

2025 -- H 5186

LC000325

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Introduced By: Representatives Potter, McNamara, Batista, Craven, Donovan,  
Speakman, Spears, Slater, Bennett, and Cruz  
Date Introduced: January 24, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 21-28 of the General Laws entitled "Uniform Controlled Substances  
2 Act" is hereby amended by adding thereto the following section:

3 **21-28-2.11. Exemption of psilocybin.**

4 (a) Nothing in this chapter shall apply to any compound, mixture, or preparation containing  
5 less than one ounce (1 oz.) of psilocybin provided the following conditions have been met:

6 (1) Psilocybin is in possession of one person or shared by one person to another; or

7 (2) Psilocybin has been securely cultivated within a person's residence for personal use.

8 (b) Contingent upon the United States Federal Drug Administration's (FDA's)  
9 rescheduling of psilocybin the Rhode Island department of health shall establish rules and  
10 regulations pertaining to cultivation, distribution and medical prescription.

11 (c) Contingent upon the United States Federal Drug Administration's (FDA's) expansion  
12 of its access program, patients with a serious or life-threatening mental or behavioral health  
13 disorder, who are without access to effective mental or behavioral health medication, may have  
14 access to psilocybin at locations in Rhode Island approved by the Rhode Island department of  
15 health.

16 (d) The provisions of this section shall sunset on July 1, 2027, and prior to this sunset, the  
17 attorney general shall provide a report to the speaker of the house and president of the senate  
18 relating to the number of violations issued for possession, cultivation, or distribution of psilocybin,  
19 and the director of the department of health shall provide a report to the speaker of the house and

1 [president of the senate relating to the U.S. Food and Drug Administration's \(FDA's\) scheduling of](#)  
2 [psilocybin and permitted use for the treatment of mental or behavioral health disorders.](#)

3 SECTION 2. This act shall take effect on July 1, 2025, and shall sunset on July 1, 2027.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
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1           This act would amend the current law on controlled substances to permit psilocybin to be  
2   securely cultivated within a person's residence for personal use. The act would also, contingent on  
3   the US FDA's rescheduling and expanding its access program, mandate that the RI department of  
4   health establish rules and regulations on the cultivation, distribution and medical prescription of  
5   psilocybin.

6           This act would take effect on July 1, 2025, and would sunset on July 1, 2027.

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