

E AND R AMENDMENTS TO LB 298

Introduced by Murante, 49, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 28-405, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 28-405 The following are the schedules of controlled
6 substances referred to in the Uniform Controlled Substances Act:

7 Schedule I

8 (a) Any of the following opiates, including their
9 isomers, esters, ethers, salts, and salts of isomers, esters, and
10 ethers, unless specifically excepted, whenever the existence of
11 such isomers, esters, ethers, and salts is possible within the
12 specific chemical designation:

13 (1) Acetylmethadol;

14 (2) Allylprodine;

15 (3) Alphacetylmethadol, except levo-alphacetylmethadol
16 which is also known as levo-alpha-acetylmethadol, levomethadyl
17 acetate, and LAAM;

18 (4) Alphameprodine;

19 (5) Alphamethadol;

20 (6) Benzethidine;

21 (7) Betacetylmethadol;

22 (8) Betameprodine;

23 (9) Betamethadol;

- 1 (10) Betaprodine;
- 2 (11) Clonitazene;
- 3 (12) Dextromoramide;
- 4 (13) Difenoquin;
- 5 (14) Diampromide;
- 6 (15) Diethylthiambutene;
- 7 (16) Dimenoxadol;
- 8 (17) Dimepheptanol;
- 9 (18) Dimethylthiambutene;
- 10 (19) Dioxaphetyl butyrate;
- 11 (20) Dipipanone;
- 12 (21) Ethylmethylthiambutene;
- 13 (22) Etonitazene;
- 14 (23) Etozeridine;
- 15 (24) Furethidine;
- 16 (25) Hydroxypethidine;
- 17 (26) Ketobemidone;
- 18 (27) Levomoramide;
- 19 (28) Levophenacymorphan;
- 20 (29) Morpheridine;
- 21 (30) Noracymethadol;
- 22 (31) Norlevorphanol;
- 23 (32) Normethadone;
- 24 (33) Norpipanone;
- 25 (34) Phenadoxone;
- 26 (35) Phenampromide;
- 27 (36) Phenomorphan;

- 1 (37) Phenoperidine;
- 2 (38) Piritramide;
- 3 (39) Proheptazine;
- 4 (40) Properidine;
- 5 (41) Propiram;
- 6 (42) Racemoramide;
- 7 (43) Trimeperidine;
- 8 (44) Alpha-methylfentanyl,
9 N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl) propionanilide,
10 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine;
- 11 (45) Tilidine;
- 12 (46) 3-Methylfentanyl,
13 N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide, its
14 optical and geometric isomers, salts, and salts of isomers;
- 15 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its
16 optical isomers, salts, and salts of isomers;
- 17 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine,
18 its optical isomers, salts, and salts of isomers;
- 19 (49) Acetyl-alpha-methylfentanyl,
20 N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide, its
21 optical isomers, salts, and salts of isomers;
- 22 (50) Alpha-methylthiofentanyl,
23 N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide,
24 its optical isomers, salts, and salts of isomers;
- 25 (51) Benzylfentanyl,
26 N-(1-benzyl-4-piperidyl)-N-phenylpropanamide, its optical
27 isomers, salts, and salts of isomers;

1 (52) Beta-hydroxyfentanyl,
2 N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide,
3 its optical isomers, salts, and salts of isomers;

4 (53) Beta-hydroxy-3-methylfentanyl, (other name:
5 N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide),
6 its optical and geometric isomers, salts, and salts of isomers;

7 (54) 3-methylthiofentanyl,
8 N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide,
9 its optical and geometric isomers, salts, and salts of isomers;

10 (55)
11 N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
12 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

13 (56) Thiofentanyl,
14 N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide, its
15 optical isomers, salts, and salts of isomers; and

16 (57) Para-fluorofentanyl,
17 N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide,
18 its optical isomers, salts, and salts of isomers.

19 (b) Any of the following opium derivatives, their salts,
20 isomers, and salts of isomers, unless specifically excepted,
21 whenever the existence of such salts, isomers, and salts of
22 isomers is possible within the specific chemical designation:

- 23 (1) Acetorphine;
24 (2) Acetyldihydrocodeine;
25 (3) Benzylmorphine;
26 (4) Codeine methylbromide;
27 (5) Codeine-N-Oxide;

- 1 (6) Cyprenorphine;
 - 2 (7) Desomorphine;
 - 3 (8) Dihydromorphine;
 - 4 (9) Drotebanol;
 - 5 (10) Etorphine, except hydrochloride salt;
 - 6 (11) Heroin;
 - 7 (12) Hydromorphenol;
 - 8 (13) Methyldesorphine;
 - 9 (14) Methyldihydromorphine;
 - 10 (15) Morphine methylbromide;
 - 11 (16) Morphine methylsulfonate;
 - 12 (17) Morphine-N-Oxide;
 - 13 (18) Myrophine;
 - 14 (19) Nicocodeine;
 - 15 (20) Nicomorphine;
 - 16 (21) Normorphine;
 - 17 (22) Pholcodine; and
 - 18 (23) Thebacon.
- 19 (c) Any material, compound, mixture, or preparation which
20 contains any quantity of the following hallucinogenic substances,
21 their salts, isomers, and salts of isomers, unless specifically
22 excepted, whenever the existence of such salts, isomers, and salts
23 of isomers is possible within the specific chemical designation,
24 and, for purposes of this subdivision only, isomer shall include
25 the optical, position, and geometric isomers:
- 26 (1) Bufotenine. Trade and other names shall include, but
27 are not limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole;

1 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin;
2 5-hydroxy-N,N-dimethyltryptamine; and mappine;
3 ~~(2) Diethyltryptamine. Trade and other names shall~~
4 ~~include, but are not limited to: N,N-Diethyltryptamine, and DET;~~
5 ~~(3) Dimethyltryptamine. Trade and other names shall~~
6 ~~include, but are not limited to: DMT;~~
7 ~~(4)~~ (2) 4-bromo-2,5-dimethoxyamphetamine. Trade
8 and other names shall include, but are not limited
9 to: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; and
10 4-bromo-2,5-DMA;
11 ~~(5)~~ (3) 4-methoxyamphetamine. Trade and
12 other names shall include, but are not limited to:
13 4-methoxy-alpha-methylphenethylamine; and paramethoxyamphetamine,
14 PMA;
15 ~~(6)~~ (4) 4-methyl-2,5-dimethoxyamphetamine. Trade
16 and other names shall include, but are not limited to:
17 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; DOM; and STP;
18 ~~(7) 5-methoxy-N,N-dimethyltryptamine;~~
19 ~~(8)~~ (5) Ibogaine. Trade and other
20 names shall include, but are not limited to:
21 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido
22 (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe iboga;
23 ~~(9)~~ (6) Lysergic acid diethylamide;
24 ~~(10)~~ (7) Marijuana;
25 ~~(11)~~ (8) Mescaline;
26 ~~(12)~~ (9) Peyote. Peyote shall mean all parts of the
27 plant presently classified botanically as Lophophora williamsii

1 Lemaire, whether growing or not, the seeds thereof, any extract
2 from any part of such plant, and every compound, manufacture,
3 salts, derivative, mixture, or preparation of such plant or its
4 seeds or extracts;

5 ~~(13)~~ (10) Psilocybin;

6 ~~(14)~~ (11) Psilocyn;

7 ~~(15)~~ (12) Tetrahydrocannabinols, including, but not
8 limited to, synthetic equivalents of the substances contained
9 in the plant or in the resinous extractives of cannabis, sp.
10 or synthetic substances, derivatives, and their isomers with
11 similar chemical structure and pharmacological activity such as
12 the following: Delta 1 cis or trans tetrahydrocannabinol and
13 their optical isomers, excluding dronabinol in sesame oil and
14 encapsulated in a soft gelatin capsule in a drug product approved
15 by the federal Food and Drug Administration; Delta 6 cis or
16 trans tetrahydrocannabinol and their optical isomers; and Delta
17 3,4 cis or trans tetrahydrocannabinol and its optical isomers.
18 Since nomenclature of these substances is not internationally
19 standardized, compounds of these structures shall be included
20 regardless of the numerical designation of atomic positions
21 covered;

22 ~~(16)~~ ~~3,4-methylenedioxy amphetamine;~~

23 ~~(17)~~ ~~5-methoxy-3,4-methylenedioxy-amphetamine;~~

24 ~~(18)~~ ~~3,4,5-trimethoxy amphetamine;~~

25 ~~(19)~~ (13) N-ethyl-3-piperidyl benzilate;

26 ~~(20)~~ (14) N-methyl-3-piperidyl benzilate;

27 ~~(21)~~ (15) Thiophene analog of phencyclidine. Trade

1 and other names shall include, but are not limited to:
2 1-(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of
3 phencyclidine; TCP; and TCP;

4 ~~(22) 2,5-dimethoxyamphetamine. Trade and~~
5 ~~other names shall include, but are not limited to:~~
6 ~~2,5-dimethoxy-alpha-methylphenethylamine, and 2,5-DMA;~~

7 ~~(23) (16) Hashish or concentrated cannabis;~~

8 ~~(24) (17) Parahexyl. Trade and other~~
9 names shall include, but are not limited to:
10 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo(b,d)pyran;
11 and Synhexyl;

12 ~~(25) (18) Ethylamine analog of phencyclidine. Trade~~
13 and other names shall include, but are not limited to:
14 N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine;
15 N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; and PCE;

16 ~~(26) (19) Pyrrolidine analog of phencyclidine. Trade~~
17 and other names shall include, but are not limited to:
18 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; and PHP;

19 ~~(27) 3,4-methylenedioxymethamphetamine (MDMA), its~~
20 ~~optical, positional, and geometric isomers, salts, and salts of~~
21 ~~isomers;~~

22 ~~(28) 4-Bromo-2,5-dimethoxyphenethylamine. Some trade~~
23 ~~or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;~~
24 ~~alpha-desmethyl DOB, 2C-B, and Nexus;~~

25 ~~(29) (20) Alpha-ethyltryptamine. Some trade or other~~
26 names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;
27 3-(2-aminobutyl) indole; alpha-ET; and AET;

1 ~~(30)~~ (21) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

2 ~~(31)~~ (22) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and
3 TCPy;

4 ~~(32)~~ (23) Alpha-methyltryptamine, which is also known as
5 AMT;

6 ~~(33)~~ 5-Methoxy-N,N-diisopropyltryptamine, which is also
7 known as 5-MeO-DIPT;

8 ~~(34)~~ (24) Salvia divinorum or Salvinorin A. Salvia
9 divinorum or Salvinorin A includes all parts of the plant presently
10 classified botanically as Salvia divinorum, whether growing or not,
11 the seeds thereof, any extract from any part of such plant, and
12 every compound, manufacture, derivative, mixture, or preparation of
13 such plant, its seeds, or its extracts, including salts, isomers,
14 and salts of isomers whenever the existence of such salts, isomers,
15 and salts of isomers is possible within the specific chemical
16 designation;

17 ~~(35)~~ (25) Any material, compound, mixture, or preparation
18 containing any quantity of synthetically produced cannabinoids
19 as listed in subdivisions ~~(i)~~ (A) through ~~(viii)~~ (K) of this
20 subdivision, including their salts, isomers, and salts of
21 isomers, and nitrogen-heterocyclic analogs, unless specifically
22 excepted elsewhere in this section. Since nomenclature of
23 these synthetically produced cannabinoids is not internationally
24 standardized and may continually evolve, these structures or
25 compounds of these structures shall be included under this
26 subdivision, regardless of their specific numerical designation of
27 atomic positions covered, so long as it can be determined through

1 ~~some form~~ a recognized method of scientific testing or analysis
2 that the substance contains properties that fit within one or more
3 of the following categories:

4 ~~(i)~~ (A) Tetrahydrocannabinols: Meaning
5 tetrahydrocannabinols naturally contained in a plant of the genus
6 cannabis (cannabis plant), as well as synthetic equivalents
7 of the substances contained in the plant, or in the resinous
8 extractives of cannabis, sp. and/or synthetic substances,
9 derivatives, and their isomers with similar chemical structure and
10 pharmacological activity such as the following: Delta 1 cis or
11 trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis
12 or trans tetrahydrocannabinol, and their optical isomers; Delta 3,4
13 cis or trans tetrahydrocannabinol, and its optical isomers;

14 ~~(ii)~~ (B) Naphthoylindoles: Any compound containing a
15 3-(1-naphthoyl)indole structure with substitution at the nitrogen
16 atom of the indole ring by a an alkyl, haloalkyl, alkenyl,
17 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
18 group, cycanoalkyl, 1-(N-methyl-2-piperidinyl)methyl,
19 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
20 or tetrahydropyranylmethyl group, whether or not further
21 substituted in the indole ring to any extent and whether or not
22 substituted in the naphthyl ring to any extent;

23 ~~(iii)~~ (C) Naphthylmethylinoles: Any compound
24 containing a 1 H-indol-3-yl-(1-naphthyl)methane structure
25 with substitution at the nitrogen atom of the indole
26 ring by a an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
27 cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl group, cycanoalkyl,

1 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl
2 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group,
3 whether or not further substituted in the indole ring to any extent
4 and whether or not substituted in the naphthyl ring to any extent;

5 ~~(iv)~~ (D) Naphthoylpyrroles: Any compound containing a
6 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen
7 atom of the pyrrole ring by a an alkyl, haloalkyl, alkenyl,
8 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
9 group, cycloalkyl, 1-(N-methyl-2-piperidinyl)methyl,
10 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
11 or tetrahydropyranylmethyl group, whether or not further
12 substituted in the pyrrole ring to any extent and whether or not
13 substituted in the naphthyl ring to any extent;

14 ~~(v)~~ (E) Naphthylideneindenes: Any compound containing
15 a naphthylideneindene structure with substitution at the
16 3-position of the indene ring by a an alkyl, haloalkyl, alkenyl,
17 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
18 group, cycloalkyl, 1-(N-methyl-2-piperidinyl)methyl,
19 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
20 or tetrahydropyranylmethyl group, whether or not further
21 substituted in the indene ring to any extent and whether or not
22 substituted in the naphthyl ring to any extent;

23 ~~(vi)~~ (F) Phenylacetylindoles: Any compound containing a
24 3-phenylacetylindole structure with substitution at the nitrogen
25 atom of the indole ring by a an alkyl, haloalkyl, alkenyl,
26 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
27 group, cycloalkyl, 1-(N-methyl-2-piperidinyl)methyl,

1 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
2 or tetrahydropyranylmethyl group, whether or not further
3 substituted in the indole ring to any extent and whether or not
4 substituted in the phenyl ring to any extent;

5 ~~(vii)~~ (G) Cyclohexylphenols: Any compound containing a
6 2-(3-hydroxycyclohexyl)phenol structure with substitution at the
7 5-position of the phenolic ring by a an alkyl, haloalkyl, alkenyl,
8 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
9 group, cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl,
10 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
11 or tetrahydropyranylmethyl group, whether or not substituted in the
12 cyclohexyl ring to any extent; ~~and~~

13 ~~(viii)~~ (H) Benzoylindoles: Any compound containing a
14 3-(benzoyl)indole structure with substitution at the nitrogen
15 atom of the indole ring by a an alkyl, haloalkyl, alkenyl,
16 cycloalkylmethyl, cycloalkylethyl, ~~or~~ 2-(4-morpholinyl)ethyl
17 group, cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl,
18 1-(N-methyl-2-pyrrolidinyl)methyl 1-(N-methyl-3-morpholinyl)methyl,
19 or tetrahydropyranylmethyl group, whether or not further
20 substituted in the indole ring to any extent and whether or not
21 substituted in the phenyl ring to any extent; ~~and~~

22 (I) Adamantoylindoles: Any compound containing
23 a 3-adamantoylindole structure with substitution at
24 the nitrogen atom of the indole ring by an alkyl,
25 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
26 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
27 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,

1 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group,
2 whether or not further substituted in the indole ring to any extent
3 and whether or not substituted in the adamantyl ring to any extent;

4 (J) Tetramethylcyclopropanoylindoles: Any compound
5 containing a 3-tetramethylcyclopropanoylindole structure with
6 substitution at the nitrogen atom of the indole ring by
7 an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
8 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
9 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
10 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group,
11 whether or not further substituted in the indole ring to any extent
12 and whether or not substituted in the tetramethylcyclopropyl
13 ring to any extent; and

14 (K) Adamantylindole carboxamides: Any compound
15 containing a 1-indole-3-carboxamide structure with
16 substitution at the nitrogen atom of the indole ring by
17 an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
18 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
19 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
20 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group,
21 substitution at the carboxamide group by an adamantyl, 1-naphthyl,
22 or phenyl group, whether or not further substituted in the indole
23 ring to any extent and whether or not substituted in the adamantyl
24 ring to any extent;

25 (26) Any material, compound, mixture, or preparation
26 containing any quantity of a substituted phenethylamine as listed
27 in subdivisions (A) through (C) of this subdivision, unless

1 specifically excepted, listed in another schedule, or specifically
2 named in this schedule, that is structurally derived from
3 phenylethan-2-amine by substitution on the phenyl ring with a fused
4 methylenedioxy ring, fused furan ring, or a fused tetrahydrofuran
5 ring; by substitution with two alkoxy groups; by substitution
6 with one alkoxy and either one fused furan, tetrahydrofuran, or
7 tetrahydropyran ring system; or by substitution with two fused
8 ring systems from any combination of the furan, tetrahydrofuran,
9 or tetrahydropyran ring systems, whether or not the compound is
10 further modified in any of the following ways:

11 (A) Substitution of the phenyl ring by any halo,
12 hydroxyl, alkyl, trifluoromethyl, alkoxy, or alkylthio groups;

13 (B) substitution at the 2-position by any alkyl groups; or (C)
14 substitution at the 2-amino nitrogen atom with alkyl, dialkyl,
15 benzyl, hydroxybenzyl or methoxybenzyl groups, and including, but
16 not limited to:

17 (i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine, which is
18 also known as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine;

19 (ii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is
20 also known as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine;

21 (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine, which is
22 also known as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine;

23 (iv) 2-(2,5-Dimethoxyphenyl)ethanamine, which is also
24 known as 2C-H or 2,5-Dimethoxyphenethylamine;

25 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is
26 also known as 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;

27 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is

1 also known as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;

2 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine,

3 which is also known as 2C-P or

4 2,5-Dimethoxy-4-propylphenethylamine;

5 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine,

6 which is also known as 2C-T-2 or

7 2,5-Dimethoxy-4-ethylthiophenethylamine;

8 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine,

9 which is also known as 2C-T-4 or

10 2,5-Dimethoxy-4-isopropylthiophenethylamine;

11 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is

12 also known as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;

13 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine,

14 which is also known as 2C-T or

15 4-methylthio-2,5-dimethoxyphenethylamine;

16 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine,

17 which is also known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;

18 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane,

19 which is also known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;

20 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine,

21 which is also known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;

22 (xv)

23 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine,

24 which is also known as 2C-B-NBOMe; 25B-NBOMe or

25 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;

26 (xvi)

27 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine,

1 which is also known as 2C-I-NBOMe; 25I-NBOMe or
2 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;

3 (xvii)

4 N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,

5 which is also known as Mescaline-NBOMe or
6 3,4,5-trimethoxy-N-(2-methoxybenzyl)phenethylamine;

7 (xviii)

8 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine,

9 which is also known as 2C-C-NBOMe; or 25C-NBOMe or
10 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;

11 (xix)

12 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,

13 which is also known as 2CB-5-hemiFLY;

14 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro
15 [2,3-f][1]benzofuran-4-yl)ethanamine, which is also known as

16 2C-B-FLY;

17 (xxi)

18 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-yl)ethanamine,

19 which is also known as 2C-B-butterFLY;

20 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-
21 tetrahydrobenzo[1,2-b:4,5-b']difuran-4-yl)-2-aminoethane, which is

22 also known as 2C-B-FLY-NBOMe;

23 (xxiii)

24 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine, which
25 is also known as bromo-benzodifuranylisopropylamine

26 or bromo-dragonFLY;

27 (xxiv)

1 N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which is
2 also known as 2C-INBOH or 25I-NBOH;

3 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as
4 5-APB;

5 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known
6 as 6-APB;

7 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is
8 also known as 5-APDB;

9 (xxviii) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran, which
10 is also known as 6-APDB;

11 (xxvix) 2,5-dimethoxy-amphetamine, which is also known as
12 2, 5-dimethoxy- α -methylphenethylamine; 2, 5-DMA;

13 (xxx) 2,5-dimethoxy-4-ethylamphetamine, which is also
14 known as DOET;

15 (xxxii) 2,5-dimethoxy-4-(n)-propylthiophenethylamine,
16 which is also known as 2C-T-7;

17 (xxxiii) 5-methoxy-3,4-methylenedioxy-amphetamine;

18 (xxxiiii) 4-methyl-2,5-dimethoxy-amphetamine, which is
19 also known as 4-methyl-2,5-dimethoxy- α -methylphenethylamine; DOM and
20 STP;

21 (xxxv) 3,4-methylenedioxy amphetamine, which is also
22 known as MDA;

23 (xxxvi) 3,4-methylenedioxymethamphetamine, which is also
24 known as MDMA;

25 (xxxvii) 3,4-methylenedioxy-N-ethylamphetamine,
26 which is also known as
27 N-ethyl- α -methyl-3,4(methylenedioxy)phenethylamine, MDE,

1 MDEA; and

2 (xxxvii) 3,4,5-trimethoxy amphetamine;

3 (27) Any material, compound, mixture, or preparation
4 containing any quantity of a substituted tryptamine unless
5 specifically excepted, listed in another schedule, or specifically
6 named in this schedule, that is structurally derived from
7 2-(1H-indol-3-yl)ethanamine, which is also known as tryptamine,
8 by mono- or di-substitution of the amine nitrogen with alkyl or
9 alkenyl groups or by inclusion of the amino nitrogen atom in a
10 cyclic structure whether or not the compound is further substituted
11 at the alpha position with an alkyl group or whether or not further
12 substituted on the indole ring to any extent with any alkyl,
13 alkoxy, halo, hydroxyl, or acetoxy groups, and including, but not
14 limited to:

15 (A) 5-methoxy-N,N-diallyltryptamine, which is also known
16 as 5-MeO-DALT;

17 (B) 4-acetoxy-N,N-dimethyltryptamine, which is also known
18 as 4-AcO-DMT or OAcetylpsilocin;

19 (C) 4-hydroxy-N-methyl-N-ethyltryptamine, which is also
20 known as 4-HO-MET;

21 (D) 4-hydroxy-N,N-diisopropyltryptamine, which is also
22 known as 4-HO-DIPT;

23 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is
24 also known as 5-MeOMiPT;

25 (F) 5-Methoxy-N,N-Dimethyltryptamine, which is also known
26 as 5-MeO-DMT;

27 (G) 5-methoxy-N,N-diisopropyltryptamine, which is also

1 known as 5-MeO-DiPT;

2 (H) Diethyltryptamine, which is also known as
3 N,N-Diethyltryptamine, DET; and

4 (I) Dimethyltryptamine, which is also known as DMT; and

5 ~~(36)(A)~~ (28)(A) Any substance containing any quantity of
6 the following materials, compounds, mixtures, or structures:

7 (i) 3,4-methylenedioxy methcathinone, or bk-MDMA, or
8 methylone;

9 (ii) 3,4-methylenedioxy pyrovalerone, or MDPV;

10 (iii) 4-methylmethcathinone, or 4-MMC, or mephedrone;

11 (iv) 4-methoxymethcathinone, or bk-PMMA, or PMMC, or
12 methedrone;

13 (v) Fluoromethcathinone, or FMC;

14 (vi) ~~Naphthylpyrovalerone,~~ Naphthylpyrovalerone, or
15 naphyrone; or

16 (vii) Beta-keto-N-methylbenzodioxolylpropylamine; or

17 (B) Unless listed in another schedule, any substance
18 which contains any quantity of any material, compound, mixture,
19 or structure, other than bupropion, that is structurally derived
20 by any means from 2-aminopropan-1-one by substitution at the
21 1-position with either phenyl, naphthyl, or thiophene ring systems,
22 whether or not the compound is further modified in any of the
23 following ways:

24 (i) Substitution in the ring system to any extent
25 with alkyl, alkoxy, alkylenedioxy, haloalkyl, hydroxyl, or halide
26 substituents, whether or not further substituted in the ring system
27 by one or more other univalent substituents;

1 (ii) Substitution at the 3-position with an acyclic alkyl
2 substituent; or

3 (iii) Substitution at the 2-amino nitrogen atom with
4 alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen
5 atom in a cyclic structure.

6 (d) Unless specifically excepted or unless listed in
7 another schedule, any material, compound, mixture, or preparation
8 which contains any quantity of the following substances having
9 a depressant effect on the central nervous system, including its
10 salts, isomers, and salts of isomers whenever the existence of
11 such salts, isomers, and salts of isomers is possible within the
12 specific chemical designation:

13 (1) Mecloqualone;

14 (2) Methaqualone; and

15 (3) Gamma-Hydroxybutyric Acid. Some other names include:
16 GHB; Gamma-hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic
17 Acid; Sodium Oxybate; and Sodium Oxybutyrate.

18 (e) Unless specifically excepted or unless listed in
19 another schedule, any material, compound, mixture, or preparation
20 which contains any quantity of the following substances having
21 a stimulant effect on the central nervous system, including its
22 salts, isomers, and salts of isomers:

23 (1) Fenethylamine;

24 (2) N-ethylamphetamine;

25 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
26 or 4,5-dihydro-5-phenyl-2-oxazolamine;

27 (4) Cathinone; 2-amino-1-phenyl-1-propanone;

1 alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone;
2 (5) Methcathinone, its salts, optical isomers,
3 and salts of optical isomers. Some other names:
4 2-(methylamino)-propiofenone; alpha-(methylamino)propiofenone;
5 2-(methylamino)-1-phenylpropan-1-one;
6 alpha-N-methylaminopropiophenone; methylcathinone;
7 monomethylpropion; ephedrone; N-methylcathinone; AL-464; AL-422;
8 AL-463; and UR1432;

9 (6) (+/-) cis-4-methylaminorex; and
10 (+/-) cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine;

11 (7) N,N-dimethylamphetamine;
12 N,N-alpha-trimethyl-benzeneethanamine; and
13 N,N-alpha-trimethylphenethylamine; and

14 (8) Benzylpiperazine, 1-benzylpiperazine.

15 (f) Any controlled substance analogue to the extent
16 intended for human consumption.

17 Schedule II

18 (a) Any of the following substances except those narcotic
19 drugs listed in other schedules whether produced directly or
20 indirectly by extraction from substances of vegetable origin,
21 independently by means of chemical synthesis, or by combination of
22 extraction and chemical synthesis:

23 (1) Opium and opiate, and any salt, compound, derivative,
24 or preparation of opium or opiate, excluding apomorphine,
25 buprenorphine, thebaine-derived butorphanol, dextrorphan,
26 nalbuphine, nalmefene, naloxone, and naltrexone and their
27 salts, but including the following:

- 1 (i) Raw opium;
- 2 (ii) Opium extracts;
- 3 (iii) Opium fluid;
- 4 (iv) Powdered opium;
- 5 (v) Granulated opium;
- 6 (vi) Tincture of opium;
- 7 (vii) Codeine;
- 8 (viii) Ethylmorphine;
- 9 (ix) Etorphine hydrochloride;
- 10 (x) Hydrocodone;
- 11 (xi) Hydromorphone;
- 12 (xii) Metopon;
- 13 (xiii) Morphine;
- 14 (xiv) Oxycodone;
- 15 (xv) Oxymorphone;
- 16 (xvi) Oripavine;
- 17 (xvii) Thebaine; and
- 18 (xviii) Dihydroetorphine;
- 19 (2) Any salt, compound, derivative, or preparation
- 20 thereof which is chemically equivalent to or identical with any of
- 21 the substances referred to in subdivision (1) of this subdivision,
- 22 except that these substances shall not include the isoquinoline
- 23 alkaloids of opium;
- 24 (3) Opium poppy and poppy straw;
- 25 (4) Coca leaves and any salt, compound, derivative, or
- 26 preparation of coca leaves, and any salt, compound, derivative,
- 27 or preparation thereof which is chemically equivalent to or

1 identical with any of these substances, including cocaine and
2 its salts, optical isomers, and salts of optical isomers, except
3 that the substances shall not include decocainized coca leaves or
4 extractions which do not contain cocaine or ecgonine; and

5 (5) Concentrate of poppy straw, the crude extract of
6 poppy straw in either liquid, solid, or powder form which contains
7 the phenanthrene alkaloids of the opium poppy.

8 (b) Unless specifically excepted or unless in another
9 schedule any of the following opiates, including their isomers,
10 esters, ethers, salts, and salts of their isomers, esters, and
11 ethers whenever the existence of such isomers, esters, ethers,
12 and salts is possible within the specific chemical designation,
13 dextrorphan excepted:

- 14 (1) Alphaprodine;
15 (2) Anileridine;
16 (3) Bezitramide;
17 (4) Diphenoxylate;
18 (5) Fentanyl;
19 (6) Isomethadone;
20 (7) Levomethorphan;
21 (8) Levorphanol;
22 (9) Metazocine;
23 (10) Methadone;
24 (11) Methadone-intermediate,
25 4-cyano-2-dimethylamino-4,4-diphenyl butane;
26 (12) Moramide-intermediate,
27 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;

- 1 (13) Pethidine or meperidine;
- 2 (14) Pethidine-Intermediate-A,
- 3 4-cyano-1-methyl-4-phenylpiperidine;
- 4 (15) Pethidine-Intermediate-B,
- 5 ethyl-4-phenylpiperidine-4-carboxylate;
- 6 (16) Pethidine-Intermediate-C,
- 7 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 8 (17) Phenazocine;
- 9 (18) Piminodine;
- 10 (19) Racemethorphan;
- 11 (20) Racemorphan;
- 12 (21) Dihydrocodeine;
- 13 (22) Bulk Propoxyphene in nondosage forms;
- 14 (23) Sufentanil;
- 15 (24) Alfentanil;
- 16 (25) Levo-alpha-acetylmethadol which is also known as
- 17 levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 18 (26) Carfentanil;
- 19 (27) Remifentanil; and
- 20 (28) Tapentadol.
- 21 (c) Any material, compound, mixture, or preparation
- 22 which contains any quantity of the following substances having
- 23 a potential for abuse associated with a stimulant effect on the
- 24 central nervous system:
- 25 (1) Amphetamine, its salts, optical isomers, and salts of
- 26 its optical isomers;
- 27 (2) Phenmetrazine and its salts;

1 (3) Methamphetamine, its salts, isomers, and salts of its
2 isomers; and

3 (4) Methylphenidate.

4 (d) Any material, compound, mixture, or preparation
5 which contains any quantity of the following substances having
6 a potential for abuse associated with a depressant effect on the
7 central nervous system, including their salts, isomers, and salts
8 of isomers whenever the existence of such salts, isomers, and salts
9 of isomers is possible within the specific chemical designations:

10 (1) Amobarbital;

11 (2) Secobarbital;

12 (3) Pentobarbital;

13 (4) Phencyclidine; and

14 (5) Glutethimide.

15 (e) Hallucinogenic substances known as:

16 (1) Nabilone. Another name for
17 nabilone: (+/-)-trans-3-(1,1-dimethylheptyl)-

18 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one.

19 (f) Unless specifically excepted or unless listed in
20 another schedule, any material, compound, mixture, or preparation
21 which contains any quantity of the following substances:

22 (1) Immediate precursor to amphetamine and
23 methamphetamine: Phenylacetone. Trade and other names shall
24 include, but are not limited to: Phenyl-2-propanone; P2P; benzyl
25 methyl ketone; and methyl benzyl ketone; or

26 (2) Immediate precursors to phencyclidine, PCP:

27 (i) 1-phenylcyclohexylamine; or

1 (ii) 1-piperidinocyclohexanecarbonitrile, PCC.

2 Schedule III

3 (a) Any material, compound, mixture, or preparation
4 which contains any quantity of the following substances having
5 a potential for abuse associated with a stimulant effect on the
6 central nervous system, including their salts, isomers, whether
7 optical, position, or geometric, and salts of such isomers whenever
8 the existence of such salts, isomers, and salts of isomers is
9 possible within the specific chemical designation:

10 (1) Benzphetamine;

11 (2) Chlorphentermine;

12 (3) Clortermine; and

13 (4) Phendimetrazine.

14 (b) Any material, compound, mixture, or preparation
15 which contains any quantity of the following substances having
16 a potential for abuse associated with a depressant effect on the
17 central nervous system:

18 (1) Any substance which contains any quantity of a
19 derivative of barbituric acid or any salt of a derivative of
20 barbituric acid, except those substances which are specifically
21 listed in other schedules of this section;

22 (2) Chlorhexadol;

23 (3) Lysergic acid;

24 (4) Lysergic acid amide;

25 (5) Methyprylon;

26 (6) Sulfondiethylmethane;

27 (7) Sulfonethylmethane;

1 (8) Sulphonmethane;

2 (9) Nalorphine;

3 (10) Any compound, mixture, or preparation containing
4 amobarbital, secobarbital, pentobarbital, or any salt thereof and
5 one or more other active medicinal ingredients which are not listed
6 in any schedule;

7 (11) Any suppository dosage form containing amobarbital,
8 secobarbital, pentobarbital, or any salt of any of these drugs and
9 approved by the Food and Drug Administration for marketing only as
10 a suppository;

11 (12) Any drug product containing gamma-hydroxybutyric
12 acid, including its salts, isomers, and salts of isomers, for which
13 an application is approved under section 505 of the Federal Food,
14 Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on
15 July 20, 2002;

16 (13) Ketamine, its salts, isomers, and
17 salts of isomers. Some other names for ketamine:
18 (+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone; and

19 (14) Tiletamine and zolazepam or any salt thereof.
20 Trade or other names for a tiletamine-zolazepam combination
21 product shall include, but are not limited to: telazol. Trade
22 or other names for tiletamine shall include, but are not
23 limited to: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Trade or
24 other names for zolazepam shall include, but are not limited
25 to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e)
26 (1,4)-diazepin-7(1H)-one, and flupyrzapon.

27 (c) Unless specifically excepted or unless listed in

1 another schedule:

2 (1) Any material, compound, mixture, or preparation
3 containing limited quantities of any of the following narcotic
4 drugs, or any salts calculated as the free anhydrous base or
5 alkaloid, in limited quantities as set forth below:

6 (i) Not more than one and eight-tenths grams of codeine
7 per one hundred milliliters or not more than ninety milligrams per
8 dosage unit, with an equal or greater quantity of an isoquinoline
9 alkaloid of opium;

10 (ii) Not more than one and eight-tenths grams of codeine
11 per one hundred milliliters or not more than ninety milligrams per
12 dosage unit, with one or more active, nonnarcotic ingredients in
13 recognized therapeutic amounts;

14 (iii) Not more than three hundred milligrams of
15 dihydrocodeinone which is also known as hydrocodone per one hundred
16 milliliters or not more than fifteen milligrams per dosage unit,
17 with a fourfold or greater quantity of an isoquinoline alkaloid of
18 opium;

19 (iv) Not more than three hundred milligrams of
20 dihydrocodeinone which is also known as hydrocodone per one hundred
21 milliliters or not more than fifteen milligrams per dosage unit,
22 with one or more active, nonnarcotic ingredients in recognized
23 therapeutic amounts;

24 (v) Not more than one and eight-tenths grams of
25 dihydrocodeine per one hundred milliliters or not more than ninety
26 milligrams per dosage unit, with one or more active, nonnarcotic
27 ingredients in recognized therapeutic amounts;

1 (vi) Not more than three hundred milligrams of
2 ethylmorphine per one hundred milliliters or not more than fifteen
3 milligrams per dosage unit, with one or more active, nonnarcotic
4 ingredients in recognized therapeutic amounts;

5 (vii) Not more than five hundred milligrams of opium per
6 one hundred milliliters or per one hundred grams, or not more than
7 twenty-five milligrams per dosage unit, with one or more active,
8 nonnarcotic ingredients in recognized therapeutic amounts; and

9 (viii) Not more than fifty milligrams of morphine per
10 one hundred milliliters or per one hundred grams with one or more
11 active, nonnarcotic ingredients in recognized therapeutic amounts;
12 and

13 (2) Any material, compound, mixture, or preparation
14 containing any of the following narcotic drug or its salts, as
15 set forth below:

16 (i) Buprenorphine.

17 (d) Unless contained on the administration's list of
18 exempt anabolic steroids as the list existed on June 1, 2007,
19 any anabolic steroid, which shall include any material, compound,
20 mixture, or preparation containing any quantity of the following
21 substances, including its salts, isomers, and salts of isomers
22 whenever the existence of such salts of isomers is possible within
23 the specific chemical designation:

24 (1) Boldenone;

25 (2) Boldione;

26 (3) Chlorotestosterone (4-chlortestosterone);

27 (4) Clostebol;

- 1 (5) Dehydrochloromethyltestosterone;
- 2 (6) Desoxymethyltestosterone;
- 3 (7) Dihydrotestosterone (4-dihydrotestosterone);
- 4 (8) Drostanolone;
- 5 (9) Ethylestrenol;
- 6 (10) Fluoxymesterone;
- 7 (11) Formebolone (formebolone);
- 8 (12) Mesterolone;
- 9 (13) Methandienone;
- 10 (14) Methandranone;
- 11 (15) Methandriol;
- 12 (16) Methandrostenolone;
- 13 (17) Methenolone;
- 14 (18) Methyltestosterone;
- 15 (19) Mibolerone;
- 16 (20) Nandrolone;
- 17 (21) Norethandrolone;
- 18 (22) Oxandrolone;
- 19 (23) Oxymesterone;
- 20 (24) Oxymetholone;
- 21 (25) Stanolone;
- 22 (26) Stanozolol;
- 23 (27) Testolactone;
- 24 (28) Testosterone;
- 25 (29) Trenbolone;
- 26 (30) 19-nor-4,9(10)-androstadienedione; and
- 27 (31) Any salt, ester, or ether of a drug or substance

1 described or listed in this subdivision if the salt, ester, or
2 ether promotes muscle growth.

3 (e) Hallucinogenic substances known as:

4 (1) Dronabinol, synthetic, in sesame oil and encapsulated
5 in a soft gelatin capsule in a Food and Drug Administration
6 approved drug product. Some other names for dronabinol are
7 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo
8 (b,d)pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

9 Schedule IV

10 (a) Any material, compound, mixture, or preparation which
11 contains any quantity of the following substances, including their
12 salts, isomers, and salts of isomers whenever the existence of
13 such salts, isomers, and salts of isomers is possible within the
14 specific chemical designation:

15 (1) Barbital;

16 (2) Chloral betaine;

17 (3) Chloral hydrate;

18 (4) Chlordiazepoxide, but not including librax
19 (chlordiazepoxide hydrochloride and clindinium bromide) or menrium
20 (chlordiazepoxide and water soluble esterified estrogens);

21 (5) Clonazepam;

22 (6) Clorazepate;

23 (7) Diazepam;

24 (8) Ethchlorvynol;

25 (9) Ethinamate;

26 (10) Flurazepam;

27 (11) Mebutamate;

- 1 (12) Meprobamate;
- 2 (13) Methohexital;
- 3 (14) Methylphenobarbital;
- 4 (15) Oxazepam;
- 5 (16) Paraldehyde;
- 6 (17) Petrichloral;
- 7 (18) Phenobarbital;
- 8 (19) Prazepam;
- 9 (20) Alprazolam;
- 10 (21) Bromazepam;
- 11 (22) Camazepam;
- 12 (23) Clobazam;
- 13 (24) Clotiazepam;
- 14 (25) Cloxazolam;
- 15 (26) Delorazepam;
- 16 (27) Estazolam;
- 17 (28) Ethyl loflazepate;
- 18 (29) Fludiazepam;
- 19 (30) Flunitrazepam;
- 20 (31) Halazepam;
- 21 (32) Haloxazolam;
- 22 (33) Ketazolam;
- 23 (34) Loprazolam;
- 24 (35) Lorazepam;
- 25 (36) Lormetazepam;
- 26 (37) Medazepam;
- 27 (38) Nimetazepam;

- 1 (39) Nitrazepam;
- 2 (40) Nordiazepam;
- 3 (41) Oxazolam;
- 4 (42) Pinazepam;
- 5 (43) Temazepam;
- 6 (44) Tetrazepam;
- 7 (45) Triazolam;
- 8 (46) Midazolam;
- 9 (47) Quazepam;
- 10 (48) Zolpidem;
- 11 (49) Dichloralphenazone; and
- 12 (50) Zaleplon.

13 (b) Any material, compound, mixture, or preparation which
14 contains any quantity of the following substance, including its
15 salts, isomers, whether optical, position, or geometric, and salts
16 of such isomers, whenever the existence of such salts, isomers, and
17 salts of isomers is possible: Fenfluramine.

18 (c) Unless specifically excepted or unless listed in
19 another schedule, any material, compound, mixture, or preparation
20 which contains any quantity of the following substances having a
21 stimulant effect on the central nervous system, including their
22 salts, isomers, whether optical, position, or geometric, and salts
23 of such isomers whenever the existence of such salts, isomers,
24 and salts of isomers is possible within the specific chemical
25 designation:

- 26 (1) Diethylpropion;
- 27 (2) Phentermine;

1 (3) Pemoline, including organometallic complexes and
2 chelates thereof;

3 (4) Mazindol;

4 (5) Pipradrol;

5 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);

6 (7) Cathine. Another name for cathine is
7 ((+)-norpseudoephedrine);

8 (8) Fencamfamin;

9 (9) Fenproporex;

10 (10) Mefenorex;

11 (11) Modafinil; and

12 (12) Sibutramine.

13 (d) Unless specifically excepted or unless listed in
14 another schedule, any material, compound, mixture, or preparation
15 which contains any quantity of the following narcotic drugs, or
16 their salts or isomers calculated as the free anhydrous base or
17 alkaloid, in limited quantities as set forth below:

18 (1) Propoxyphene in manufactured dosage forms; and

19 (2) Not more than one milligram of difenoxin and not less
20 than twenty-five micrograms of atropine sulfate per dosage unit.

21 (e) Unless specifically excepted or unless listed in
22 another schedule, any material, compound, mixture, or preparation
23 which contains any quantity of the following substance, including
24 its salts: Pentazocine.

25 (f) Unless specifically excepted or unless listed in
26 another schedule, any material, compound, mixture, or preparation
27 which contains any quantity of the following substance, including

1 its salts, isomers, and salts of such isomers: Butorphanol.

2 (g) Unless specifically excepted or unless listed in
3 another schedule, any material, compound, mixture, or preparation
4 which contains any quantity of the following substance, including
5 its salts, isomers, and salts of such isomers: Carisoprodol.

6 (h) (1) Unless specifically excepted or unless listed in
7 another schedule, any material, compound, mixture, or preparation
8 which contains any quantity of the following substance, including
9 its salts, optical isomers, and salts of such optical isomers:
10 Ephedrine.

11 (2) The following drug products containing ephedrine, its
12 salts, optical isomers, and salts of such optical isomers, are
13 excepted from subdivision (h) (1) of Schedule IV if they (A) are
14 stored behind a counter, in an area not accessible to customers,
15 or in a locked case so that a customer needs assistance from an
16 employee to access the drug product; (B) are sold by a person,
17 eighteen years of age or older, in the course of his or her
18 employment to a customer eighteen years of age or older with the
19 following restrictions: No customer shall be allowed to purchase,
20 receive, or otherwise acquire more than three and six-tenths grams
21 of ephedrine base during a twenty-four-hour period; no customer
22 shall purchase, receive, or otherwise acquire more than nine grams
23 of ephedrine base during a thirty-day period; and the customer
24 shall display a valid driver's or operator's license, a Nebraska
25 state identification card, a military identification card, an alien
26 registration card, or a passport as proof of identification; (C)
27 are labeled and marketed in a manner consistent with the pertinent

1 OTC Tentative Final or Final Monograph; (D) are manufactured and
2 distributed for legitimate medicinal use in a manner that reduces
3 or eliminates the likelihood of abuse; and (E) are not marketed,
4 advertised, or represented in any manner for the indication of
5 stimulation, mental alertness, euphoria, ecstasy, a buzz or high,
6 heightened sexual performance, or increased muscle mass:

7 (i) Primatene Tablets; and

8 (ii) Bronkaid Dual Action Caplets.

9 Schedule V

10 (a) Any compound, mixture, or preparation containing any
11 of the following limited quantities of narcotic drugs or salts
12 calculated as the free anhydrous base or alkaloid, which shall
13 include one or more nonnarcotic active medicinal ingredients in
14 sufficient proportion to confer upon the compound, mixture, or
15 preparation valuable medicinal qualities other than those possessed
16 by the narcotic drug alone:

17 (1) Not more than two hundred milligrams of codeine per
18 one hundred milliliters or per one hundred grams;

19 (2) Not more than one hundred milligrams of
20 dihydrocodeine per one hundred milliliters or per one hundred
21 grams;

22 (3) Not more than one hundred milligrams of ethylmorphine
23 per one hundred milliliters or per one hundred grams;

24 (4) Not more than two and five-tenths milligrams of
25 diphenoxylate and not less than twenty-five micrograms of atropine
26 sulfate per dosage unit;

27 (5) Not more than one hundred milligrams of opium per one

1 hundred milliliters or per one hundred grams; and

2 (6) Not more than five-tenths milligram of difenoxin and
3 not less than twenty-five micrograms of atropine sulfate per dosage
4 unit.

5 (b) Unless specifically exempted or excluded or unless
6 listed in another schedule, any material, compound, mixture, or
7 preparation which contains any quantity of the following substances
8 having a stimulant effect on the central nervous system, including
9 its salts, isomers, and salts of isomers: Pyrovalerone.

10 (c) Unless specifically exempted or excluded or unless
11 listed in another schedule, any material, compound, mixture, or
12 preparation which contains any quantity of the following substances
13 having a depressant effect on the central nervous system, including
14 its salts, isomers, and salts of isomers:

15 (1) Ezogabine
16 (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic
17 acid ethyl ester);

18 (2) Lacosamide
19 ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide); and

20 (3) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic
21 acid).

22 Sec. 2. Section 28-416, Revised Statutes Cumulative
23 Supplement, 2012, is amended to read:

24 28-416 (1) Except as authorized by the Uniform Controlled
25 Substances Act, it shall be unlawful for any person knowingly or
26 intentionally: (a) To manufacture, distribute, deliver, dispense,
27 or possess with intent to manufacture, distribute, deliver, or

1 dispense a controlled substance; or (b) to create, distribute,
2 or possess with intent to distribute a counterfeit controlled
3 substance.

4 (2) Except as provided in subsections (4), (5), (7), (8),
5 (9), and (10) of this section, any person who violates subsection
6 (1) of this section with respect to: (a) A controlled substance
7 classified in Schedule I, II, or III of section 28-405 which is an
8 exceptionally hazardous drug shall be guilty of a Class II felony;
9 (b) any other controlled substance classified in Schedule I, II, or
10 III of section 28-405 shall be guilty of a Class III felony; or (c)
11 a controlled substance classified in Schedule IV or V of section
12 28-405 shall be guilty of a Class IIIA felony.

13 (3) A person knowingly or intentionally possessing a
14 controlled substance, except marijuana or any substance containing
15 a quantifiable amount of the substances, chemicals, or compounds
16 described, defined, or delineated in subdivision ~~(e)-(35)~~ (c) (25) of
17 Schedule I of section 28-405, unless such substance was obtained
18 directly or pursuant to a medical order issued by a practitioner
19 authorized to prescribe while acting in the course of his or her
20 professional practice, or except as otherwise authorized by the
21 act, shall be guilty of a Class IV felony.

22 (4) (a) Except as authorized by the Uniform Controlled
23 Substances Act, any person eighteen years of age or older who
24 knowingly or intentionally manufactures, distributes, delivers,
25 dispenses, or possesses with intent to manufacture, distribute,
26 deliver, or dispense a controlled substance or a counterfeit
27 controlled substance (i) to a person under the age of eighteen

1 years, (ii) in, on, or within one thousand feet of the real
2 property comprising a public or private elementary, vocational, or
3 secondary school, a community college, a public or private college,
4 junior college, or university, or a playground, or (iii) within one
5 hundred feet of a public or private youth center, public swimming
6 pool, or video arcade facility shall be punished by the next higher
7 penalty classification than the penalty prescribed in subsection
8 (2), (7), (8), (9), or (10) of this section, depending upon the
9 controlled substance involved, for the first violation and for a
10 second or subsequent violation shall be punished by the next higher
11 penalty classification than that prescribed for a first violation
12 of this subsection, but in no event shall such person be punished
13 by a penalty greater than a Class IB felony.

14 (b) For purposes of this subsection:

15 (i) Playground shall mean any outdoor facility, including
16 any parking lot appurtenant to the facility, intended for
17 recreation, open to the public, and with any portion containing
18 three or more apparatus intended for the recreation of children,
19 including sliding boards, swingsets, and teeterboards;

20 (ii) Video arcade facility shall mean any facility
21 legally accessible to persons under eighteen years of age, intended
22 primarily for the use of pinball and video machines for amusement,
23 and containing a minimum of ten pinball or video machines; and

24 (iii) Youth center shall mean any recreational facility
25 or gymnasium, including any parking lot appurtenant to the facility
26 or gymnasium, intended primarily for use by persons under eighteen
27 years of age which regularly provides athletic, civic, or cultural

1 activities.

2 (5) (a) Except as authorized by the Uniform Controlled
3 Substances Act, it shall be unlawful for any person eighteen
4 years of age or older to knowingly and intentionally employ, hire,
5 use, cause, persuade, coax, induce, entice, seduce, or coerce any
6 person under the age of eighteen years to manufacture, transport,
7 distribute, carry, deliver, dispense, prepare for delivery, offer
8 for delivery, or possess with intent to do the same a controlled
9 substance or a counterfeit controlled substance.

10 (b) Except as authorized by the Uniform Controlled
11 Substances Act, it shall be unlawful for any person eighteen years
12 of age or older to knowingly and intentionally employ, hire, use,
13 cause, persuade, coax, induce, entice, seduce, or coerce any person
14 under the age of eighteen years to aid and abet any person in
15 the manufacture, transportation, distribution, carrying, delivery,
16 dispensing, preparation for delivery, offering for delivery, or
17 possession with intent to do the same of a controlled substance or
18 a counterfeit controlled substance.

19 (c) Any person who violates subdivision (a) or (b) of
20 this subsection shall be punished by the next higher penalty
21 classification than the penalty prescribed in subsection (2), (7),
22 (8), (9), or (10) of this section, depending upon the controlled
23 substance involved, for the first violation and for a second or
24 subsequent violation shall be punished by the next higher penalty
25 classification than that prescribed for a first violation of this
26 subsection, but in no event shall such person be punished by a
27 penalty greater than a Class IB felony.

1 (6) It shall not be a defense to prosecution for
2 violation of subsection (4) or (5) of this section that the
3 defendant did not know the age of the person through whom the
4 defendant violated such subsection.

5 (7) Any person who violates subsection (1) of this
6 section with respect to cocaine or any mixture or substance
7 containing a detectable amount of cocaine in a quantity of:

8 (a) One hundred forty grams or more shall be guilty of a
9 Class IB felony;

10 (b) At least twenty-eight grams but less than one hundred
11 forty grams shall be guilty of a Class IC felony; or

12 (c) At least ten grams but less than twenty-eight grams
13 shall be guilty of a Class ID felony.

14 (8) Any person who violates subsection (1) of this
15 section with respect to base cocaine (crack) or any mixture or
16 substance containing a detectable amount of base cocaine in a
17 quantity of:

18 (a) One hundred forty grams or more shall be guilty of a
19 Class IB felony;

20 (b) At least twenty-eight grams but less than one hundred
21 forty grams shall be guilty of a Class IC felony; or

22 (c) At least ten grams but less than twenty-eight grams
23 shall be guilty of a Class ID felony.

24 (9) Any person who violates subsection (1) of this
25 section with respect to heroin or any mixture or substance
26 containing a detectable amount of heroin in a quantity of:

27 (a) One hundred forty grams or more shall be guilty of a

1 Class IB felony;

2 (b) At least twenty-eight grams but less than one hundred
3 forty grams shall be guilty of a Class IC felony; or

4 (c) At least ten grams but less than twenty-eight grams
5 shall be guilty of a Class ID felony.

6 (10) Any person who violates subsection (1) of this
7 section with respect to amphetamine, its salts, optical isomers,
8 and salts of its isomers, or with respect to methamphetamine, its
9 salts, optical isomers, and salts of its isomers, in a quantity of:

10 (a) One hundred forty grams or more shall be guilty of a
11 Class IB felony;

12 (b) At least twenty-eight grams but less than one hundred
13 forty grams shall be guilty of a Class IC felony; or

14 (c) At least ten grams but less than twenty-eight grams
15 shall be guilty of a Class ID felony.

16 (11) Any person knowingly or intentionally possessing
17 marijuana weighing more than one ounce but not more than one pound
18 shall be guilty of a Class III misdemeanor.

19 (12) Any person knowingly or intentionally possessing
20 marijuana weighing more than one pound shall be guilty of a Class
21 IV felony.

22 (13) Any person knowingly or intentionally possessing
23 marijuana weighing one ounce or less or any substance containing
24 a quantifiable amount of the substances, chemicals, or compounds
25 described, defined, or delineated in subdivision ~~(e)-(35)~~ (c) (25) of
26 Schedule I of section 28-405 shall:

27 (a) For the first offense, be guilty of an infraction,

1 receive a citation, be fined three hundred dollars, and be assigned
2 to attend a course as prescribed in section 29-433 if the judge
3 determines that attending such course is in the best interest of
4 the individual defendant;

5 (b) For the second offense, be guilty of a Class IV
6 misdemeanor, receive a citation, and be fined four hundred dollars
7 and may be imprisoned not to exceed five days; and

8 (c) For the third and all subsequent offenses, be guilty
9 of a Class IIIA misdemeanor, receive a citation, be fined five
10 hundred dollars, and be imprisoned not to exceed seven days.

11 (14) Any person convicted of violating this section,
12 if placed on probation, shall, as a condition of probation,
13 satisfactorily attend and complete appropriate treatment and
14 counseling on drug abuse provided by a program authorized under
15 the Nebraska Behavioral Health Services Act or other licensed drug
16 treatment facility.

17 (15) Any person convicted of violating this section, if
18 sentenced to the Department of Correctional Services, shall attend
19 appropriate treatment and counseling on drug abuse.

20 (16) Any person knowingly or intentionally possessing a
21 firearm while in violation of subsection (1) of this section shall
22 be punished by the next higher penalty classification than the
23 penalty prescribed in subsection (2), (7), (8), (9), or (10) of
24 this section, but in no event shall such person be punished by a
25 penalty greater than a Class IB felony.

26 (17) A person knowingly or intentionally in possession
27 of money used or intended to be used to facilitate a violation

1 of subsection (1) of this section shall be guilty of a Class IV
2 felony.

3 (18) In addition to the penalties provided in this
4 section:

5 (a) If the person convicted or adjudicated of violating
6 this section is eighteen years of age or younger and has one or
7 more licenses or permits issued under the Motor Vehicle Operator's
8 License Act:

9 (i) For the first offense, the court may, as a part of
10 the judgment of conviction or adjudication, (A) impound any such
11 licenses or permits for thirty days and (B) require such person to
12 attend a drug education class;

13 (ii) For a second offense, the court may, as a part of
14 the judgment of conviction or adjudication, (A) impound any such
15 licenses or permits for ninety days and (B) require such person
16 to complete no fewer than twenty and no more than forty hours of
17 community service and to attend a drug education class; and

18 (iii) For a third or subsequent offense, the court may,
19 as a part of the judgment of conviction or adjudication, (A)
20 impound any such licenses or permits for twelve months and (B)
21 require such person to complete no fewer than sixty hours of
22 community service, to attend a drug education class, and to submit
23 to a drug assessment by a licensed alcohol and drug counselor; and

24 (b) If the person convicted or adjudicated of violating
25 this section is eighteen years of age or younger and does not
26 have a permit or license issued under the Motor Vehicle Operator's
27 License Act:

1 (i) For the first offense, the court may, as part of the
2 judgment of conviction or adjudication, (A) prohibit such person
3 from obtaining any permit or any license pursuant to the act for
4 which such person would otherwise be eligible until thirty days
5 after the date of such order and (B) require such person to attend
6 a drug education class;

7 (ii) For a second offense, the court may, as part of the
8 judgment of conviction or adjudication, (A) prohibit such person
9 from obtaining any permit or any license pursuant to the act for
10 which such person would otherwise be eligible until ninety days
11 after the date of such order and (B) require such person to
12 complete no fewer than twenty hours and no more than forty hours of
13 community service and to attend a drug education class; and

14 (iii) For a third or subsequent offense, the court may,
15 as part of the judgment of conviction or adjudication, (A) prohibit
16 such person from obtaining any permit or any license pursuant
17 to the act for which such person would otherwise be eligible
18 until twelve months after the date of such order and (B) require
19 such person to complete no fewer than sixty hours of community
20 service, to attend a drug education class, and to submit to a drug
21 assessment by a licensed alcohol and drug counselor.

22 A copy of an abstract of the court's conviction or
23 adjudication shall be transmitted to the Director of Motor Vehicles
24 pursuant to sections 60-497.01 to 60-497.04 if a license or permit
25 is impounded or a juvenile is prohibited from obtaining a license
26 or permit under this subsection.

27 Sec. 3. Original sections 28-405 and 28-416, Revised

1 Statutes Cumulative Supplement, 2012, are repealed.

2 Sec. 4. Since an emergency exists, this act takes effect

3 when passed and approved according to law.