

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 189**

Introduced by Davis, 43.

Read first time January 12, 2015

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to  
2 amend section 28-439, Reissue Revised Statutes of Nebraska, and  
3 sections 28-401, 28-401.01, 28-405, 28-416, and 28-1354, Revised  
4 Statutes Cumulative Supplement, 2014; to alphabetize definitions; to  
5 provide, change, and eliminate definitions; to change certain  
6 provisions and penalties relating to marijuana; to harmonize  
7 provisions; and to repeal the original sections.  
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-401, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 28-401 As used in the Uniform Controlled Substances Act, unless the  
4 context otherwise requires:

5 (1) Administer means to directly apply a controlled substance by  
6 injection, inhalation, ingestion, or any other means to the body of a  
7 patient or research subject;

8 (2) Administration means the Drug Enforcement Administration of the  
9 United States Department of Justice;

10 (3 2) Agent means an authorized person who acts on behalf of or at  
11 the direction of another person but does not include a common or contract  
12 carrier, public warehouse keeper, or employee of a carrier or warehouse  
13 keeper;

14 ~~(3) Administration means the Drug Enforcement Administration of the~~  
15 ~~United States Department of Justice;~~

16 (4) Anabolic steroid means any drug or hormonal substance,  
17 chemically and pharmacologically related to testosterone (other than  
18 estrogens, progestins, and corticosteroids), that promotes muscle growth  
19 and includes any controlled substance in Schedule III(d) of section  
20 28-405. Anabolic steroid does not include any anabolic steroid which is  
21 expressly intended for administration through implants to cattle or other  
22 nonhuman species and has been approved by the Secretary of Health and  
23 Human Services for such administration, but if any person prescribes,  
24 dispenses, or distributes such a steroid for human use, such person shall  
25 be considered to have prescribed, dispensed, or distributed an anabolic  
26 steroid within the meaning of this subdivision;

27 (5) Cannabinoid receptor agonist means any chemical compound or  
28 substance that, according to scientific or medical research, study,  
29 testing, or analysis, demonstrates the presence of binding activity at  
30 one or more of the CB1 or CB2 cell membrane receptors located within the  
31 human body;

1       (6) Chart order means an order for a controlled substance issued by  
2 a practitioner for a patient who is in the hospital where the chart is  
3 stored or for a patient receiving detoxification treatment or maintenance  
4 treatment pursuant to section 28-412. Chart order does not include a  
5 prescription;

6       (7) Compounding has the same meaning as in section 38-2811;

7       (8 4) Controlled substance means a drug, biological, substance, or  
8 immediate precursor in Schedules I to V of section 28-405. Controlled  
9 substance does not include distilled spirits, wine, malt beverages,  
10 tobacco, or any nonnarcotic substance if such substance may, under the  
11 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 et seq., as such act  
12 existed on January 1, 2014, and the law of this state, be lawfully sold  
13 over the counter without a prescription;

14       (9)(a) Controlled substance analogue means a substance (i) the  
15 chemical structure of which is substantially similar to the chemical  
16 structure of a Schedule I or Schedule II controlled substance as provided  
17 in section 28-405 or (ii) which has a stimulant, depressant, analgesic,  
18 or hallucinogenic effect on the central nervous system that is  
19 substantially similar to or greater than the stimulant, depressant,  
20 analgesic, or hallucinogenic effect on the central nervous system of a  
21 Schedule I or Schedule II controlled substance as provided in section  
22 28-405. A controlled substance analogue shall, to the extent intended for  
23 human consumption, be treated as a controlled substance under Schedule I  
24 of section 28-405 for purposes of the Uniform Controlled Substances Act;  
25 and

26       (b) Controlled substance analogue does not include (i) a controlled  
27 substance, (ii) any substance generally recognized as safe and effective  
28 within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C.  
29 301 et seq., as such act existed on January 1, 2014, (iii) any substance  
30 for which there is an approved new drug application, or (iv) with respect  
31 to a particular person, any substance if an exemption is in effect for

1 investigational use for that person, under section 505 of the Federal  
2 Food, Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on  
3 January 1, 2014, to the extent conduct with respect to such substance is  
4 pursuant to such exemption;

5 (10) Cooperating individual means any person, other than a  
6 commissioned law enforcement officer, who acts on behalf of, at the  
7 request of, or as agent for a law enforcement agency for the purpose of  
8 gathering or obtaining evidence of offenses punishable under the Uniform  
9 Controlled Substances Act;

10 (11 5) Counterfeit substance means a controlled substance which, or  
11 the container or labeling of which, without authorization, bears the  
12 trademark, trade name, or other identifying mark, imprint, number, or  
13 device, or any likeness thereof, of a manufacturer, distributor, or  
14 dispenser other than the person or persons who in fact manufactured,  
15 distributed, or dispensed such substance and which thereby falsely  
16 purports or is represented to be the product of, or to have been  
17 distributed by, such other manufacturer, distributor, or dispenser;

18 (12) Deliver or delivery means the actual, constructive, or  
19 attempted transfer from one person to another of a controlled substance,  
20 whether or not there is an agency relationship;

21 (13 6) Department means the Department of Health and Human Services;

22 ~~(7) Division of Drug Control means the personnel of the Nebraska~~  
23 ~~State Patrol who are assigned to enforce the Uniform Controlled~~  
24 ~~Substances Act;~~

25 (14 8) Dispense means to deliver a controlled substance to an  
26 ultimate user or a research subject pursuant to a medical order issued by  
27 a practitioner authorized to prescribe, including the packaging,  
28 labeling, or compounding necessary to prepare the controlled substance  
29 for such delivery;

30 (15 9) Distribute means to deliver other than by administering or  
31 dispensing a controlled substance;

1        (16) Division of Drug Control means the personnel of the Nebraska  
2 State Patrol who are assigned to enforce the Uniform Controlled  
3 Substances Act;

4        ~~(10) Prescribe means to issue a medical order;~~

5        (17 ~~11~~) Drug means (a) articles recognized in the official United  
6 States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United  
7 States, official National Formulary, or any supplement to any of them,  
8 (b) substances intended for use in the diagnosis, cure, mitigation,  
9 treatment, or prevention of disease in human beings or animals, and (c)  
10 substances intended for use as a component of any article specified in  
11 subdivision (a) or (b) of this subdivision, but does not include devices  
12 or their components, parts, or accessories;

13        (18) Electronic signature has the definition found in section  
14 86-621;

15        (19) Electronic transmission means transmission of information in  
16 electronic form. Electronic transmission includes computer-to-computer  
17 transmission or computer-to-facsimile transmission;

18        (20) Exceptionally hazardous drug means (a) a narcotic drug, (b)  
19 thiophene analog of phencyclidine, (c) phencyclidine, (d) amobarbital,  
20 (e) secobarbital, (f) pentobarbital, (g) amphetamine, or (h)  
21 methamphetamine;

22        (21) Facsimile means a copy generated by a system that encodes a  
23 document or photograph into electrical signals, transmits those signals  
24 over telecommunications lines, and reconstructs the signals to create an  
25 exact duplicate of the original document at the receiving end;

26        (22) Hospital has the same meaning as in section 71-419;

27        (23) Imitation controlled substance means a substance which is not a  
28 controlled substance or controlled substance analogue but which, by way  
29 of express or implied representations and consideration of other relevant  
30 factors including those specified in section 28-445, would lead a  
31 reasonable person to believe the substance is a controlled substance or

1 controlled substance analogue. A placebo or registered investigational  
2 drug manufactured, distributed, possessed, or delivered in the ordinary  
3 course of practice or research by a health care professional shall not be  
4 deemed to be an imitation controlled substance;

5 (24) Immediate precursor means a substance which is the principal  
6 compound commonly used or produced primarily for use and which is an  
7 immediate chemical intermediary used or likely to be used in the  
8 manufacture of a controlled substance, the control of which is necessary  
9 to prevent, curtail, or limit such manufacture;

10 (25) Long-term care facility means an intermediate care facility, an  
11 intermediate care facility for persons with developmental disabilities, a  
12 long-term care hospital, a mental health center, a nursing facility, or a  
13 skilled nursing facility, as such terms are defined in the Health Care  
14 Facility Licensure Act;

15 ~~(12) Deliver or delivery means the actual, constructive, or~~  
16 ~~attempted transfer from one person to another of a controlled substance,~~  
17 ~~whether or not there is an agency relationship;~~

18 ~~(13) Marijuana means all parts of the plant of the genus cannabis,~~  
19 ~~whether growing or not, the seeds thereof, and every compound,~~  
20 ~~manufacture, salt, derivative, mixture, or preparation of such plant or~~  
21 ~~its seeds, but does not include the mature stalks of such plant, hashish,~~  
22 ~~tetrahydrocannabinols extracted or isolated from the plant, fiber~~  
23 ~~produced from such stalks, oil or cake made from the seeds of such plant,~~  
24 ~~any other compound, manufacture, salt, derivative, mixture, or~~  
25 ~~preparation of such mature stalks, or the sterilized seed of such plant~~  
26 ~~which is incapable of germination. When the weight of marijuana is~~  
27 ~~referred to in the Uniform Controlled Substances Act, it means its weight~~  
28 ~~at or about the time it is seized or otherwise comes into the possession~~  
29 ~~of law enforcement authorities, whether cured or uncured at that time.~~  
30 ~~When industrial hemp as defined in section 2-5701 is in the possession of~~  
31 ~~a person as authorized under section 2-5701, it is not considered~~

1 ~~marijuana for purposes of the Uniform Controlled Substances Act;~~

2       (26 ~~14~~) Manufacture means the production, preparation, propagation,  
3 conversion, or processing of a controlled substance, either directly or  
4 indirectly, by extraction from substances of natural origin,  
5 independently by means of chemical synthesis, or by a combination of  
6 extraction and chemical synthesis, and includes any packaging or  
7 repackaging of the substance or labeling or relabeling of its container.  
8 Manufacture does not include the preparation or compounding of a  
9 controlled substance by an individual for his or her own use, except for  
10 the preparation or compounding of components or ingredients used for or  
11 intended to be used for the manufacture of methamphetamine, or the  
12 preparation, compounding, conversion, packaging, or labeling of a  
13 controlled substance: (a) By a practitioner as an incident to his or her  
14 prescribing, administering, or dispensing of a controlled substance in  
15 the course of his or her professional practice; or (b) by a practitioner,  
16 or by his or her authorized agent under his or her supervision, for the  
17 purpose of, or as an incident to, research, teaching, or chemical  
18 analysis and not for sale;

19       (27) Marijuana means all parts of a plant of the genus cannabis,  
20 whether growing or not, and every manufacture or preparation of such  
21 plant or its seeds. Marijuana does not include marijuana concentrate or  
22 industrial hemp as defined in section 2-5701;

23       (28) Marijuana concentrate means any derivative, preparation,  
24 compound, or mixture obtained from a plant of the genus cannabis which  
25 contains any quantifiable amount of tetrahydrocannabinols. Marijuana  
26 concentrate includes cannabis resin, hashish, hash oil, and other  
27 substances which contain tetrahydrocannabinols extracted or isolated from  
28 marijuana. Marijuana concentrate does not include resins or oils  
29 extracted from industrial hemp as defined in section 2-5701;

30       (29) Medical order means a prescription, a chart order, or an order  
31 for pharmaceutical care issued by a practitioner;

1           (30 15) Narcotic drug means any of the following, whether produced  
2 directly or indirectly by extraction from substances of vegetable origin,  
3 independently by means of chemical synthesis, or by a combination of  
4 extraction and chemical synthesis: (a) Opium, opium poppy and poppy  
5 straw, coca leaves, and opiates; (b) a compound, manufacture, salt,  
6 derivative, or preparation of opium, coca leaves, or opiates; or (c) a  
7 substance and any compound, manufacture, salt, derivative, or preparation  
8 thereof which is chemically equivalent to or identical with any of the  
9 substances referred to in subdivisions (a) and (b) of this subdivision,  
10 except that the words narcotic drug as used in the Uniform Controlled  
11 Substances Act does not include decocainized coca leaves or extracts of  
12 coca leaves, which extracts do not contain cocaine or ecgonine, or  
13 isoquinoline alkaloids of opium;

14           (31 16) Opiate means any substance having an addiction-forming or  
15 addiction-sustaining liability similar to morphine or being capable of  
16 conversion into a drug having such addiction-forming or addiction-  
17 sustaining liability. Opiate does not include the dextrorotatory isomer  
18 of 3-methoxy-n methylmorphinan and its salts. Opiate includes its racemic  
19 and levorotatory forms;

20           (32 17) Opium poppy means the plant of the species *Papaver*  
21 *somniferum* L., except the seeds thereof;

22           ~~(18) Poppy straw means all parts, except the seeds, of the opium~~  
23 ~~poppy after mowing;~~

24           (33 19) Person means any corporation, association, partnership,  
25 limited liability company, or one or more persons;

26           (34) Poppy straw means all parts, except the seeds, of the opium  
27 poppy after mowing;

28           (35 20) Practitioner means a physician, a physician assistant, a  
29 dentist, a veterinarian, a pharmacist, a podiatrist, an optometrist, a  
30 certified nurse midwife, a certified registered nurse anesthetist, a  
31 nurse practitioner, a scientific investigator, a pharmacy, a hospital, or



1 any other person licensed, registered, or otherwise permitted to  
2 distribute, dispense, prescribe, conduct research with respect to, or  
3 administer a controlled substance in the course of practice or research  
4 in this state, including an emergency medical service as defined in  
5 section 38-1207;

6 (36) Prescribe means to issue a medical order;

7 (37) Prescription means an order for a controlled substance issued  
8 by a practitioner. Prescription does not include a chart order;

9 (38 21) Production includes the manufacture, planting, cultivation,  
10 or harvesting of a controlled substance;

11 (39) Registrant means any person who has a controlled substances  
12 registration issued by the state or the administration;

13 (40) Reverse distributor means a person whose primary function is to  
14 act as an agent for a pharmacy, wholesaler, manufacturer, or other entity  
15 by receiving, inventorying, and managing the disposition of outdated,  
16 expired, or otherwise nonsaleable controlled substances;

17 (41) Signature means the name, word, or mark of a person written in  
18 his or her own hand with the intent to authenticate a writing or other  
19 form of communication or a digital signature which complies with section  
20 86-611 or an electronic signature;

21 ~~(22) Immediate precursor means a substance which is the principal~~  
22 ~~compound commonly used or produced primarily for use and which is an~~  
23 ~~immediate chemical intermediary used or likely to be used in the~~  
24 ~~manufacture of a controlled substance, the control of which is necessary~~  
25 ~~to prevent, curtail, or limit such manufacture;~~

26 (42 23) State means the State of Nebraska;

27 (43) Tetrahydrocannabinol means a cannabinoid naturally occurring in  
28 a plant of the genus cannabis, which is primarily responsible for the  
29 psychoactive effects of marijuana. Tetrahydrocannabinol does not include  
30 synthetic tetrahydrocannabinols or any other synthetically produced  
31 cannabinoid listed in section 28-405; and

1           ~~(44 24)~~ Ultimate user means a person who lawfully possesses a  
2 controlled substance for his or her own use, for the use of a member of  
3 his or her household, or for administration to an animal owned by him or  
4 her or by a member of his or her household. ;

5           ~~(25) Hospital has the same meaning as in section 71-419;~~

6           ~~(26) Cooperating individual means any person, other than a~~  
7 ~~commissioned law enforcement officer, who acts on behalf of, at the~~  
8 ~~request of, or as agent for a law enforcement agency for the purpose of~~  
9 ~~gathering or obtaining evidence of offenses punishable under the Uniform~~  
10 ~~Controlled Substances Act;~~

11           ~~(27) Hashish or concentrated cannabis means (a) the separated resin,~~  
12 ~~whether crude or purified, obtained from a plant of the genus cannabis or~~  
13 ~~(b) any material, preparation, mixture, compound, or other substance~~  
14 ~~which contains ten percent or more by weight of tetrahydrocannabinols.~~  
15 ~~When resins extracted from industrial hemp as defined in section 2-5701~~  
16 ~~are in the possession of a person as authorized under section 2-5701,~~  
17 ~~they are not considered hashish or concentrated cannabis for purposes of~~  
18 ~~the Uniform Controlled Substances Act;~~

19           ~~(28) Exceptionally hazardous drug means (a) a narcotic drug, (b)~~  
20 ~~thiophene analog of phencyclidine, (c) phencyclidine, (d) amobarbital,~~  
21 ~~(e) secobarbital, (f) pentobarbital, (g) amphetamine, or (h)~~  
22 ~~methamphetamine;~~

23           ~~(29) Imitation controlled substance means a substance which is not a~~  
24 ~~controlled substance or controlled substance analogue but which, by way~~  
25 ~~of express or implied representations and consideration of other relevant~~  
26 ~~factors including those specified in section 28-445, would lead a~~  
27 ~~reasonable person to believe the substance is a controlled substance or~~  
28 ~~controlled substance analogue. A placebo or registered investigational~~  
29 ~~drug manufactured, distributed, possessed, or delivered in the ordinary~~  
30 ~~course of practice or research by a health care professional shall not be~~  
31 ~~deemed to be an imitation controlled substance;~~

1           ~~(30)(a) Controlled substance analogue means a substance (i) the~~  
2           ~~chemical structure of which is substantially similar to the chemical~~  
3           ~~structure of a Schedule I or Schedule II controlled substance as provided~~  
4           ~~in section 28-405 or (ii) which has a stimulant, depressant, analgesic,~~  
5           ~~or hallucinogenic effect on the central nervous system that is~~  
6           ~~substantially similar to or greater than the stimulant, depressant,~~  
7           ~~analgesic, or hallucinogenic effect on the central nervous system of a~~  
8           ~~Schedule I or Schedule II controlled substance as provided in section~~  
9           ~~28-405. A controlled substance analogue shall, to the extent intended for~~  
10           ~~human consumption, be treated as a controlled substance under Schedule I~~  
11           ~~of section 28-405 for purposes of the Uniform Controlled Substances Act;~~  
12           ~~and~~

13           ~~(b) Controlled substance analogue does not include (i) a controlled~~  
14           ~~substance, (ii) any substance generally recognized as safe and effective~~  
15           ~~within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C.~~  
16           ~~301 et seq., as such act existed on January 1, 2014, (iii) any substance~~  
17           ~~for which there is an approved new drug application, or (iv) with respect~~  
18           ~~to a particular person, any substance if an exemption is in effect for~~  
19           ~~investigational use for that person, under section 505 of the Federal~~  
20           ~~Food, Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on~~  
21           ~~January 1, 2014, to the extent conduct with respect to such substance is~~  
22           ~~pursuant to such exemption;~~

23           ~~(31) Anabolic steroid means any drug or hormonal substance,~~  
24           ~~chemically and pharmacologically related to testosterone (other than~~  
25           ~~estrogens, progestins, and corticosteroids), that promotes muscle growth~~  
26           ~~and includes any controlled substance in Schedule III(d) of section~~  
27           ~~28-405. Anabolic steroid does not include any anabolic steroid which is~~  
28           ~~expressly intended for administration through implants to cattle or other~~  
29           ~~nonhuman species and has been approved by the Secretary of Health and~~  
30           ~~Human Services for such administration, but if any person prescribes,~~  
31           ~~dispenses, or distributes such a steroid for human use, such person shall~~

1 ~~be considered to have prescribed, dispensed, or distributed an anabolic~~  
2 ~~steroid within the meaning of this subdivision;~~

3 ~~(32) Chart order means an order for a controlled substance issued by~~  
4 ~~a practitioner for a patient who is in the hospital where the chart is~~  
5 ~~stored or for a patient receiving detoxification treatment or maintenance~~  
6 ~~treatment pursuant to section 28-412. Chart order does not include a~~  
7 ~~prescription;~~

8 ~~(33) Medical order means a prescription, a chart order, or an order~~  
9 ~~for pharmaceutical care issued by a practitioner;~~

10 ~~(34) Prescription means an order for a controlled substance issued~~  
11 ~~by a practitioner. Prescription does not include a chart order;~~

12 ~~(35) Registrant means any person who has a controlled substances~~  
13 ~~registration issued by the state or the administration;~~

14 ~~(36) Reverse distributor means a person whose primary function is to~~  
15 ~~act as an agent for a pharmacy, wholesaler, manufacturer, or other entity~~  
16 ~~by receiving, inventorying, and managing the disposition of outdated,~~  
17 ~~expired, or otherwise nonsaleable controlled substances;~~

18 ~~(37) Signature means the name, word, or mark of a person written in~~  
19 ~~his or her own hand with the intent to authenticate a writing or other~~  
20 ~~form of communication or a digital signature which complies with section~~  
21 ~~86-611 or an electronic signature;~~

22 ~~(38) Facsimile means a copy generated by a system that encodes a~~  
23 ~~document or photograph into electrical signals, transmits those signals~~  
24 ~~over telecommunications lines, and reconstructs the signals to create an~~  
25 ~~exact duplicate of the original document at the receiving end;~~

26 ~~(39) Electronic signature has the definition found in section~~  
27 ~~86-621;~~

28 ~~(40) Electronic transmission means transmission of information in~~  
29 ~~electronic form. Electronic transmission includes computer-to-computer~~  
30 ~~transmission or computer-to-facsimile transmission;~~

31 ~~(41) Long-term care facility means an intermediate care facility, an~~

1 ~~intermediate care facility for persons with developmental disabilities, a~~  
2 ~~long-term care hospital, a mental health center, a nursing facility, or a~~  
3 ~~skilled nursing facility, as such terms are defined in the Health Care~~  
4 ~~Facility Licensure Act;~~

5 ~~(42) Compounding has the same meaning as in section 38-2811; and~~

6 ~~(43) Cannabinoid receptor agonist shall mean any chemical compound~~  
7 ~~or substance that, according to scientific or medical research, study,~~  
8 ~~testing, or analysis, demonstrates the presence of binding activity at~~  
9 ~~one or more of the CB1 or CB2 cell membrane receptors located within the~~  
10 ~~human body.~~

11 Sec. 2. Section 28-401.01, Revised Statutes Cumulative Supplement,  
12 2014, is amended to read:

13 28-401.01 Sections 28-401 to 28-456.01 and 28-458 to 28-462 and  
14 section 5 of this act shall be known and may be cited as the Uniform  
15 Controlled Substances Act.

16 Sec. 3. Section 28-405, Revised Statutes Cumulative Supplement,  
17 2014, is amended to read:

18 28-405 The following are the schedules of controlled substances  
19 referred to in the Uniform Controlled Substances Act:

20 Schedule I

21 (a) Any of the following opiates, including their isomers, esters,  
22 ethers, salts, and salts of isomers, esters, and ethers, unless  
23 specifically excepted, whenever the existence of such isomers, esters,  
24 ethers, and salts is possible within the specific chemical designation:

25 (1) Acetylmethadol;

26 (2) Allylprodine;

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

29 (4) Alphameprodine;

30 (5) Alphamethadol;

31 (6) Benzethidine;

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

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

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

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

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

8 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-  
9 piperidinyl)propanamide, its optical isomers, salts, and salts of  
10 isomers.

11 (b) Any of the following opium derivatives, their salts, isomers,  
12 and salts of isomers, unless specifically excepted, whenever the  
13 existence of such salts, isomers, and salts of isomers is possible within  
14 the specific chemical designation:

15 (1) Acetorphine;

16 (2) Acetyldihydrocodeine;

17 (3) Benzylmorphine;

18 (4) Codeine methylbromide;

19 (5) Codeine-N-Oxide;

20 (6) Cyrenorphine;

21 (7) Desomorphine;

22 (8) Dihydromorphine;

23 (9) Drotebanol;

24 (10) Etorphine, except hydrochloride salt;

25 (11) Heroin;

26 (12) Hydromorphanol;

27 (13) Methyldesorphine;

28 (14) Methyldihydromorphine;

29 (15) Morphine methylbromide;

30 (16) Morphine methylsulfonate;

31 (17) Morphine-N-Oxide;



- 1 (18) Myrophine;
- 2 (19) Nicocodeine;
- 3 (20) Nicomorphine;
- 4 (21) Normorphine;
- 5 (22) Pholcodine; and
- 6 (23) Thebacon.

7 (c) Any material, compound, mixture, or preparation which contains  
8 any quantity of the following hallucinogenic substances, their salts,  
9 isomers, and salts of isomers, unless specifically excepted, whenever the  
10 existence of such salts, isomers, and salts of isomers is possible within  
11 the specific chemical designation, and, for purposes of this subdivision  
12 only, isomer shall include the optical, position, and geometric isomers:

13 (1) Bufotenine. Trade and other names shall include, but are not  
14 limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-  
15 dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-  
16 dimethyltryptamine; and mappine;

17 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall  
18 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-  
19 methylphenethylamine; and 4-bromo-2,5-DMA;

20 (3) 4-methoxyamphetamine. Trade and other names shall include, but  
21 are not limited to: 4-methoxy-alpha-methylphenethylamine; and  
22 paramethoxyamphetamine, PMA;

23 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall  
24 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-  
25 methylphenethylamine; DOM; and STP;

26 (5) Ibogaine. Trade and other names shall include, but are not  
27 limited to: 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-  
28 methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe  
29 iboga;

30 (6) Lysergic acid diethylamide;

31 (7) Marijuana;

1           (8) Marijuana concentrate;

2           (9) Mescaline;

3           (10) Peyote. Peyote shall mean all parts of the plant presently  
4 classified botanically as *Lophophora williamsii* Lemaire, whether growing  
5 or not, the seeds thereof, any extract from any part of such plant, and  
6 every compound, manufacture, salts, derivative, mixture, or preparation  
7 of such plant or its seeds or extracts;

8           (11) Psilocybin;

9           (12) Psilocyn;

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

23          (13) N-ethyl-3-piperidyl benzilate;

24          (14) N-methyl-3-piperidyl benzilate;

25          (15) Thiophene analog of phencyclidine. Trade and other names shall  
26 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;  
27 2-thienyl analog of phencyclidine; TCP; and TCP;

28          ~~(16) Hashish or concentrated cannabis;~~

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

1           (17 18) Ethylamine analog of phencyclidine. Trade and other names  
2 shall include, but are not limited to: N-ethyl-1-phenylcyclohexylamine;  
3 (1-phenylcyclohexyl)ethylamine;           N-(1-phenylcyclohexyl)ethylamine;  
4 cyclohexamine; and PCE;

5           (18 19) Pyrrolidine analog of phencyclidine. Trade and other names  
6 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-  
7 pyrrolidine; PCPy; and PHP;

8           (19 20) Alpha-ethyltryptamine. Some trade or other names:  
9 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)  
10 indole; alpha-ET; and AET;

11           (20 21) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

12           (21 22) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

13           (22 23) Alpha-methyltryptamine, which is also known as AMT;

14           (23 24) Salvia divinorum or Salvinorin A. Salvia divinorum or  
15 Salvinorin A includes all parts of the plant presently classified  
16 botanically as Salvia divinorum, whether growing or not, the seeds  
17 thereof, any extract from any part of such plant, and every compound,  
18 manufacture, derivative, mixture, or preparation of such plant, its  
19 seeds, or its extracts, including salts, isomers, and salts of isomers  
20 whenever the existence of such salts, isomers, and salts of isomers is  
21 possible within the specific chemical designation;

22           (24 25) Any material, compound, mixture, or preparation containing  
23 any quantity of synthetically produced cannabinoids as listed in  
24 subdivisions (A) through (M) of this subdivision, including their salts,  
25 isomers, salts of isomers, and nitrogen-heterocyclic analogs, unless  
26 specifically excepted elsewhere in this section. Since nomenclature of  
27 these synthetically produced cannabinoids is not internationally  
28 standardized and may continually evolve, these structures or compounds of  
29 these structures shall be included under this subdivision, regardless of  
30 their specific numerical designation of atomic positions covered, so long  
31 as it can be determined through a recognized method of scientific testing

1 or analysis that the substance contains properties that fit within one or  
2 more of the following categories:

3 (A) Synthetic Tetrahydrocannabinols: ~~Meaning tetrahydrocannabinols~~  
4 means: Any equivalent of the substances naturally contained in a plant of  
5 the genus cannabis or derivatives and their isomers with similar chemical  
6 structure and pharmacological activity. Synthetic tetrahydrocannabinols  
7 includes naturally contained in a plant of the genus cannabis (cannabis  
8 plant), as well as synthetic equivalents of the substances contained in  
9 the plant, or in the resinous extractives of cannabis, sp. and/or  
10 synthetic substances, derivatives, and their isomers with similar  
11 chemical structure and pharmacological activity such as the following:  
12 Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers;  
13 Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers;  
14 Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers.  
15 Synthetic tetrahydrocannabinols does not include dronabinol in sesame oil  
16 and encapsulated in a soft gelatin capsule in a drug product approved by  
17 the federal Food and Drug Administration;

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

26 (C) Naphthylmethylindoles: Any compound containing a 1 H-indol-3-yl-  
27 (1-naphthyl)methane structure with substitution at the nitrogen atom of  
28 the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
29 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-  
30 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
31 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not

1 further substituted in the indole ring to any extent and whether or not  
2 substituted in the naphthyl ring to any extent;

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

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

19 (F) Phenylacetylindoles: Any compound containing a 3-  
20 phenylacetylindole structure with substitution at the nitrogen atom of  
21 the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
22 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-  
23 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
24 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not  
25 further substituted in the indole ring to any extent and whether or not  
26 substituted in the phenyl ring to any extent;

27 (G) Cyclohexylphenols: Any compound containing a 2-(3-  
28 hydroxycyclohexyl)phenol structure with substitution at the 5-position of  
29 the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
30 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-  
31 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-

1 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not  
2 substituted in the cyclohexyl ring to any extent;

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

11 (I) Adamantoylindoles: Any compound containing a 3-adamantoylindole  
12 structure with substitution at the nitrogen atom of the indole ring by an  
13 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
14 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
15 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
16 tetrahydropyranylmethyl group, whether or not further substituted in the  
17 indole ring to any extent and whether or not substituted in the adamantyl  
18 ring to any extent;

19 (J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-  
20 tetramethylcyclopropanoylindole structure with substitution at the  
21 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,  
22 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-  
23 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
24 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
25 tetrahydropyranylmethyl group, whether or not further substituted in the  
26 indole ring to any extent and whether or not substituted in the  
27 tetramethylcyclopropyl ring to any extent;

28 (K) Indole carboxamides: Any compound containing a 1-indole-3-  
29 carboxamide structure with substitution at the nitrogen atom of the  
30 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,  
31 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-

1 (4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
2 morpholinyl)methyl, or tetrahydropyranylmethyl group, substitution at the  
3 carboxamide group by an adamantyl, 1-naphthyl, phenyl, or aminoalkyl  
4 group, whether or not further substituted in any of the ring systems to  
5 any extent;

6 (L) Indole carboxylates: Any compound containing a 1-indole-3-  
7 carboxylate structure with substitution at the nitrogen atom of the  
8 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,  
9 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-  
10 (4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
11 morpholinyl)methyl, or tetrahydropyranylmethyl group, substitution at the  
12 carboxylate group by an adamantyl, 1-naphthyl, phenyl or quinolinyl  
13 group, whether or not further substituted in any of the ring systems to  
14 any extent; and

15 (M) Any nonnaturally occurring substance, chemical compound,  
16 mixture, or preparation, not specifically listed elsewhere in these  
17 schedules and which is not approved for human consumption by the federal  
18 Food and Drug Administration, containing or constituting a cannabinoid  
19 receptor agonist as defined in section 28-401;

20 (25 26) Any material, compound, mixture, or preparation containing  
21 any quantity of a substituted phenethylamine as listed in subdivisions  
22 (A) through (C) of this subdivision, unless specifically excepted, listed  
23 in another schedule, or specifically named in this schedule, that is  
24 structurally derived from phenylethan-2-amine by substitution on the  
25 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a  
26 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by  
27 substitution with one alkoxy and either one fused furan, tetrahydrofuran,  
28 or tetrahydropyran ring system; or by substitution with two fused ring  
29 systems from any combination of the furan, tetrahydrofuran, or  
30 tetrahydropyran ring systems, whether or not the compound is further  
31 modified in any of the following ways:

1 (A) Substitution of the phenyl ring by any halo, hydroxyl, alkyl,  
2 trifluoromethyl, alkoxy, or alkylthio groups; (B) substitution at the 2-  
3 position by any alkyl groups; or (C) substitution at the 2-amino nitrogen  
4 atom with alkyl, dialkyl, benzyl, hydroxybenzyl or methoxybenzyl groups,  
5 and including, but not limited to:

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

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

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

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

14 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as  
15 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;

16 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is also known  
17 as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;

18 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine, which is also  
19 known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;

20 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine, which is  
21 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;

22 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is  
23 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;

24 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known  
25 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;

26 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also  
27 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;

28 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also  
29 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;

30 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also  
31 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;



- 1 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also  
2 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 3 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-  
4 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-  
5 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 6 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-  
7 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-  
8 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 9 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,  
10 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-  
11 methoxybenzyl)phenethylamine;
- 12 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-  
13 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or  
14 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 15 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,  
16 which is also known as 2CB-5-hemiFLY;
- 17 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-  
18 yl)ethanamine, which is also known as 2C-B-FLY;
- 19 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-  
20 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 21 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-  
22 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-  
23 NBOMe;
- 24 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,  
25 which is also known as bromo-benzodifuranylisopropylamine or bromo-  
26 dragonFLY;
- 27 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which  
28 is also known as 2C-INBOH or 25I-NBOH;
- 29 (xxv) 5-(2-Aminoprpyl)benzofuran, which is also known as 5-APB;
- 30 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
- 31 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known

1 as 5-APDB;

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

4 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-  
5 dimethoxy-a-methylphenethylamine; 2, 5-DMA;

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

7 (xxxi) 2,5-dimethoxy-4-(n)-propylthiophenethylamine, which is also  
8 known as 2C-T-7;

9 (xxxii) 5-methoxy-3,4-methylenedioxy-amphetamine;

10 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as  
11 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;

12 (xxxiv) 3,4-methylenedioxy amphetamine, which is also known as MDA;

13 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as  
14 MDMA;

15 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known  
16 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA; and

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

18 (26 27) Any material, compound, mixture, or preparation containing  
19 any quantity of a substituted tryptamine unless specifically excepted,  
20 listed in another schedule, or specifically named in this schedule, that  
21 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also  
22 known as tryptamine, by mono- or di-substitution of the amine nitrogen  
23 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom  
24 in a cyclic structure whether or not the compound is further substituted  
25 at the alpha position with an alkyl group or whether or not further  
26 substituted on the indole ring to any extent with any alkyl, alkoxy,  
27 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

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

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

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

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

5 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as  
6 5-MeOMiPT;

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

9 (G) 5-methoxy-N,N-diisopropyltryptamine, which is also known as 5-  
10 MeO-DiPT;

11 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,  
12 DET; and

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

14 (28)(A) Any substance containing any quantity of the following  
15 materials, compounds, mixtures, or structures:

16 (i) 3,4-methylenedioxymethcathinone, or bk-MDMA, or methydone;

17 (ii) 3,4-methylenedioxypyrovalerone, or MDPV;

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

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

20 (v) Fluoromethcathinone, or FMC;

21 (vi) Naphthylpyrovalerone, or naphyrone; or

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

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

29 (i) Substitution in the ring system to any extent with alkyl,  
30 alkoxy, alkylenedioxy, haloalkyl, hydroxyl, or halide substituents,  
31 whether or not further substituted in the ring system by one or more

1 other univalent substituents;

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

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

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

13 (1) Mecloqualone;

14 (2) Methaqualone; and

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

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

23 (1) Fenethylamine;

24 (2) N-ethylamphetamine;

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

27 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-  
28 aminopropiophenone; 2-aminopropiophenone; and norephedrone;

29 (5) Methcathinone, its salts, optical isomers, and salts of optical  
30 isomers. Some other names: 2-(methylamino)-propionophenone; alpha-  
31 (methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-

1 N-methylaminopropiophenone; methylcathinone; monomethylpropion;  
2 ephedrone; N-methylcathinone; AL-464; AL-422; AL-463; and UR1432;

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

5 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;  
6 and N,N-alpha-trimethylphenethylamine; and

7 (8) Benzylpiperazine, 1-benzylpiperazine.

8 (f) Any controlled substance analogue to the extent intended for  
9 human consumption.

10 Schedule II

11 (a) Any of the following substances except those narcotic drugs  
12 listed in other schedules whether produced directly or indirectly by  
13 extraction from substances of vegetable origin, independently by means of  
14 chemical synthesis, or by combination of extraction and chemical  
15 synthesis:

16 (1) Opium and opiate, and any salt, compound, derivative, or  
17 preparation of opium or opiate, excluding apomorphine, buprenorphine,  
18 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeffene,  
19 naloxone, and naltrexone and their salts, but including the following:

20 (A) Raw opium;

21 (B) Opium extracts;

22 (C) Opium fluid;

23 (D) Powdered opium;

24 (E) Granulated opium;

25 (F) Tincture of opium;

26 (G) Codeine;

27 (H) Ethylmorphine;

28 (I) Etorphine hydrochloride;

29 (J) Hydrocodone;

30 (K) Hydromorphone;

31 (L) Metopon;

1 (M) Morphine;

2 (N) Oxycodone;

3 (O) Oxymorphone;

4 (P) Oripavine;

5 (Q) Thebaine; and

6 (R) Dihydroetorphine;

7 (2) Any salt, compound, derivative, or preparation thereof which is  
8 chemically equivalent to or identical with any of the substances referred  
9 to in subdivision (1) of this subdivision, except that these substances  
10 shall not include the isoquinoline alkaloids of opium;

11 (3) Opium poppy and poppy straw;

12 (4) Coca leaves and any salt, compound, derivative, or preparation  
13 of coca leaves, and any salt, compound, derivative, or preparation  
14 thereof which is chemically equivalent to or identical with any of these  
15 substances, including cocaine and its salts, optical isomers, and salts  
16 of optical isomers, except that the substances shall not include  
17 decocainized coca leaves or extractions which do not contain cocaine or  
18 ecgonine; and

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

22 (b) Unless specifically excepted or unless in another schedule any  
23 of the following opiates, including their isomers, esters, ethers, salts,  
24 and salts of their isomers, esters, and ethers whenever the existence of  
25 such isomers, esters, ethers, and salts is possible within the specific  
26 chemical designation, dextrorphan excepted:

27 (1) Alphaprodine;

28 (2) Anileridine;

29 (3) Bezitramide;

30 (4) Diphenoxylate;

31 (5) Fentanyl;

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

1 (1) Amphetamine, its salts, optical isomers, and salts of its  
2 optical isomers;

3 (2) Phenmetrazine and its salts;

4 (3) Methamphetamine, its salts, isomers, and salts of its isomers;  
5 and

6 (4) Methylphenidate.

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

13 (1) Amobarbital;

14 (2) Secobarbital;

15 (3) Pentobarbital;

16 (4) Phencyclidine; and

17 (5) Glutethimide.

18 (e) Hallucinogenic substances known as:

19 (1) Nabilone. Another name for nabilone: (+/-)-trans-3-(1,1-  
20 dimethylheptyl)- 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-  
21 dibenzo(b,d)pyran-9-one.

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

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

29 (2) Immediate precursors to phencyclidine, PCP:

30 (A) 1-phenylcyclohexylamine; or

31 (B) 1-piperidinocyclohexanecarbonitrile, PCC.



1 Schedule III

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

- 9 (1) Benzphetamine;  
10 (2) Chlorphentermine;  
11 (3) Clortermine; and  
12 (4) Phendimetrazine.

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

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

- 20 (2) Chlorhexadol;  
21 (3) Lysergic acid;  
22 (4) Lysergic acid amide;  
23 (5) Methyprylon;  
24 (6) Sulfondiethylmethane;  
25 (7) Sulfonethylmethane;  
26 (8) Sulfonmethane;  
27 (9) Nalorphine;

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

31 (11) Any suppository dosage form containing amobarbital,

1 secobarbital, pentobarbital, or any salt of any of these drugs and  
2 approved by the federal Food and Drug Administration for marketing only  
3 as a suppository;

4 (12) Any drug product containing gamma-hydroxybutyric acid,  
5 including its salts, isomers, and salts of isomers, for which an  
6 application is approved under section 505 of the Federal Food, Drug, and  
7 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;

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

11 (14) Tiletamine and zolazepam or any salt thereof. Trade or other  
12 names for a tiletamine-zolazepam combination product shall include, but  
13 are not limited to: telazol. Trade or other names for tiletamine shall  
14 include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-  
15 cyclohexanone. Trade or other names for zolazepam shall include, but are  
16 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-  
17 (3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrzapon.

18 (c) Unless specifically excepted or unless listed in another  
19 schedule:

20 (1) Any material, compound, mixture, or preparation containing  
21 limited quantities of any of the following narcotic drugs, or any salts  
22 calculated as the free anhydrous base or alkaloid, in limited quantities  
23 as set forth below:

24 (A) Not more than one and eight-tenths grams of codeine per one  
25 hundred milliliters or not more than ninety milligrams per dosage unit,  
26 with an equal or greater quantity of an isoquinoline alkaloid of opium;

27 (B) Not more than one and eight-tenths grams of codeine per one  
28 hundred milliliters or not more than ninety milligrams per dosage unit,  
29 with one or more active, nonnarcotic ingredients in recognized  
30 therapeutic amounts;

31 (C) Not more than three hundred milligrams of dihydrocodeinone which

1 is also known as hydrocodone per one hundred milliliters or not more than  
2 fifteen milligrams per dosage unit, with a fourfold or greater quantity  
3 of an isoquinoline alkaloid of opium;

4 (D) Not more than three hundred milligrams of dihydrocodeinone which  
5 is also known as hydrocodone per one hundred milliliters or not more than  
6 fifteen milligrams per dosage unit, with one or more active, nonnarcotic  
7 ingredients in recognized therapeutic amounts;

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

12 (F) Not more than three hundred milligrams of ethylmorphine per one  
13 hundred milliliters or not more than fifteen milligrams per dosage unit,  
14 with one or more active, nonnarcotic ingredients in recognized  
15 therapeutic amounts;

16 (G) Not more than five hundred milligrams of opium per one hundred  
17 milliliters or per one hundred grams, or not more than twenty-five  
18 milligrams per dosage unit, with one or more active, nonnarcotic  
19 ingredients in recognized therapeutic amounts; and

20 (H) Not more than fifty milligrams of morphine per one hundred  
21 milliliters or per one hundred grams with one or more active, nonnarcotic  
22 ingredients in recognized therapeutic amounts; and

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

25 (A) Buprenorphine.

26 (d) Unless contained on the administration's list of exempt anabolic  
27 steroids as the list existed on January 1, 2014, any anabolic steroid,  
28 which shall include any material, compound, mixture, or preparation  
29 containing any quantity of the following substances, including its salts,  
30 isomers, and salts of isomers whenever the existence of such salts of  
31 isomers is possible within the specific chemical designation:

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

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

3 (e) Hallucinogenic substances known as:

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

9 Schedule IV

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

14 (1) Barbital;

15 (2) Chloral betaine;

16 (3) Chloral hydrate;

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

20 (5) Clonazepam;

21 (6) Clorazepate;

22 (7) Diazepam;

23 (8) Ethchlorvynol;

24 (9) Ethinamate;

25 (10) Flurazepam;

26 (11) Mebutamate;

27 (12) Meprobamate;

28 (13) Methohexital;

29 (14) Methylphenobarbital;

30 (15) Oxazepam;

31 (16) Paraldehyde;

- 1 (17) Petrichloral;
- 2 (18) Phenobarbital;
- 3 (19) Prazepam;
- 4 (20) Alprazolam;
- 5 (21) Bromazepam;
- 6 (22) Camazepam;
- 7 (23) Clobazam;
- 8 (24) Clotiazepam;
- 9 (25) Cloxazolam;
- 10 (26) Delorazepam;
- 11 (27) Estazolam;
- 12 (28) Ethyl loflazepate;
- 13 (29) Fludiazepam;
- 14 (30) Flunitrazepam;
- 15 (31) Halazepam;
- 16 (32) Haloxazolam;
- 17 (33) Ketazolam;
- 18 (34) Loprazolam;
- 19 (35) Lorazepam;
- 20 (36) Lormetazepam;
- 21 (37) Medazepam;
- 22 (38) Nimetazepam;
- 23 (39) Nitrazepam;
- 24 (40) Nordiazepam;
- 25 (41) Oxazolam;
- 26 (42) Pinazepam;
- 27 (43) Temazepam;
- 28 (44) Tetrazepam;
- 29 (45) Triazolam;
- 30 (46) Midazolam;
- 31 (47) Quazepam;

- 1 (48) Zolpidem;
- 2 (49) Dichloralphenazone; and
- 3 (50) Zaleplon.

4 (b) Any material, compound, mixture, or preparation which contains  
5 any quantity of the following substance, including its salts, isomers,  
6 whether optical, position, or geometric, and salts of such isomers,  
7 whenever the existence of such salts, isomers, and salts of isomers is  
8 possible: Fenfluramine.

9 (c) Unless specifically excepted or unless listed in another  
10 schedule, any material, compound, mixture, or preparation which contains  
11 any quantity of the following substances having a stimulant effect on the  
12 central nervous system, including their salts, isomers, whether optical,  
13 position, or geometric, and salts of such isomers whenever the existence  
14 of such salts, isomers, and salts of isomers is possible within the  
15 specific chemical designation:

- 16 (1) Diethylpropion;
- 17 (2) Phentermine;
- 18 (3) Pemoline, including organometallic complexes and chelates  
19 thereof;
- 20 (4) Mazindol;
- 21 (5) Pipradrol;
- 22 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);
- 23 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);
- 24 (8) Fencamfamin;
- 25 (9) Fenproporex;
- 26 (10) Mefenorex;
- 27 (11) Modafinil; and
- 28 (12) Sibutramine.

29 (d) Unless specifically excepted or unless listed in another  
30 schedule, any material, compound, mixture, or preparation which contains  
31 any quantity of the following narcotic drugs, or their salts or isomers

1 calculated as the free anhydrous base or alkaloid, in limited quantities  
2 as set forth below:

3 (1) Propoxyphene in manufactured dosage forms; and

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

6 (e) Unless specifically excepted or unless listed in another  
7 schedule, any material, compound, mixture, or preparation which contains  
8 any quantity of the following substance, including its salts:  
9 Pentazocine.

10 (f) Unless specifically excepted or unless listed in another  
11 schedule, any material, compound, mixture, or preparation which contains  
12 any quantity of the following substance, including its salts, isomers,  
13 and salts of such isomers: Butorphanol.

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

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

22 (2) The following drug products containing ephedrine, its salts,  
23 optical isomers, and salts of such optical isomers, are excepted from  
24 subdivision (h)(1) of Schedule IV if they (A) are stored behind a  
25 counter, in an area not accessible to customers, or in a locked case so  
26 that a customer needs assistance from an employee to access the drug  
27 product; (B) are sold by a person, eighteen years of age or older, in the  
28 course of his or her employment to a customer eighteen years of age or  
29 older with the following restrictions: No customer shall be allowed to  
30 purchase, receive, or otherwise acquire more than three and six-tenths  
31 grams of ephedrine base during a twenty-four-hour period; no customer



1 shall purchase, receive, or otherwise acquire more than nine grams of  
2 ephedrine base during a thirty-day period; and the customer shall display  
3 a valid driver's or operator's license, a Nebraska state identification  
4 card, a military identification card, an alien registration card, or a  
5 passport as proof of identification; (C) are labeled and marketed in a  
6 manner consistent with the pertinent OTC Tentative Final or Final  
7 Monograph; (D) are manufactured and distributed for legitimate medicinal  
8 use in a manner that reduces or eliminates the likelihood of abuse; and  
9 (E) are not marketed, advertised, or represented in any manner for the  
10 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or  
11 high, heightened sexual performance, or increased muscle mass:

- 12 (i) Primatene Tablets; and
- 13 (ii) Bronkaid Dual Action Caplets.

14 Schedule V

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

- 21 (1) Not more than two hundred milligrams of codeine per one hundred  
22 milliliters or per one hundred grams;
- 23 (2) Not more than one hundred milligrams of dihydrocodeine per one  
24 hundred milliliters or per one hundred grams;
- 25 (3) Not more than one hundred milligrams of ethylmorphine per one  
26 hundred milliliters or per one hundred grams;
- 27 (4) Not more than two and five-tenths milligrams of diphenoxylate  
28 and not less than twenty-five micrograms of atropine sulfate per dosage  
29 unit;
- 30 (5) Not more than one hundred milligrams of opium per one hundred  
31 milliliters or per one hundred grams; and

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

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

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

13 (1) Ezogabine (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic  
14 acid ethyl ester);

15 (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);  
16 and

17 (3) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid).

18 Sec. 4. Section 28-416, Revised Statutes Cumulative Supplement,  
19 2014, is amended to read:

20 28-416 (1) Except as authorized by the Uniform Controlled Substances  
21 Act, it shall be unlawful for any person knowingly or intentionally: (a)  
22 To manufacture, distribute, deliver, dispense, or possess with intent to  
23 manufacture, distribute, deliver, or dispense a controlled substance; or  
24 (b) to create, distribute, or possess with intent to distribute a  
25 counterfeit controlled substance.

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

1 28-405 shall be guilty of a Class III felony; or (c) a controlled  
2 substance classified in Schedule IV or V of section 28-405 shall be  
3 guilty of a Class IIIA felony.

4 (3) ~~Except as provided in subsections (11), (12), (13), and (14) of~~  
5 ~~this section, any~~ A person knowingly or intentionally possessing a  
6 controlled substance, ~~except marijuana or any substance containing a~~  
7 ~~quantifiable amount of the substances, chemicals, or compounds described,~~  
8 ~~defined, or delineated in subdivision (c)(25) of Schedule I of section~~  
9 ~~28-405,~~ unless such substance was obtained directly or pursuant to a  
10 medical order issued by a practitioner authorized to prescribe while  
11 acting in the course of his or her professional practice, or except as  
12 otherwise authorized by the act, shall be guilty of a Class IV felony.

13 (4)(a) Except as authorized by the Uniform Controlled Substances  
14 Act, any person eighteen years of age or older who knowingly or  
15 intentionally manufactures, distributes, delivers, dispenses, or  
16 possesses with intent to manufacture, distribute, deliver, or dispense a  
17 controlled substance or a counterfeit controlled substance (i) to a  
18 person under the age of eighteen years, (ii) in, on, or within one  
19 thousand feet of the real property comprising a public or private  
20 elementary, vocational, or secondary school, a community college, a  
21 public or private college, junior college, or university, or a  
22 playground, or (iii) within one hundred feet of a public or private youth  
23 center, public swimming pool, or video arcade facility shall be punished  
24 by the next higher penalty classification than the penalty prescribed in  
25 subsection (2), (7), (8), (9), or (10) of this section, depending upon  
26 the controlled substance involved, for the first violation and for a  
27 second or subsequent violation shall be punished by the next higher  
28 penalty classification than that prescribed for a first violation of this  
29 subsection, but in no event shall such person be punished by a penalty  
30 greater than a Class IB felony.

31 (b) For purposes of this subsection:

1 (i) Playground shall mean any outdoor facility, including any  
2 parking lot appurtenant to the facility, intended for recreation, open to  
3 the public, and with any portion containing three or more apparatus  
4 intended for the recreation of children, including sliding boards,  
5 swingsets, and teeterboards;

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

10 (iii) Youth center shall mean any recreational facility or  
11 gymnasium, including any parking lot appurtenant to the facility or  
12 gymnasium, intended primarily for use by persons under eighteen years of  
13 age which regularly provides athletic, civic, or cultural activities.

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

21 (b) Except as authorized by the Uniform Controlled Substances Act,  
22 it shall be unlawful for any person eighteen years of age or older to  
23 knowingly and intentionally employ, hire, use, cause, persuade, coax,  
24 induce, entice, seduce, or coerce any person under the age of eighteen  
25 years to aid and abet any person in the manufacture, transportation,  
26 distribution, carrying, delivery, dispensing, preparation for delivery,  
27 offering for delivery, or possession with intent to do the same of a  
28 controlled substance or a counterfeit controlled substance.

29 (c) Any person who violates subdivision (a) or (b) of this  
30 subsection shall be punished by the next higher penalty classification  
31 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of

1 this section, depending upon the controlled substance involved, for the  
2 first violation and for a second or subsequent violation shall be  
3 punished by the next higher penalty classification than that prescribed  
4 for a first violation of this subsection, but in no event shall such  
5 person be punished by a penalty greater than a Class IB felony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (a) For the first offense, be guilty of an infraction, receive a  
26 citation, be fined three hundred dollars, and be assigned to attend a  
27 course as prescribed in section 29-433 if the judge determines that  
28 attending such course is in the best interest of the individual  
29 defendant;

30 (b) For the second offense, be guilty of a Class IV misdemeanor,  
31 receive a citation, and be fined four hundred dollars and may be

1 imprisoned not to exceed five days; and

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

5 (14) Any person knowingly or intentionally possessing any substance  
6 containing a quantifiable amount of the substances, chemicals, or  
7 compounds described, defined, or delineated in subdivision (c)(24) of  
8 Schedule I of section 28-405 shall:

9 (a) For the first offense, be guilty of an infraction, receive a  
10 citation, be fined three hundred dollars, and be assigned to attend a  
11 course as prescribed in section 29-433 if the judge determines that  
12 attending such course is in the best interest of the individual  
13 defendant; and

14 (b) For the second and all subsequent offenses, be guilty of a Class  
15 IIIA misdemeanor, receive a citation, and be fined five hundred dollars  
16 and may be imprisoned not to exceed seven days.

17 (15 14) Any person convicted of violating this section, if placed on  
18 probation, shall, as a condition of probation, satisfactorily attend and  
19 complete appropriate treatment and counseling on drug abuse provided by a  
20 program authorized under the Nebraska Behavioral Health Services Act or  
21 other licensed drug treatment facility.

22 (16 15) Any person convicted of violating this section, if sentenced  
23 to the Department of Correctional Services, shall attend appropriate  
24 treatment and counseling on drug abuse.

25 (17 16) Any person knowingly or intentionally possessing a firearm  
26 while in violation of subsection (1) of this section shall be punished by  
27 the next higher penalty classification than the penalty prescribed in  
28 subsection (2), (7), (8), (9), or (10) of this section, but in no event  
29 shall such person be punished by a penalty greater than a Class IB  
30 felony.

31 (18 17) A person knowingly or intentionally in possession of money

1 used or intended to be used to facilitate a violation of subsection (1)  
2 of this section shall be guilty of a Class IV felony.

3 (~~19 18~~) In addition to the penalties provided in this section:

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

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

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

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

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

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

30 (ii) For a second offense, the court may, as part of the judgment of  
31 conviction or adjudication, (A) prohibit such person from obtaining any



1 permit or any license pursuant to the act for which such person would  
2 otherwise be eligible until ninety days after the date of such order and  
3 (B) require such person to complete no fewer than twenty hours and no  
4 more than forty hours of community service and to attend a drug education  
5 class; and

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

13 A copy of an abstract of the court's conviction or adjudication  
14 shall be transmitted to the Director of Motor Vehicles pursuant to  
15 sections 60-497.01 to 60-497.04 if a license or permit is impounded or a  
16 juvenile is prohibited from obtaining a license or permit under this  
17 subsection.

18 Sec. 5. When the weight of marijuana is referred to in the Uniform  
19 Controlled Substances Act, it means its weight at or about the time it is  
20 seized or otherwise comes into the possession of law enforcement  
21 authorities, whether cured or uncured at that time.

22 Sec. 6. Section 28-439, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 28-439 As used in sections 28-101, 28-431, and 28-439 to 28-444,  
25 unless the context otherwise requires, drug paraphernalia shall mean all  
26 equipment, products, and materials of any kind which are used, intended  
27 for use, or designed for use, in manufacturing, injecting, ingesting,  
28 inhaling, or otherwise introducing into the human body a controlled  
29 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444  
30 or the Uniform Controlled Substances Act. It shall include, but not be  
31 limited to, the following:

1 (1) Diluents and adulterants, such as quinine hydrochloride,  
2 mannitol, mannite, dextrose, and lactose, used, intended for use, or  
3 designed for use in cutting controlled substances;

4 (2) Separation gins and sifters used, intended for use, or designed  
5 for use in removing twigs and seeds from, or in otherwise cleaning or  
6 refining, marijuana;

7 (3) Hypodermic syringes, needles, and other objects used, intended  
8 for use, and designed for use in parenterally injecting controlled  
9 substances into the human body; and

10 (4) Objects used, intended for use, or designed for use in  
11 ingesting, inhaling, or otherwise introducing marijuana, cocaine, or  
12 marijuana concentrate ~~hashish, or hashish oil~~ into the human body, which  
13 shall include but not be limited to the following:

14 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes  
15 with or without screens, permanent screens, hashish heads, or punctured  
16 metal bowls;

17 (b) Water pipes;

18 (c) Carburetion tubes and devices;

19 (d) Smoking and carburetion masks;

20 (e) Roach clips, meaning objects used to hold burning material, such  
21 as a marijuana cigarette, which has become too small or too short to be  
22 held in the hand;

23 (f) Miniature cocaine spoons, and cocaine vials;

24 (g) Chamber pipes;

25 (h) Carburetor pipes;

26 (i) Electric pipes;

27 (j) Air-driven pipes;

28 (k) Chillums;

29 (l) Bongs; and

30 (m) Ice pipes or chillers.

31 Sec. 7. Section 28-1354, Revised Statutes Cumulative Supplement,

1 2014, is amended to read:

2 28-1354 For purposes of the Public Protection Act:

3 (1) Enterprise means any individual, sole proprietorship,  
4 partnership, corporation, trust, association, or any legal entity, union,  
5 or group of individuals associated in fact although not a legal entity,  
6 and shall include illicit as well as licit enterprises as well as other  
7 entities;

8 (2) Pattern of racketeering activity means a cumulative loss for one  
9 or more victims or gains for the enterprise of not less than one thousand  
10 five hundred dollars resulting from at least two acts of racketeering  
11 activity, one of which occurred after August 30, 2009, and the last of  
12 which occurred within ten years, excluding any period of imprisonment,  
13 after the commission of a prior act of racketeering activity;

14 (3) Person means any individual or entity, as defined in section  
15 21-214, holding or capable of holding a legal, equitable, or beneficial  
16 interest in property;

17 (4) Prosecutor includes the Attorney General of the State of  
18 Nebraska, the deputy attorney general, assistant attorneys general, a  
19 county attorney, a deputy county attorney, or any person so designated by  
20 the Attorney General, a county attorney, or a court of the state to carry  
21 out the powers conferred by the act;

22 (5) Racketeering activity includes the commission of, criminal  
23 attempt to commit, conspiracy to commit, aiding and abetting in the  
24 commission of, aiding in the consummation of, acting as an accessory to  
25 the commission of, or the solicitation, coercion, or intimidation of  
26 another to commit or aid in the commission of any of the following:

27 (a) Offenses against the person which include: Murder in the first  
28 degree under section 28-303; murder in the second degree under section  
29 28-304; manslaughter under section 28-305; assault in the first degree  
30 under section 28-308; assault in the second degree under section 28-309;  
31 assault in the third degree under section 28-310; terroristic threats

1 under section 28-311.01; kidnapping under section 28-313; false  
2 imprisonment in the first degree under section 28-314; false imprisonment  
3 in the second degree under section 28-315; sexual assault in the first  
4 degree under section 28-319; and robbery under section 28-324;

5 (b) Offenses relating to controlled substances which include: To  
6 unlawfully manufacture, distribute, deliver, dispense, or possess with  
7 intent to manufacture, distribute, deliver, or dispense a controlled  
8 substance under subsection (1) of section 28-416; possession of marijuana  
9 weighing more than one pound under subsection (12) of section 28-416;  
10 possession of money used or intended to be used to facilitate a violation  
11 of subsection (1) of section 28-416 prohibited under subsection (~~18~~ 17)  
12 of section 28-416; any violation of section 28-418; to unlawfully  
13 manufacture, distribute, deliver, or possess with intent to distribute or  
14 deliver an imitation controlled substance under section 28-445;  
15 possession of anhydrous ammonia with the intent to manufacture  
16 methamphetamine under section 28-451; and possession of ephedrine,  
17 pseudoephedrine, or phenylpropanolamine with the intent to manufacture  
18 methamphetamine under section 28-452;

19 (c) Offenses against property which include: Arson in the first  
20 degree under section 28-502; arson in the second degree under section  
21 28-503; arson in the third degree under section 28-504; burglary under  
22 section 28-507; theft by unlawful taking or disposition under section  
23 28-511; theft by shoplifting under section 28-511.01; theft by deception  
24 under section 28-512; theft by extortion under section 28-513; theft of  
25 services under section 28-515; theft by receiving stolen property under  
26 section 28-517; criminal mischief under section 28-519; and unlawfully  
27 depriving or obtaining property or services using a computer under  
28 section 28-1344;

29 (d) Offenses involving fraud which include: Burning to defraud an  
30 insurer under section 28-505; forgery in the first degree under section  
31 28-602; forgery in the second degree under section 28-603; criminal

1 possession of a forged instrument under section 28-604; criminal  
2 possession of forgery devices under section 28-605; criminal  
3 impersonation under section 28-638; identity theft under section 28-639;  
4 identity fraud under section 28-640; false statement or book entry under  
5 section 28-612; tampering with a publicly exhibited contest under section  
6 28-614; issuing a false financial statement for purposes of obtaining a  
7 financial transaction device under section 28-619; unauthorized use of a  
8 financial transaction device under section 28-620; criminal possession of  
9 a financial transaction device under section 28-621; unlawful circulation  
10 of a financial transaction device in the first degree under section  
11 28-622; unlawful circulation of a financial transaction device in the  
12 second degree under section 28-623; criminal possession of a blank  
13 financial transaction device under section 28-624; criminal sale of a  
14 blank financial transaction device under section 28-625; criminal  
15 possession of a forgery device under section 28-626; unlawful manufacture  
16 of a financial transaction device under section 28-627; laundering of  
17 sales forms under section 28-628; unlawful acquisition of sales form  
18 processing services under section 28-629; unlawful factoring of a  
19 financial transaction device under section 28-630; and fraudulent  
20 insurance acts under section 28-631;

21 (e) Offenses involving governmental operations which include: Abuse  
22 of public records under section 28-911; perjury or subornation of perjury  
23 under section 28-915; bribery under section 28-917; bribery of a witness  
24 under section 28-918; tampering with a witness or informant or jury  
25 tampering under section 28-919; bribery of a juror under section 28-920;  
26 assault on an officer, an emergency responder, a state correctional  
27 employee, a Department of Health and Human Services employee, or a health  
28 care professional in the first degree under section 28-929; assault on an  
29 officer, an emergency responder, a state correctional employee, a  
30 Department of Health and Human Services employee, or a health care  
31 professional in the second degree under section 28-930; assault on an

1 officer, an emergency responder, a state correctional employee, a  
2 Department of Health and Human Services employee, or a health care  
3 professional in the third degree under section 28-931; and assault on an  
4 officer, an emergency responder, a state correctional employee, a  
5 Department of Health and Human Services employee, or a health care  
6 professional using a motor vehicle under section 28-931.01;

7 (f) Offenses involving gambling which include: Promoting gambling in  
8 the first degree under section 28-1102; possession of gambling records  
9 under section 28-1105; gambling debt collection under section 28-1105.01;  
10 and possession of a gambling device under section 28-1107;

11 (g) Offenses relating to firearms, weapons, and explosives which  
12 include: Carrying a concealed weapon under section 28-1202;  
13 transportation or possession of machine guns, short rifles, or short  
14 shotguns under section 28-1203; unlawful possession of a handgun under  
15 section 28-1204; unlawful transfer of a firearm to a juvenile under  
16 section 28-1204.01; using a deadly weapon to commit a felony or  
17 possession of a deadly weapon during the commission of a felony under  
18 section 28-1205; possession of a deadly weapon by a prohibited person  
19 under section 28-1206; possession of a defaced firearm under section  
20 28-1207; defacing a firearm under section 28-1208; unlawful discharge of  
21 a firearm under section 28-1212.02; possession, receipt, retention, or  
22 disposition of a stolen firearm under section 28-1212.03; unlawful  
23 possession of explosive materials in the first degree under section  
24 28-1215; unlawful possession of explosive materials in the second degree  
25 under section 28-1216; unlawful sale of explosives under section 28-1217;  
26 use of explosives without a permit under section 28-1218; obtaining an  
27 explosives permit through false representations under section 28-1219;  
28 possession of a destructive device under section 28-1220; threatening the  
29 use of explosives or placing a false bomb under section 28-1221; using  
30 explosives to commit a felony under section 28-1222; using explosives to  
31 damage or destroy property under section 28-1223; and using explosives to

1 kill or injure any person under section 28-1224;

2 (h) Any violation of the Securities Act of Nebraska pursuant to  
3 section 8-1117;

4 (i) Any violation of the Nebraska Revenue Act of 1967 pursuant to  
5 section 77-2713;

6 (j) Offenses relating to public health and morals which include:  
7 Prostitution under section 28-801; pandering under section 28-802;  
8 keeping a place of prostitution under section 28-804; labor trafficking,  
9 sex trafficking, labor trafficking of a minor, or sex trafficking of a  
10 minor under section 28-831; a violation of section 28-1005; and any act  
11 relating to the visual depiction of sexually explicit conduct prohibited  
12 in the Child Pornography Prevention Act; and

13 (k) A violation of the Computer Crimes Act;

14 (6) State means the State of Nebraska or any political subdivision  
15 or any department, agency, or instrumentality thereof; and

16 (7) Unlawful debt means a debt of at least one thousand five hundred  
17 dollars:

18 (a) Incurred or contracted in gambling activity which was in  
19 violation of federal law or the law of the state or which is  
20 unenforceable under state or federal law in whole or in part as to  
21 principal or interest because of the laws relating to usury; or

22 (b) Which was incurred in connection with the business of gambling  
23 in violation of federal law or the law of the state or the business of  
24 lending money or a thing of value at a rate usurious under state law if  
25 the usurious rate is at least twice the enforceable rate.

26 Sec. 8. Original section 28-439, Reissue Revised Statutes of  
27 Nebraska, and sections 28-401, 28-401.01, 28-405, 28-416, and 28-1354,  
28 Revised Statutes Cumulative Supplement, 2014, are repealed.