Substance abuse and addiction disorders.
- 18 8. Eating disorders.
- 19 9. Chronic pain.
- 20 10. Inflammatory disorders.
- 21 11. Autoimmune disorders.
- 22 12. Seizure disorders.
- 23 13. Other degenerative disorders.

24 B. The department shall announce the opening of the application  
25 process at least thirty days before applications are available and allow  
26 at least thirty days for applicants to complete their submission. **AN**  
27 **APPLICANT MAY APPLY FOR A RESEARCH GRANT FOR ONLY THE CLINICAL TRIAL PHASE**  
28 **FOR WHICH THE APPLICANT IS INITIATING. SUBJECT TO AVAILABLE LEGISLATIVE**  
29 **APPROPRIATIONS,** the research grants shall be awarded not later than  
30 February 1 each year.

31 C. Clinical trials that are funded pursuant to this section shall  
32 prioritize:

- 33 1. Using whole mushroom psilocybin cultivated under a schedule I  
34 license issued by the United States drug enforcement administration.
- 35 2. Using veterans, first responders, frontline health care workers  
36 and persons from underserved communities as the research subjects.

37 D. The department may not use more than two percent of the monies  
38 appropriated for psilocybin research grants each fiscal year for  
39 administrative purposes.

40 E. Notwithstanding title 13, chapter 34, Arizona Revised Statutes,  
41 a person who receives a grant for a whole mushroom psilocybin clinical  
42 trial pursuant to this section and any of the person's employees working  
43 on the clinical trial may not be charged with or prosecuted for possession  
44 of psilocybin when the person is working on the clinical trial.

45 F. The psilocybin research advisory council is established in the  
46 department consisting of the director or the director's designee who is

1 employed by the department and the following members appointed by the  
2 director:

3 1. One member ~~who has a federal license to study psychedelics and~~  
4 who is a physician licensed pursuant to title 32, chapter 13 or 17,  
5 Arizona Revised Statutes, **AND WHO HAS EXPERIENCE CONDUCTING CLINICAL**  
6 **RESEARCH INVOLVING THE USE OF A SCHEDULE I CONTROLLED SUBSTANCE.**

7 2. One member who is a military veteran.

8 3. One member who is a law enforcement officer in this state.

9 4. One member who is a professor or researcher from a university  
10 under the jurisdiction of the Arizona board of regents and who specializes  
11 in clinical research or psychedelic studies.

12 G. The director shall serve as chairperson of the advisory council.

13 H. Advisory council members are eligible to receive reimbursement  
14 of expenses pursuant to title 38, chapter 4, article 2, Arizona Revised  
15 Statutes.

16 **I. A MEMBER OF THE ADVISORY COUNCIL MAY NOT APPLY FOR A RESEARCH**  
17 **GRANT UNDER THIS SECTION.**

18 ~~I.~~ J. The advisory council shall:

19 1. Establish criteria for the clinical trials that qualify to  
20 receive research grants.

21 2. Oversee the application process and review applications for the  
22 clinical trial research grants to assist the director in selecting the  
23 most credible clinical trials to award the research grants.

24 3. Ensure that all advisory council meetings are open to the public  
25 and allow for public testimony.

26 4. On or before June 1 of each year, make recommendations to the  
27 governor, the speaker of the house of representatives, the president of  
28 the senate and the department on psychedelic-assisted therapy based on  
29 current federal and state research policy.

30 ~~J.~~ K. This section is repealed from and after June 30, 2026.

31 ~~K.~~ L. For the purposes of this section:

32 1. "Advisory council" means the psilocybin research advisory  
33 council.

34 2. "Department" means the department of health services.

35 3. "Director" means the director of the department of health  
36 services.

37 Sec. 2. Psilocybin research monies: exemption

38 The amount appropriated for the psilocybin research line item in  
39 fiscal year 2023-2024 pursuant to Laws 2023, chapter 133, section 44 is  
40 exempt from the provisions of section 35-190, Arizona Revised Statutes,  
41 relating to lapsing of appropriations, until July 1, 2026.

42 Sec. 3. Emergency

43 This act is an emergency measure that is necessary to preserve the  
44 public peace, health or safety and is operative immediately as provided by  
45 law.