

E AND R AMENDMENTS TO LB 298

Introduced by Murante, 49, Chairman Enrollment and Review

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

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

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

7           Schedule I

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

13           (1) Acetylmethadol;

14           (2) Allylprodine;

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

18           (4) Alphameprodine;

19           (5) Alphamethadol;

20           (6) Benzethidine;

21           (7) Betacetylmethadol;

22           (8) Betameprodine;

23           (9) Betamethadol;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 TCPy;

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

5 AMT;

6           ~~(33)~~ 5-Methoxy-N,N-diisopropyltryptamine, which is also

7 known as ~~5-MeO-DIPT~~;

8           ~~(34)~~ (24) Salvia divinorum or Salvinorin A. Salvia

9 divinorum or Salvinorin A includes all parts of the plant presently

10 classified botanically as Salvia divinorum, whether growing or not,

11 the seeds thereof, any extract from any part of such plant, and

12 every compound, manufacture, derivative, mixture, or preparation of

13 such plant, its seeds, or its extracts, including salts, isomers,

14 and salts of isomers whenever the existence of such salts, isomers,

15 and salts of isomers is possible within the specific chemical

16 designation;

17           ~~(35)~~ (25) Any material, compound, mixture, or preparation

18 containing any quantity of synthetically produced cannabinoids

19 as listed in subdivisions ~~(i)~~ (A) through ~~(viii)~~ (K) of this

20 subdivision, including their salts, isomers, and salts of

21 isomers, and nitrogen-heterocyclic analogs, unless specifically

22 excepted elsewhere in this section. Since nomenclature of

23 these synthetically produced cannabinoids is not internationally

24 standardized and may continually evolve, these structures or

25 compounds of these structures shall be included under this

26 subdivision, regardless of their specific numerical designation of

27 atomic positions covered, so long as it can be determined through

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 which is also known as 2C-P or

4 2,5-Dimethoxy-4-propylphenethylamine;

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

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

7 2,5-Dimethoxy-4-ethylthiophenethylamine;

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

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

10 2,5-Dimethoxy-4-isopropylthiophenethylamine;

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

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

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

14 which is also known as 2C-T or

15 4-methylthio-2,5-dimethoxyphenethylamine;

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

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

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

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

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

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

22 (xv)

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

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

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

26 (xvi)

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

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

3 (xvii)

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

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

7 (xviii)

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

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

11 (xix)

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

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

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

16 2C-B-FLY;

17 (xxi)

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

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

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

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

23 (xxiii)

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

26 or bromo-dragonFLY;

27 (xxiv)

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

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

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

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

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

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

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

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

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

18 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is  
19 also known as 4-methyl-2,5-dimethoxy- $\alpha$ -methylphenethylamine; DOM and  
20 STP;

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

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

25 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine,  
26 which is also known as  
27 N-ethyl- $\alpha$ -methyl-3,4(methylenedioxy)phenethylamine, MDE,

1 MDEA; and

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

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

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

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

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

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

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

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

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

1 known as 5-MeO-DiPT;

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

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

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

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

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

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

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

13 (v) Fluoromethcathinone, or FMC;

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

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

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

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

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

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

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

13                  (1) Mecloqualone;

14                  (2) Methaqualone; and

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

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

23                  (1) Fenethylline;

24                  (2) N-ethylamphetamine;

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

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

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

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

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

14 (8) Benzylpiperazine, 1-benzylpiperazine.

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

17 Schedule II

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

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

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

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

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

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

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

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

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

3 (4) Methylphenidate.

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

10 (1) Amobarbital;

11 (2) Secobarbital;

12 (3) Pentobarbital;

13 (4) Phencyclidine; and

14 (5) Glutethimide.

15 (e) Hallucinogenic substances known as:

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

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

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

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

26 (2) Immediate precursors to phencyclidine, PCP:

27 (i) 1-phenylcyclohexylamine; or

1 (ii) 1-piperidinocyclohexanecarbonitrile, PCC.

2 Schedule III

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

10 (1) Benzphetamine;

11 (2) Chlorphentermine;

12 (3) Clortermine; and

13 (4) Phendimetrazine.

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

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

22 (2) Chlorhexadol;

23 (3) Lysergic acid;

24 (4) Lysergic acid amide;

25 (5) Methyprylon;

26 (6) Sulfondiethylmethane;

27 (7) Sulfonethylmethane;

1 (8) Sulphonmethane;

2 (9) Nalorphine;

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

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

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

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

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

27 (c) Unless specifically excepted or unless listed in

1 another schedule:

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

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

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

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

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

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

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

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

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

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

16           (i) Buprenorphine.

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

24           (1) Boldenone;

25           (2) Boldione;

26           (3) Chlorotestosterone (4-chlorotestosterone);

27           (4) Clostebol;

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

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

3 (e) Hallucinogenic substances known as:

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

9 Schedule IV

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

15 (1) Barbital;

16 (2) Chloral betaine;

17 (3) Chloral hydrate;

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

21 (5) Clonazepam;

22 (6) Clorazepate;

23 (7) Diazepam;

24 (8) Ethchlorvynol;

25 (9) Ethinamate;

26 (10) Flurazepam;

27 (11) Mebutamate;

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

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

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

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

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

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

3                   (4) Mazindol;

4                   (5) Pipradrol;

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

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

8                   (8) Fencamfamin;

9                   (9) Fenproporex;

10                  (10) Mefenorex;

11                  (11) Modafinil; and

12                  (12) Sibutramine.

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

18                   (1) Propoxyphene in manufactured dosage forms; and

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

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

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

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

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

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

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

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

7 (i) Primatene Tablets; and

8 (ii) Bronkaid Dual Action Caplets.

9 Schedule V

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

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

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

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

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

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

1 hundred milliliters or per one hundred grams; and

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (b) For purposes of this subsection:

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

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

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

1 activities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Class IB felony;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Statutes Cumulative Supplement, 2012, are repealed.

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

3 when passed and approved according to law.