

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 670**  
Final Reading

Introduced by Flood, 19; Price, 3; Schilz, 47.

Read first time January 19, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section 28-405,  
2 Revised Statutes Supplement, 2011; to include additional  
3 substances in the schedule of controlled substances under  
4 the Uniform Controlled Substances Act; to repeal the  
5 original section; and to declare an emergency.

6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 28-405, Revised Statutes Supplement,  
2   2011, is amended to read:

3                   28-405 The following are the schedules of controlled  
4   substances referred to in the Uniform Controlled Substances Act:

5                   Schedule I

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

11                   (1) Acetylmethadol;

12                   (2) Allylprodine;

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

16                   (4) Alphameprodine;

17                   (5) Alphamethadol;

18                   (6) Benzethidine;

19                   (7) Betacetylmethadol;

20                   (8) Betameprodine;

21                   (9) Betamethadol;

22                   (10) Betaprodine;

23                   (11) Clonitazene;

24                   (12) Dextromoramide;

25                   (13) Difenoxin;

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

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

1 phenethyl)-4-piperidinyl)-N-phenylpropanamide, its optical isomers,  
2 salts, and salts of isomers;

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

6 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-  
7 thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide, its optical and  
8 geometric isomers, salts, and salts of isomers;

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

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

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

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

22 (1) Acetorphine;

23 (2) Acetyldihydrocodeine;

24 (3) Benzylmorphine;

25 (4) Codeine methylbromide;

- 1 (5) Codeine-N-Oxide;
  - 2 (6) Cyprenorphine;
  - 3 (7) Desomorphine;
  - 4 (8) Dihydromorphine;
  - 5 (9) Drotebanol;
  - 6 (10) Etorphine, except hydrochloride salt;
  - 7 (11) Heroin;
  - 8 (12) Hydromorphanol;
  - 9 (13) Methyldesorphine;
  - 10 (14) Methyldihydromorphine;
  - 11 (15) Morphine methylbromide;
  - 12 (16) Morphine methylsulfonate;
  - 13 (17) Morphine-N-Oxide;
  - 14 (18) Myrophine;
  - 15 (19) Nicocodeine;
  - 16 (20) Nicomorphine;
  - 17 (21) Normorphine;
  - 18 (22) Pholcodine; and
  - 19 (23) Thebacon.
- 20 (c) Any material, compound, mixture, or preparation which  
21 contains any quantity of the following hallucinogenic substances,  
22 their salts, isomers, and salts of isomers, unless specifically  
23 excepted, whenever the existence of such salts, isomers, and salts of  
24 isomers is possible within the specific chemical designation, and,  
25 for purposes of this subdivision only, isomer shall include the

1 optical, position, and geometric isomers:

2 (1) Bufotenine. Trade and other names shall include, but  
3 are not limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-  
4 (2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-  
5 N,N-dimethyltryptamine; and mappine;

6 (2) Diethyltryptamine. Trade and other names shall  
7 include, but are not limited to: N,N-Diethyltryptamine; and DET;

8 (3) Dimethyltryptamine. Trade and other names shall  
9 include, but are not limited to: DMT;

10 (4) 4-bromo-2,5-dimethoxyamphetamine. Trade and other  
11 names shall include, but are not limited to: 4-bromo-2,5-dimethoxy-  
12 alpha-methylphenethylamine; and 4-bromo-2,5-DMA;

13 (5) 4-methoxyamphetamine. Trade and other names shall  
14 include, but are not limited to: 4-methoxy-alpha-  
15 methylphenethylamine; and paramethoxyamphetamine, PMA;

16 (6) 4-methyl-2,5-dimethoxyamphetamine. Trade and other  
17 names shall include, but are not limited to: 4-methyl-2,5-dimethoxy-  
18 alpha-methylphenethylamine; DOM; and STP;

19 (7) 5-methoxy-N,N-dimethyltryptamine;

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

24 (9) Lysergic acid diethylamide;

25 (10) Marijuana;

1                   (11) Mescaline;

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

7                   (13) Psilocybin;

8                   (14) Psilocyn;

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

22                   (16) 3,4-methylenedioxy amphetamine;

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

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

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



- 1 (20) N-methyl-3-piperidyl benzilate;
- 2 (21) Thiophene analog of phencyclidine. Trade and other  
3 names shall include, but are not limited to: 1-(1-(2-thienyl)-  
4 cyclohexyl)-piperidine; 2-thienyl analog of phencyclidine; TCP; and  
5 TCP;
- 6 (22) 2,5-dimethoxyamphetamine. Trade and other names  
7 shall include, but are not limited to: 2,5-dimethoxy-alpha-  
8 methylphenethylamine; and 2,5-DMA;
- 9 (23) Hashish or concentrated cannabis;
- 10 (24) Parahexyl. Trade and other names shall include, but  
11 are not limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-  
12 trimethyl-6H-dibenzo(b,d)pyran; and Synhexyl;
- 13 (25) Ethylamine analog of phencyclidine. Trade and other  
14 names shall include, but are not limited to: N-ethyl-1-  
15 phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-  
16 phenylcyclohexyl)ethylamine; cyclohexamine; and PCE;
- 17 (26) Pyrrolidine analog of phencyclidine. Trade and other  
18 names shall include, but are not limited to: 1-(1-phenylcyclohexyl)-  
19 pyrrolidine; PCPy; and PHP;
- 20 (27) 3,4-methylenedioxymethamphetamine (MDMA), its  
21 optical, positional, and geometric isomers, salts, and salts of  
22 isomers;
- 23 (28) 4-Bromo-2,5-dimethoxyphenethylamine. Some trade or  
24 other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
25 desmethyl DOB; 2C-B; and Nexus;

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

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

5           (31) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

6           (32) Alpha-methyltryptamine, which is also known as AMT;

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

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

17           (35) Any material, compound, mixture, or preparation  
18 containing any quantity of synthetically produced cannabinoids as  
19 listed in subdivisions (i) through (viii) of this subdivision,  
20 including their salts, isomers, and salts of isomers, unless  
21 specifically excepted elsewhere in this section. Since nomenclature  
22 of these synthetically produced cannabinoids is not internationally  
23 standardized and may continually evolve, these structures or  
24 compounds of these structures shall be included under this  
25 subdivision, regardless of their specific numerical designation of

1 atomic positions covered, so long as it can be determined through  
2 some form of scientific testing or analysis that the substance  
3 contains properties that fit within one or more of the following  
4 categories:

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

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

21 (iii) Naphthylmethylindoles: Any compound containing a 1  
22 H-indol-3-yl-(1-naphthyl)methane structure with substitution at the  
23 nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl,  
24 cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl group,  
25 whether or not further substituted in the indole ring to any extent

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

2 (iv) Naphthoypyrroles: Any compound containing a 3-(1-  
3 naphthoypyrrole structure with substitution at the nitrogen atom of  
4 the pyrrole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
5 cycloalkylethyl or 2-(4-morpholinyl)ethyl group, whether or not  
6 further substituted in the pyrrole ring to any extent and whether or  
7 not substituted in the naphthyl ring to any extent;

8 (v) Naphthylideneindenes: Any compound containing a  
9 naphthylideneindene structure with substitution at the 3-position of  
10 the indene ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
11 cycloalkylethyl or 2-(4-morpholinyl)ethyl group, whether or not  
12 further substituted in the indene ring to any extent and whether or  
13 not substituted in the naphthyl ring to any extent;

14 (vi) Phenylacetylindoles: Any compound containing a 3-  
15 phenylacetylindole structure with substitution at the nitrogen atom  
16 of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
17 cycloalkylethyl or 2-(4-morpholinyl)ethyl group, whether or not  
18 further substituted in the indole ring to any extent and whether or  
19 not substituted in the phenyl ring to any extent;

20 (vii) Cyclohexylphenols: Any compound containing a 2-(3-  
21 hydroxycyclohexyl)phenol structure with substitution at the 5-  
22 position of the phenolic ring by a alkyl, haloalkyl, alkenyl,  
23 cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl group,  
24 whether or not substituted in the cyclohexyl ring to any extent; and

25 (viii) Benzoylindoles: Any compound containing a 3-

1 (benzoyl)indole structure with substitution at the nitrogen atom of  
2 the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
3 cycloalkylethyl or 2-(4-morpholinyl)ethyl group, whether or not  
4 further substituted in the indole ring to any extent and whether or  
5 not substituted in the phenyl ring to any extent; and -

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

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

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

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

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

14 (v) Fluoromethcathinone, or FMC;

15 (vi) Napthylpyrovalerone, or naphyrone; or

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

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

23 (i) Substitution in the ring system to any extent with  
24 alkyl, alkoxy, alkylendioxy, haloalkyl, hydroxyl, or halide  
25 substituents, whether or not further substituted in the ring system

1 by one or more 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  
5 alkyl or dialkyl groups, or by inclusion of the 2-amino nitrogen atom  
6 in a cyclic structure.

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

14 (1) Mecloqualone;

15 (2) Methaqualone; and

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

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

24 (1) Fenethylamine;

25 (2) N-ethylamphetamine;

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

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

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

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

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

15                   (8) Benzylpiperazine, 1-benzylpiperazine.

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

18                   Schedule II

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

24                   (1) Opium and opiate, and any salt, compound, derivative,  
25 or preparation of opium or opiate, excluding apomorphine,

1 buprenorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine,  
2 nalmefene, naloxone, and naltrexone and their salts, but including  
3 the following:

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



1 alkaloids of opium;

2 (3) Opium poppy and poppy straw;

3 (4) Coca leaves and any salt, compound, derivative, or  
4 preparation of coca leaves, and any salt, compound, derivative, or  
5 preparation thereof which is chemically equivalent to or identical  
6 with any of these substances, including cocaine and its salts,  
7 optical isomers, and salts of optical isomers, except that the  
8 substances shall not include decocainized coca leaves or extractions  
9 which do not contain cocaine or ecgonine; and

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

13 (b) Unless specifically excepted or unless in another  
14 schedule any of the following opiates, including their isomers,  
15 esters, ethers, salts, and salts of their isomers, esters, and ethers  
16 whenever the existence of such isomers, esters, ethers, and salts is  
17 possible within the specific chemical designation, dextrorphan  
18 excepted:

19 (1) Alphaprodine;

20 (2) Anileridine;

21 (3) Bezitramide;

22 (4) Diphenoxylate;

23 (5) Fentanyl;

24 (6) Isomethadone;

25 (7) Levomethorphan;

- 1 (8) Levorphanol;
- 2 (9) Metazocine;
- 3 (10) Methadone;
- 4 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-
- 5 diphenyl butane;
- 6 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
- 7 diphenylpropane-carboxylic acid;
- 8 (13) Pethidine or meperidine;
- 9 (14) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-
- 10 phenylpiperidine;
- 11 (15) Pethidine-Intermediate-B, ethyl-4-
- 12 phenylpiperidine-4-carboxylate;
- 13 (16) Pethidine-Intermediate-C, 1-methyl-4-
- 14 phenylpiperidine-4-carboxylic acid;
- 15 (17) Phenazocine;
- 16 (18) Piminodine;
- 17 (19) Racemethorphan;
- 18 (20) Racemorphan;
- 19 (21) Dihydrocodeine;
- 20 (22) Bulk Propoxyphene in nondosage forms;
- 21 (23) Sufentanil;
- 22 (24) Alfentanil;
- 23 (25) Levo-alpha-acetylmethadol which is also known as levo-
- 24 alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 25 (26) Carfentanil;

1 (27) Remifentanil; and

2 (28) Tapentadol.

3 (c) Any material, compound, mixture, or preparation which  
4 contains any quantity of the following substances having a potential  
5 for abuse associated with a stimulant effect on the central nervous  
6 system:

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

9 (2) Phenmetrazine and its salts;

10 (3) Methamphetamine, its salts, isomers, and salts of its  
11 isomers; and

12 (4) Methylphenidate.

13 (d) Any material, compound, mixture, or preparation which  
14 contains any quantity of the following substances having a potential  
15 for abuse associated with a depressant effect on the central nervous  
16 system, including their salts, isomers, and salts of isomers whenever  
17 the existence of such salts, isomers, and salts of isomers is  
18 possible within the specific chemical designations:

19 (1) Amobarbital;

20 (2) Secobarbital;

21 (3) Pentobarbital;

22 (4) Phencyclidine; and

23 (5) Glutethimide.

24 (e) Hallucinogenic substances known as:

25 (1) Nabilone. Another name for nabilone: (+/-)-trans-3-

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

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

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

10 (2) Immediate precursors to phencyclidine, PCP:

11 (i) 1-phenylcyclohexylamine; or

12 (ii) 1-piperidinocyclohexanecarbonitrile, PCC.

13 Schedule III

14 (a) Any material, compound, mixture, or preparation which  
15 contains any quantity of the following substances having a potential  
16 for abuse associated with a stimulant effect on the central nervous  
17 system, including their salts, isomers, whether optical, position, or  
18 geometric, and salts of such isomers whenever the existence of such  
19 salts, isomers, and salts of isomers is possible within the specific  
20 chemical designation:

21 (1) Benzphetamine;

22 (2) Chlorphentermine;

23 (3) Clortermine; and

24 (4) Phendimetrazine.

25 (b) Any material, compound, mixture, or preparation which

1 contains any quantity of the following substances having a potential  
2 for abuse associated with a depressant effect on the central nervous  
3 system:

4 (1) Any substance which contains any quantity of a  
5 derivative of barbituric acid or any salt of a derivative of  
6 barbituric acid, except those substances which are specifically  
7 listed in other schedules of this section;

8 (2) Chlorhexadol;

9 (3) Lysergic acid;

10 (4) Lysergic acid amide;

11 (5) Methyprylon;

12 (6) Sulfondiethylmethane;

13 (7) Sulfonethylmethane;

14 (8) Sulfonmethane;

15 (9) Nalorphine;

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

20 (11) Any suppository dosage form containing amobarbital,  
21 secobarbital, pentobarbital, or any salt of any of these drugs and  
22 approved by the Food and Drug Administration for marketing only as a  
23 suppository;

24 (12) Any drug product containing gamma-hydroxybutyric  
25 acid, including its salts, isomers, and salts of isomers, for which

1 an application is approved under section 505 of the Federal Food,  
2 Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on  
3 July 20, 2002;

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

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

15 (c) Unless specifically excepted or unless listed in  
16 another schedule:

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

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

25 (ii) Not more than one and eight-tenths grams of codeine

1 per one hundred milliliters or not more than ninety milligrams per  
2 dosage unit, with one or more active, nonnarcotic ingredients in  
3 recognized therapeutic amounts;

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

8 (iv) Not more than three hundred milligrams of  
9 dihydrocodeinone which is also known as hydrocodone per one hundred  
10 milliliters or not more than fifteen milligrams per dosage unit, with  
11 one or more active, nonnarcotic ingredients in recognized therapeutic  
12 amounts;

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

17 (vi) Not more than three hundred milligrams of  
18 ethylmorphine per one hundred milliliters or not more than fifteen  
19 milligrams per dosage unit, with one or more active, nonnarcotic  
20 ingredients in recognized therapeutic amounts;

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

25 (viii) Not more than fifty milligrams of morphine per one

1 hundred milliliters or per one hundred grams with one or more active,  
2 nonnarcotic ingredients in recognized therapeutic amounts; and

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

6 (i) Buprenorphine.

7 (d) Unless contained on the administration's list of  
8 exempt anabolic steroids as the list existed on June 1, 2007, any  
9 anabolic steroid, which shall include any material, compound,  
10 mixture, or preparation containing any quantity of the following  
11 substances, including its salts, isomers, and salts of isomers  
12 whenever the existence of such salts of isomers is possible within  
13 the specific chemical designation:

14 (1) Boldenone;

15 (2) Boldione;

16 (3) Chlorotestosterone (4-chlorotestosterone);

17 (4) Clostebol;

18 (5) Dehydrochloromethyltestosterone;

19 (6) Desoxymethyltestosterone;

20 (7) Dihydrotestosterone (4-dihydrotestosterone);

21 (8) Drostanolone;

22 (9) Ethylestrenol;

23 (10) Fluoxymesterone;

24 (11) Formebolone (formebolone);

25 (12) Mesterolone;



- 1 (13) Methandienone;
- 2 (14) Methandranone;
- 3 (15) Methandriol;
- 4 (16) Methandrostenolone;
- 5 (17) Methenolone;
- 6 (18) Methyltestosterone;
- 7 (19) Mibolerone;
- 8 (20) Nandrolone;
- 9 (21) Norethandrolone;
- 10 (22) Oxandrolone;
- 11 (23) Oxymesterone;
- 12 (24) Oxymetholone;
- 13 (25) Stanolone;
- 14 (26) Stanozolol;
- 15 (27) Testolactone;
- 16 (28) Testosterone;
- 17 (29) Trenbolone;
- 18 (30) 19-nor-4,9(10)-androstadienedione; and
- 19 (31) Any salt, ester, or ether of a drug or substance
- 20 described or listed in this subdivision if the salt, ester, or ether
- 21 promotes muscle growth.
- 22 (e) Hallucinogenic substances known as:
- 23 (1) Dronabinol, synthetic, in sesame oil and encapsulated
- 24 in a soft gelatin capsule in a Food and Drug Administration approved
- 25 drug product. Some other names for dronabinol are (6aR-trans)-6a,

1 7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d)pyran-1-  
2 ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

3 Schedule IV

4 (a) Any material, compound, mixture, or preparation which  
5 contains any quantity of the following substances, including their  
6 salts, isomers, and salts of isomers whenever the existence of such  
7 salts, isomers, and salts of isomers is possible within the specific  
8 chemical designation:

- 9 (1) Barbital;
- 10 (2) Chloral betaine;
- 11 (3) Chloral hydrate;
- 12 (4) Chlordiazepoxide, but not including librax  
13 (chlordiazepoxide hydrochloride and clindinium bromide) or menrium  
14 (chlordiazepoxide and water soluble esterified estrogens);
- 15 (5) Clonazepam;
- 16 (6) Clorazepate;
- 17 (7) Diazepam;
- 18 (8) Ethchlorvynol;
- 19 (9) Ethinamate;
- 20 (10) Flurazepam;
- 21 (11) Mebutamate;
- 22 (12) Meprobamate;
- 23 (13) Methohexital;
- 24 (14) Methylphenobarbital;
- 25 (15) Oxazepam;

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

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

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

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

- 23 (1) Diethylpropion;  
24 (2) Phentermine;  
25 (3) Pemoline, including organometallic complexes and

1 chelates thereof;

2 (4) Mazindol;

3 (5) Pipradrol;

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

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

7 (8) Fencamfamin;

8 (9) Fenproporex;

9 (10) Mefenorex;

10 (11) Modafinil; and

11 (12) Sibutramine.

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

17 (1) Propoxyphene in manufactured dosage forms; and

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

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

24 (f) Unless specifically excepted or unless listed in  
25 another schedule, any material, compound, mixture, or preparation

1 which contains any quantity of the following substance, including its  
2 salts, isomers, and salts of such isomers: Butorphanol.

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

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

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

1 identification card, a military identification card, an alien  
2 registration card, or a passport as proof of identification; (C) are  
3 labeled and marketed in a manner consistent with the pertinent OTC  
4 Tentative Final or Final Monograph; (D) are manufactured and  
5 distributed for legitimate medicinal use in a manner that reduces or  
6 eliminates the likelihood of abuse; and (E) are not marketed,  
7 advertised, or represented in any manner for the indication of  
8 stimulation, mental alertness, euphoria, ecstasy, a buzz or high,  
9 heightened sexual performance, or increased muscle mass:

10 (i) Primatene Tablets; and

11 (ii) Bronkaid Dual Action Caplets. ; ~~and~~

12 ~~(iii) Pazo Hemorrhoidal Ointment.~~

13 Schedule V

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

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

23 (2) Not more than one hundred milligrams of  
24 dihydrocodeine per one hundred milliliters or per one hundred grams;

25 (3) Not more than one hundred milligrams of ethylmorphine

1 per one hundred milliliters or per one hundred grams;

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

5 (5) Not more than one hundred milligrams of opium per one  
6 hundred milliliters or per one hundred grams; and

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

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

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

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

22 (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-  
23 propionamide); and

24 (3) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic  
25 acid).



1                   Sec. 2. Original section 28-405, Revised Statutes  
2 Supplement, 2011, is repealed.

3                   Sec. 3. Since an emergency exists, this act takes effect  
4 when passed and approved according to law.