

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 326

Introduced by Williams, 36.

Read first time January 15, 2015

Committee: Judiciary

1 A BILL FOR AN ACT relating to controlled substances; to amend section
2 28-439, Reissue Revised Statutes of Nebraska, and sections 28-401,
3 28-405, 28-416, and 28-1354, Revised Statutes Cumulative Supplement,
4 2014; to change provisions relating to marijuana, amphetamine, and
5 methamphetamine; to define and redefine terms; to harmonize
6 provisions; and to repeal the original sections.

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

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

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

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

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

12 (3) Administration means the Drug Enforcement Administration of the
13 United States Department of Justice;

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

21 (5) Counterfeit substance means a controlled substance which, or the
22 container or labeling of which, without authorization, bears the
23 trademark, trade name, or other identifying mark, imprint, number, or
24 device, or any likeness thereof, of a manufacturer, distributor, or
25 dispenser other than the person or persons who in fact manufactured,
26 distributed, or dispensed such substance and which thereby falsely
27 purports or is represented to be the product of, or to have been
28 distributed by, such other manufacturer, distributor, or dispenser;

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

30 (7) Division of Drug Control means the personnel of the Nebraska
31 State Patrol who are assigned to enforce the Uniform Controlled

1 Substances Act;

2 (8) Dispense means to deliver a controlled substance to an ultimate
3 user or a research subject pursuant to a medical order issued by a
4 practitioner authorized to prescribe, including the packaging, labeling,
5 or compounding necessary to prepare the controlled substance for such
6 delivery;

7 (9) Distribute means to deliver other than by administering or
8 dispensing a controlled substance;

9 (10) Prescribe means to issue a medical order;

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

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

21 (13) Marijuana means all parts of the plant of the genus cannabis,
22 whether growing or not, the seeds thereof, and every compound,
23 manufacture, salt, derivative, mixture, or preparation of such plant or
24 its seeds, but does not include the mature stalks of such plant, ~~hashish,~~
25 tetrahydrocannabinols extracted or isolated from the plant, fiber
26 produced from such stalks, oil or cake made from the seeds of such plant,
27 any other compound, manufacture, salt, derivative, mixture, or
28 preparation of such mature stalks, or the sterilized seed of such plant
29 which is incapable of germination. When the weight of marijuana is
30 referred to in the Uniform Controlled Substances Act, it means its weight
31 at or about the time it is seized or otherwise comes into the possession

1 of law enforcement authorities, whether cured or uncured at that time.
2 When industrial hemp as defined in section 2-5701 is in the possession of
3 a person as authorized under section 2-5701, it is not considered
4 marijuana for purposes of the Uniform Controlled Substances Act;

5 (14) Manufacture means the production, preparation, propagation,
6 conversion, or processing of a controlled substance, either directly or
7 indirectly, by extraction from substances of natural origin,
8 independently by means of chemical synthesis, or by a combination of
9 extraction and chemical synthesis, and includes any packaging or
10 repackaging of the substance or labeling or relabeling of its container.
11 Except as provided in subsection (14) of section 28-416, manufacture
12 ~~Manufacture~~ does not include the preparation or compounding of a
13 controlled substance by an individual for his or her own use, except for
14 the preparation or compounding of components or ingredients used for or
15 intended to be used for the manufacture of methamphetamine, or the
16 preparation, compounding, conversion, packaging, or labeling of a
17 controlled substance: (a) By a practitioner as an incident to his or her
18 prescribing, administering, or dispensing of a controlled substance in
19 the course of his or her professional practice; or (b) by a practitioner,
20 or by his or her authorized agent under his or her supervision, for the
21 purpose of, or as an incident to, research, teaching, or chemical
22 analysis and not for sale;

23 (15) Narcotic drug means any of the following, whether produced
24 directly or indirectly by extraction from substances of vegetable origin,
25 independently by means of chemical synthesis, or by a combination of
26 extraction and chemical synthesis: (a) Opium, opium poppy and poppy
27 straw, coca leaves, and opiates; (b) a compound, manufacture, salt,
28 derivative, or preparation of opium, coca leaves, or opiates; or (c) a
29 substance and any compound, manufacture, salt, derivative, or preparation
30 thereof which is chemically equivalent to or identical with any of the
31 substances referred to in subdivisions (a) and (b) of this subdivision,

1 except that the words narcotic drug as used in the Uniform Controlled
2 Substances Act does not include decocainized coca leaves or extracts of
3 coca leaves, which extracts do not contain cocaine or ecgonine, or
4 isoquinoline alkaloids of opium;

5 (16) Opiate means any substance having an addiction-forming or
6 addiction-sustaining liability similar to morphine or being capable of
7 conversion into a drug having such addiction-forming or addiction-
8 sustaining liability. Opiate does not include the dextrorotatory isomer
9 of 3-methoxy-n methylmorphinan and its salts. Opiate includes its racemic
10 and levorotatory forms;

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

13 (18) Poppy straw means all parts, except the seeds, of the opium
14 poppy after mowing;

15 (19) Person means any corporation, association, partnership, limited
16 liability company, or one or more persons;

17 (20) Practitioner means a physician, a physician assistant, a
18 dentist, a veterinarian, a pharmacist, a podiatrist, an optometrist, a
19 certified nurse midwife, a certified registered nurse anesthetist, a
20 nurse practitioner, a scientific investigator, a pharmacy, a hospital, or
21 any other person licensed, registered, or otherwise permitted to
22 distribute, dispense, prescribe, conduct research with respect to, or
23 administer a controlled substance in the course of practice or research
24 in this state, including an emergency medical service as defined in
25 section 38-1207;

26 (21) Production includes the manufacture, planting, cultivation, or
27 harvesting of a controlled substance;

28 (22) Immediate precursor means a substance which is the principal
29 compound commonly used or produced primarily for use and which is an
30 immediate chemical intermediary used or likely to be used in the
31 manufacture of a controlled substance, the control of which is necessary

1 to prevent, curtail, or limit such manufacture;

2 (23) State means the State of Nebraska;

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

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

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

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

21 (27 28) Exceptionally hazardous drug means (a) a narcotic drug, (b)
22 thiophene analog of phencyclidine, (c) phencyclidine, (d) amobarbital,
23 (e) secobarbital, (f) pentobarbital, (g) amphetamine, or (h)
24 methamphetamine;

25 (28 29) Imitation controlled substance means a substance which is
26 not a controlled substance or controlled substance analogue but which, by
27 way of express or implied representations and consideration of other
28 relevant factors including those specified in section 28-445, would lead
29 a reasonable person to believe the substance is a controlled substance or
30 controlled substance analogue. A placebo or registered investigational
31 drug manufactured, distributed, possessed, or delivered in the ordinary

1 course of practice or research by a health care professional shall not be
2 deemed to be an imitation controlled substance;

3 (~~29~~ ~~30~~)(a) Controlled substance analogue means a substance (i) the
4 chemical structure of which is substantially similar to the chemical
5 structure of a Schedule I or Schedule II controlled substance as provided
6 in section 28-405 or (ii) which has a stimulant, depressant, analgesic,
7 or hallucinogenic effect on the central nervous system that is
8 substantially similar to or greater than the stimulant, depressant,
9 analgesic, or hallucinogenic effect on the central nervous system of a
10 Schedule I or Schedule II controlled substance as provided in section
11 28-405. A controlled substance analogue shall, to the extent intended for
12 human consumption, be treated as a controlled substance under Schedule I
13 of section 28-405 for purposes of the Uniform Controlled Substances Act;
14 and

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

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

1 Human Services for such administration, but if any person prescribes,
2 dispenses, or distributes such a steroid for human use, such person shall
3 be considered to have prescribed, dispensed, or distributed an anabolic
4 steroid within the meaning of this subdivision;

5 (31 32) Chart order means an order for a controlled substance issued
6 by a practitioner for a patient who is in the hospital where the chart is
7 stored or for a patient receiving detoxification treatment or maintenance
8 treatment pursuant to section 28-412. Chart order does not include a
9 prescription;

10 (32 33) Medical order means a prescription, a chart order, or an
11 order for pharmaceutical care issued by a practitioner;

12 (33 34) Prescription means an order for a controlled substance
13 issued by a practitioner. Prescription does not include a chart order;

14 (34 35) Registrant means any person who has a controlled substances
15 registration issued by the state or the administration;

16 (35 36) Reverse distributor means a person whose primary function is
17 to act as an agent for a pharmacy, wholesaler, manufacturer, or other
18 entity by receiving, inventorying, and managing the disposition of
19 outdated, expired, or otherwise nonsaleable controlled substances;

20 (36 37) Signature means the name, word, or mark of a person written
21 in his or her own hand with the intent to authenticate a writing or other
22 form of communication or a digital signature which complies with section
23 86-611 or an electronic signature;

24 (37 38) Facsimile means a copy generated by a system that encodes a
25 document or photograph into electrical signals, transmits those signals
26 over telecommunications lines, and reconstructs the signals to create an
27 exact duplicate of the original document at the receiving end;

28 (38 39) Electronic signature has the definition found in section
29 86-621;

30 (39 40) Electronic transmission means transmission of information in
31 electronic form. Electronic transmission includes computer-to-computer

1 transmission or computer-to-facsimile transmission;

2 (40 41) Long-term care facility means an intermediate care facility,
3 an intermediate care facility for persons with developmental
4 disabilities, a long-term care hospital, a mental health center, a
5 nursing facility, or a skilled nursing facility, as such terms are
6 defined in the Health Care Facility Licensure Act;

7 (41 42) Compounding has the same meaning as in section 38-2811; ~~and~~

8 (42 43) Cannabinoid receptor agonist means ~~shall mean~~ any chemical
9 compound or substance that, according to scientific or medical research,
10 study, testing, or analysis, demonstrates the presence of binding
11 activity at one or more of the CB1 or CB2 cell membrane receptors located
12 within the human body; and -

13 (43) Ingestible means prepared for oral consumption and shall
14 include, but not be limited to, food, candy, and drinks. Ingestible shall
15 not include consumption by inhaling.

16 Sec. 2. Section 28-405, Revised Statutes Cumulative Supplement,
17 2014, is amended to read:

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

20 Schedule I

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

25 (1) Acetylmethadol;

26 (2) Allylprodine;

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

29 (4) Alphameprodine;

30 (5) Alphamethadol;

31 (6) Benzethidine;

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

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

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

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

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

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

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

15 (1) Acetorphine;

16 (2) Acetyldihydrocodeine;

17 (3) Benzylmorphine;

18 (4) Codeine methylbromide;

19 (5) Codeine-N-Oxide;

20 (6) Cyrenorphine;

21 (7) Desomorphine;

22 (8) Dihydromorphine;

23 (9) Drotebanol;

24 (10) Etorphine, except hydrochloride salt;

25 (11) Heroin;

26 (12) Hydromorphenol;

27 (13) Methyldesorphine;

28 (14) Methyldihydromorphine;

29 (15) Morphine methylbromide;

30 (16) Morphine methylsulfonate;

31 (17) Morphine-N-Oxide;

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

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

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

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

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

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

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

30 (6) Lysergic acid diethylamide;

31 (7) Marijuana;

1 (8) Mescaline;

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

7 (10) Psilocybin;

8 (11) Psilocyn;

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

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

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

26 (15) Thiophene analog of phencyclidine. Trade and other names shall
27 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
28 2-thienyl analog of phencyclidine; TPCP; and TCP;

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

30 (16 17) Parahexyl. Trade and other names shall include, but are not
31 limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-

1 dibenzo(b,d)pyran; and Synhexyl;

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

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

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

12 (20 21) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

13 (21 22) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

14 (22 23) Alpha-methyltryptamine, which is also known as AMT;

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

23 (24 25) Any material, compound, mixture, or preparation containing
24 any quantity of synthetically produced cannabinoids as listed in
25 subdivisions (A) through (L M) of this subdivision, including their
26 salts, isomers, salts of isomers, and nitrogen, oxygen, or sulfur-
27 heterocyclic ~~nitrogen-heterocyclic~~ analogs, unless specifically excepted
28 elsewhere in this section. Since nomenclature of these synthetically
29 produced cannabinoids is not internationally standardized and may
30 continually evolve, these structures or compounds of these structures
31 shall be included under this subdivision, regardless of their specific

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

5 ~~(A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally~~
6 ~~contained in a plant of the genus cannabis (cannabis plant), as well as~~
7 ~~synthetic equivalents of the substances contained in the plant, or in the~~
8 ~~resinous 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 trans~~
11 ~~tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans~~
12 ~~tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans~~
13 ~~tetrahydrocannabinol, and its optical isomers;~~

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

23 (B C) Naphthylmethylinindoles: Any compound containing a 1 H-indol-3-
24 yl-(1-naphthyl)methane structure with substitution at the nitrogen atom
25 of the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
26 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
27 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
28 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
29 tetrahydropyranylmethyl group, whether or not further substituted in or
30 on any of the listed ring systems ~~the indole ring to any extent and~~
31 ~~whether or not substituted in the naphthyl ring to any extent;~~

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

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

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

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

1 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
2 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
3 tetrahydropyranylmethyl group, whether or not substituted in or on any of
4 the listed ring systems ~~the cyclohexyl ring~~ to any extent;

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

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

23 (I J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-
24 tetramethylcyclopropanoylindole structure with substitution at the
25 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
26 alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
27 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
28 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
29 tetrahydropyranylmethyl group, whether or not further substituted in or
30 on any of the listed ring systems ~~the indole ring to any extent and~~
31 ~~whether or not substituted in the tetramethylcyclopropyl ring to any~~

1 extent;

2 (J K) Indole carboxamides: Any compound containing a 1-indole-3-
3 carboxamide structure with substitution at the nitrogen atom of the
4 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
5 benzyl, _____cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
6 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
7 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
8 tetrahydropyranylmethyl group, substitution at the carboxamide group by
9 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
10 phenyl, ~~or~~ aminoalkyl group, or quinolinyl group, whether or not
11 further substituted in or on any of the listed ring systems to any extent
12 or to the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
13 propionaldehyde groups to any extent;

14 (K L) Indole carboxylates: Any compound containing a 1-indole-3-
15 carboxylate structure with substitution at the nitrogen atom of the
16 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
17 benzyl, _____cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
18 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
19 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
20 tetrahydropyranylmethyl group, substitution at the carboxylate group by
21 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
22 phenyl, aminoalkyl group, or quinolinyl group, whether or not further
23 substituted in or on any of the listed ring systems to any extent or to
24 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
25 propionaldehyde groups to any extent; and

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

31 (25 26) Any material, compound, mixture, or preparation containing

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

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

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

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

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

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

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

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

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

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

- 1 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;
- 2 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is
3 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;
- 4 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
5 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;
- 6 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
7 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;
- 8 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
9 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;
- 10 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
11 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 12 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
13 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 14 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
15 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
16 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 17 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
18 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
19 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 20 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,
21 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
22 methoxybenzyl)phenethylamine;
- 23 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
24 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
25 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 26 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
27 which is also known as 2CB-5-hemiFLY;
- 28 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
29 yl)ethanamine, which is also known as 2C-B-FLY;
- 30 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
31 yl)ethanamine, which is also known as 2C-B-butterFLY;

1 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
2 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-
3 NBOMe;

4 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,
5 which is also known as bromo-benzodifuranylisopropylamine or bromo-
6 dragonFLY;

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

9 (xxv) 5-(2-Aminoprpyl)benzofuran, which is also known as 5-APB;

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

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

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

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

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

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

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

21 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as
22 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;

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

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

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

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

29 (26 27) Any material, compound, mixture, or preparation containing
30 any quantity of a substituted tryptamine unless specifically excepted,
31 listed in another schedule, or specifically named in this schedule, that

1 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
2 known as tryptamine, by mono- or di-substitution of the amine nitrogen
3 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
4 in a cyclic structure whether or not the compound is further substituted
5 at the alpha position with an alkyl group or whether or not further
6 substituted on the indole ring to any extent with any alkyl, alkoxy,
7 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

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

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

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

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

16 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
17 5-MeOMiPT;

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

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

22 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,
23 DET; and

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

25 (27 28)(A) Any substance containing any quantity of the following
26 materials, compounds, mixtures, or structures:

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

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

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

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

31 (v) Fluoromethcathinone, or FMC;

1 (vi) Naphthylpyrovalerone, or naphyrone; or

2 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or
3 butylone; or

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

10 (i) Substitution in the ring system to any extent with alkyl,
11 alkoxy, alkylenedioxy, haloalkyl, hydroxyl, or halide substituents,
12 whether or not further substituted in the ring system by one or more
13 other univalent substituents;

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

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

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

25 (1) Mecloqualone;

26 (2) Methaqualone; and

27 (3) Gamma-Hydroxybutyric Acid. Some other names include: GHB; Gamma-
28 hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium
29 Oxybate; and Sodium Oxybutyrate.

30 (e) Unless specifically excepted or unless listed in another
31 schedule, any material, compound, mixture, or preparation which contains

1 any quantity of the following substances having a stimulant effect on the
2 central nervous system, including its salts, isomers, and salts of
3 isomers:

4 (1) Fenethylamine;

5 (2) N-ethylamphetamine;

6 (3) Amphetamine; amphetamine; 2-amino-5-phenyl-2-oxazoline; or 4,5-
7 dihydro-5-phenyl-2-oxazoline;

8 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-
9 aminopropiophenone; 2-aminopropiophenone; and norephedrine;

10 (5) Methcathinone, its salts, optical isomers, and salts of optical
11 isomers. Some other names: 2-(methylamino)-propionophenone; alpha-
12 (methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-
13 N-methylaminopropionophenone; methylcathinone; monomethylpropion;
14 ephedrine; N-methylcathinone; AL-464; AL-422; AL-463; and UR1432;

15 (6) (+/-)-cis-4-methylamphetamine; and (+/-)-cis-4,5-dihydro-4-methyl-5-
16 phenyl-2-oxazoline;

17 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;
18 and N,N-alpha-trimethylphenethylamine; and

19 (8) Benzylpiperazine, 1-benzylpiperazine.

20 (f) Any controlled substance analogue to the extent intended for
21 human consumption.

22 Schedule II

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

28 (1) Opium and opiate, and any salt, compound, derivative, or
29 preparation of opium or opiate, excluding apomorphine, buprenorphine,
30 thebaine-derived butorphanol, dextropropion, nalbuphine, nalmefene,
31 naloxone, and naltrexone and their salts, but including the following:

- 1 (A) Raw opium;
- 2 (B) Opium extracts;
- 3 (C) Opium fluid;
- 4 (D) Powdered opium;
- 5 (E) Granulated opium;
- 6 (F) Tincture of opium;
- 7 (G) Codeine;
- 8 (H) Ethylmorphine;
- 9 (I) Etorphine hydrochloride;
- 10 (J) Hydrocodone;
- 11 (K) Hydromorphone;
- 12 (L) Metopon;
- 13 (M) Morphine;
- 14 (N) Oxycodone;
- 15 (O) Oxymorphone;
- 16 (P) Oripavine;
- 17 (Q) Thebaine; and
- 18 (R) Dihydroetorphine;
- 19 (2) Any salt, compound, derivative, or preparation thereof which is
- 20 chemically equivalent to or identical with any of the substances referred
- 21 to in subdivision (1) of this subdivision, except that these substances
- 22 shall not include the isoquinoline alkaloids of opium;
- 23 (3) Opium poppy and poppy straw;
- 24 (4) Coca leaves and any salt, compound, derivative, or preparation
- 25 of coca leaves, and any salt, compound, derivative, or preparation
- 26 thereof which is chemically equivalent to or identical with any of these
- 27 substances, including cocaine and its salts, optical isomers, and salts
- 28 of optical isomers, except that the substances shall not include
- 29 decocainized coca leaves or extractions which do not contain cocaine or
- 30 ecgonine; and
- 31 (5) Concentrate of poppy straw, the crude extract of poppy straw in

1 either liquid, solid, or powder form which contains the phenanthrene
2 alkaloids of the opium poppy.

3 (b) Unless specifically excepted or unless in another schedule any
4 of the following opiates, including their isomers, esters, ethers, salts,
5 and salts of their isomers, esters, and ethers whenever the existence of
6 such isomers, esters, ethers, and salts is possible within the specific
7 chemical designation, dextrorphan excepted:

- 8 (1) Alphaprodine;
- 9 (2) Anileridine;
- 10 (3) Bezitramide;
- 11 (4) Diphenoxylate;
- 12 (5) Fentanyl;
- 13 (6) Isomethadone;
- 14 (7) Levomethorphan;
- 15 (8) Levorphanol;
- 16 (9) Metazocine;
- 17 (10) Methadone;
- 18 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
19 butane;
- 20 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
21 diphenylpropane-carboxylic acid;
- 22 (13) Pethidine or meperidine;
- 23 (14) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 24 (15) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
25 carboxylate;
- 26 (16) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
27 carboxylic acid;
- 28 (17) Phenazocine;
- 29 (18) Piminodine;
- 30 (19) Racemethorphan;
- 31 (20) Racemorphan;

- 1 (21) Dihydrocodeine;
- 2 (22) Bulk Propoxyphene in nondosage forms;
- 3 (23) Sufentanil;
- 4 (24) Alfentanil;
- 5 (25) Levo-alphaacetylmethadol which is also known as levo-alpha-
- 6 acetylmethadol, levomethadyl acetate, and LAAM;
- 7 (26) Carfentanil;
- 8 (27) Remifentanil; and
- 9 (28) Tapentadol.

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

- 13 (1) Amphetamine, its salts, optical isomers, and salts of its
- 14 optical isomers;
- 15 (2) Phenmetrazine and its salts;
- 16 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
- 17 ~~and~~
- 18 (4) Methylphenidate; and -
- 19 (5) Lisdexamphetamine, its salts, isomers, and salts of its isomers.

20 (d) Any material, compound, mixture, or preparation which contains
21 any quantity of the following substances having a potential for abuse
22 associated with a depressant effect on the central nervous system,
23 including their salts, isomers, and salts of isomers whenever the
24 existence of such salts, isomers, and salts of isomers is possible within
25 the specific chemical designations:

- 26 (1) Amobarbital;
- 27 (2) Secobarbital;
- 28 (3) Pentobarbital;
- 29 (4) Phencyclidine; and
- 30 (5) Glutethimide.
- 31 (e) Hallucinogenic substances known as:

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

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

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

11 (2) Immediate precursors to phencyclidine, PCP:

12 (A) 1-phenylcyclohexylamine; ~~or~~

13 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or ~~or~~

14 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethyl-4-
15 piperidine (ANNPP).

16 Schedule III

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

24 (1) Benzphetamine;

25 (2) Chlorphentermine;

26 (3) Clortermine; and

27 (4) Phendimetrazine.

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

31 (1) Any substance which contains any quantity of a derivative of

1 barbituric acid or any salt of a derivative of barbituric acid, except
2 those substances which are specifically listed in other schedules of this
3 section;

4 (2) Chlorhexadol;

5 (3) Embutramide;

6 (4 3) Lysergic acid;

7 (5 4) Lysergic acid amide;

8 (6 5) Methyprylon;

9 (7) Perampanel;

10 (8 6) Sulfondiethylmethane;

11 (9 7) Sulfonethylmethane;

12 (10 8) Sulfonmethane;

13 (11 9) Nalorphine;

14 (12 10) Any compound, mixture, or preparation containing
15 amobarbital, secobarbital, pentobarbital, or any salt thereof and one or
16 more other active medicinal ingredients which are not listed in any
17 schedule;

18 (13 11) Any suppository dosage form containing amobarbital,
19 secobarbital, pentobarbital, or any salt of any of these drugs and
20 approved by the federal Food and Drug Administration for marketing only
21 as a suppository;

22 (14 12) Any drug product containing gamma-hydroxybutyric acid,
23 including its salts, isomers, and salts of isomers, for which an
24 application is approved under section 505 of the Federal Food, Drug, and
25 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;

26 (15 13) Ketamine, its salts, isomers, and salts of isomers. Some
27 other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
28 cyclohexanone; and

29 (16 14) Tiletamine and zolazepam or any salt thereof. Trade or other
30 names for a tiletamine-zolazepam combination product shall include, but
31 are not limited to: telazol. Trade or other names for tiletamine shall

1 include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-
2 cyclohexanone. Trade or other names for zolazepam shall include, but are
3 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-
4 (3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrzapon.

5 (c) Unless specifically excepted or unless listed in another
6 schedule:

7 (1) Any material, compound, mixture, or preparation containing
8 limited quantities of any of the following narcotic drugs, or any salts
9 calculated as the free anhydrous base or alkaloid, in limited quantities
10 as set forth below:

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

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

18 ~~(C) Not more than three hundred milligrams of dihydrocodeinone which~~
19 ~~is also known as hydrocodone per one hundred milliliters or not more than~~
20 ~~fifteen milligrams per dosage unit, with a fourfold or greater quantity~~
21 ~~of an isoquinoline alkaloid of opium;~~

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

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

30 (D F) Not more than three hundred milligrams of ethylmorphine per
31 one hundred milliliters or not more than fifteen milligrams per dosage

1 unit, with one or more active, nonnarcotic ingredients in recognized
2 therapeutic amounts;

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

7 (E H) Not more than fifty milligrams of morphine per one hundred
8 milliliters or per one hundred grams with one or more active, nonnarcotic
9 ingredients in recognized therapeutic amounts; and

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

12 (A) Buprenorphine.

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

19 (1) 3-beta,17-dihydroxy-5a-androstane ~~Boldenone~~;

20 (2) 3-alpha,17-beta-dihydroxy-5a-androstane ~~Boldione~~;

21 (3) 5-alpha-androstan-3,17-dione ~~Chlorotestosterone~~ (4-
22 ~~chlortestosterone~~);

23 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
24 ene) ~~Clotebol~~;

25 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
26 ene) ~~Dehydrochloromethyltestosterone~~;

27 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene)
28 ~~Desoxymethyltestosterone~~;

29 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene)
30 ~~Dihydrotestosterone (4-dihydrotestosterone)~~;

31 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione)

- 1 ~~Drostanolone~~;
- 2 (9) 4-androstenedione (androst-4-en-3,17-dione) ~~Ethylestrenol~~;
- 3 (10) 5-androstenedione (androst-5-en-3,17-dione) ~~Fluoxymesterone~~;
- 4 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-
5 hydroxyandrost-4-en-3-one) ~~Formebolone (formebolone)~~;
- 6 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one) ~~Mesterolone~~;
- 7 (13) Boldione (androsta-1,4-diene-3,17-3-one) ~~Methandienone~~;
- 8 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
9 en-3-one) ~~Methandranone~~;
- 10 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one)
11 ~~Methandriol~~;
- 12 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-
13 alpha-methyl-androst-1,4-dien-3-one) ~~Methandrostenolone~~;
- 14 (17) Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-
15 en-17-beta-ol) (a.k.a. 'madol') ~~Methenolone~~;
- 16 (18) Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-
17 hydroxy-5-alpha-androst-1-en-3-one) ~~Methyltestosterone~~;
- 18 (19) 4-Dihydrotestosterone (17-beta-hydroxy-androstan-3-one)
19 ~~Mibolerone~~;
- 20 (20) Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-
21 androstan-3-one) ~~Nandrolone~~;
- 22 (21) Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestr-4-ene)
23 ~~Norethandrolone~~;
- 24 (22) Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-
25 dihydroxyandrost-4-en-3-one) ~~Oxandrolone~~;
- 26 (23) Formebolone (formebolone); (2-formyl-17-alpha-methyl-11-alpha,
27 17-beta-dihydroxyandrost-1,4-dien-3-one) ~~Oxymesterone~~;
- 28 (24) Furazabol (17-alpha-methyl-17-beta-hydroxyandrostano[2,3-c]-
29 furazan) ~~Oxymetholone~~;
- 30 (25) 13-beta-ethyl-17-beta-hydroxygon-4-en-3-one ~~Stanolone~~;
- 31 (26) 4-hydroxytestosterone (4,17-beta-dihydroxy-androst-4-en-3-one)

- 1 Stanozolol;
- 2 (27) 4-hydroxy-19-nortestosterone (4,17-beta-dihydroxy-estr-4-en-3-
- 3 one) Testolactone;
- 4 (28) Mestanolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-one)
- 5 Testosterone;
- 6 (29) Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-one)
- 7 Trenbolone;
- 8 (30) Methandienone (17-alpha-methyl-17-beta-hydroxyandrost-1,4-
- 9 dien-3-one); 19-nor-4,9(10)-androstadienedione; and
- 10 (31) Methandriol (17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-5-
- 11 ene);
- 12 (32) Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstan-17-
- 13 beta-ol-3-one);
- 14 (33) Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androst-1-en-3-
- 15 one);
- 16 (34) 17-alpha-methyl-3-beta,17-beta-dihydroxy-5a-androstane;
- 17 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
- 18 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;
- 19 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
- 20 hydroxy-17-beta-hydroxyestr-4-en-3-one);
- 21 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
- 22 dien-3-one);
- 23 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
- 24 trien-3-one);
- 25 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
- 26 en-3-one);
- 27 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
- 28 en-3-one);
- 29 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
- 30 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
- 31 methyl-1-testosterone');

- 1 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
- 2 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
- 3 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
- 4 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
- 5 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
- 6 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
- 7 dione);
- 8 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 9 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 10 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
- 11 en-3-one);
- 12 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
- 13 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
- 14 one);
- 15 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
- 16 one);
- 17 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
- 18 androstan-3-one);
- 19 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
- 20 en-3-one);
- 21 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
- 22 hydroxy-[5-alpha]-androstan-3-one);
- 23 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
- 24 c]pyrazole);
- 25 (59) Stanozolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
- 26 androst-2-eno[3,2-c]-pyrazole);
- 27 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
- 28 one);
- 29 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
- 30 oic acid lactone);
- 31 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);

1 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
2 hydroxygon-4,9,11-trien-3-one);

3 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one); and

4 (65 ~~31~~) Any salt, ester, or ether of a drug or substance described
5 or listed in this subdivision if the salt, ester, or ether promotes
6 muscle growth.

7 (e) Hallucinogenic substances known as:

8 (1) Dronabinol, synthetic, in sesame oil and encapsulated in a soft
9 gelatin capsule in a drug product approved by the federal Food and Drug
10 Administration. Some other names for dronabinol are (6aR-trans)-6a,
11 7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d)pyran-1-ol or
12 (-)-delta-9-(trans)-tetrahydrocannabinol.

13 Schedule IV

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

18 (1) Barbital;

19 (2) Chloral betaine;

20 (3) Chloral hydrate;

21 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
22 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
23 water soluble esterified estrogens);

24 (5) Clonazepam;

25 (6) Clorazepate;

26 (7) Diazepam;

27 (8) Ethchlorvynol;

28 (9) Ethinamate;

29 (10) Flurazepam;

30 (11) Mebutamate;

31 (12) Meproamate;

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

- 1 (44) Tetrazepam;
- 2 (45) Triazolam;
- 3 (46) Midazolam;
- 4 (47) Quazepam;
- 5 (48) Zolpidem;
- 6 (49) Dichloralphenazone; ~~and~~
- 7 (50) Zaleplon; ~~and~~
- 8 (51) Zopiclone;
- 9 (52) Fospropofol;
- 10 (53) Alfaxalone;
- 11 (54) Suvorexant; and
- 12 (55) Carisoprodol.

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

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

- 25 (1) Diethylpropion;
- 26 (2) Phentermine;
- 27 (3) Pemoline, including organometallic complexes and chelates
28 thereof;
- 29 (4) Mazindol;
- 30 (5) Pipradrol;
- 31 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);

- 1 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);
- 2 (8) Fencamfamin;
- 3 (9) Fenproporex;
- 4 (10) Mefenorex;
- 5 (11) Modafinil; and
- 6 (12) Sibutramine.

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

- 12 (1) Propoxyphene in manufactured dosage forms; ~~and~~
- 13 (2) Not more than one milligram of difenoxin and not less than
14 twenty-five micrograms of atropine sulfate per dosage unit; ~~and -~~
- 15 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its
16 salts, optical and geometric isomers and salts of these isomers to
17 include: Tramadol.

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

- 21 (1) Pentazocine; and -
- 22 (2) Butorphanol (including its optical isomers).

23 (f) Any material, compound, mixture, or preparation which contains
24 any quantity of the following substances, including its salts, isomers,
25 and salts of such isomers, whenever the existence of such salts, isomers,
26 and salts of isomers is possible: Lorcaserin ~~Unless specifically excepted~~
27 ~~or unless listed in another schedule, any material, compound, mixture, or~~
28 ~~preparation which contains any quantity of the following substance,~~
29 ~~including its salts, isomers, and salts of such isomers: Butorphanol.~~

30 ~~(g) Unless specifically excepted or unless listed in another~~
31 ~~schedule, any material, compound, mixture, or preparation which contains~~

1 ~~any quantity of the following substance, including its salts, isomers,~~
2 ~~and salts of such isomers: Carisoprodol.~~

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

7 (2) The following drug products containing ephedrine, its salts,
8 optical isomers, and salts of such optical isomers, are excepted from
9 subdivision (h)(1) of Schedule IV if they (A) are stored behind a
10 counter, in an area not accessible to customers, or in a locked case so
11 that a customer needs assistance from an employee to access the drug
12 product; (B) are sold by a person, eighteen years of age or older, in the
13 course of his or her employment to a customer eighteen years of age or
14 older with the following restrictions: No customer shall be allowed to
15 purchase, receive, or otherwise acquire more than three and six-tenths
16 grams of ephedrine base during a twenty-four-hour period; no customer
17 shall purchase, receive, or otherwise acquire more than nine grams of
18 ephedrine base during a thirty-day period; and the customer shall display
19 a valid driver's or operator's license, a Nebraska state identification
20 card, a military identification card, an alien registration card, or a
21 passport as proof of identification; (C) are labeled and marketed in a
22 manner consistent with the pertinent OTC Tentative Final or Final
23 Monograph; (D) are manufactured and distributed for legitimate medicinal
24 use in a manner that reduces or eliminates the likelihood of abuse; and
25 (E) are not marketed, advertised, or represented in any manner for the
26 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or
27 high, heightened sexual performance, or increased muscle mass:

28 (i) Primatene Tablets; and

29 (ii) Bronkaid Dual Action Caplets.

30 Schedule V

31 (a) Any compound, mixture, or preparation containing any of the

1 following limited quantities of narcotic drugs or salts calculated as the
2 free anhydrous base or alkaloid, which shall include one or more
3 nonnarcotic active medicinal ingredients in sufficient proportion to
4 confer upon the compound, mixture, or preparation valuable medicinal
5 qualities other than those possessed by the narcotic drug alone:

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

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

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

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

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

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

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

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

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

31 (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);

1 and

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

3 Sec. 3. Section 28-416, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 28-416 (1) Except as authorized by the Uniform Controlled Substances
6 Act, it shall be unlawful for any person knowingly or intentionally: (a)
7 To manufacture, distribute, deliver, dispense, or possess with intent to
8 manufacture, distribute, deliver, or dispense a controlled substance; or
9 (b) to create, distribute, or possess with intent to distribute a
10 counterfeit controlled substance.

11 (2) Except as provided in subsections (4), (5), (7), (8), (9), and
12 (10) of this section, any person who violates subsection (1) of this
13 section with respect to: (a) A controlled substance classified in
14 Schedule I, II, or III of section 28-405 which is an exceptionally
15 hazardous drug shall be guilty of a Class II felony; (b) any other
16 controlled substance classified in Schedule I, II, or III of section
17 28-405 shall be guilty of a Class III felony; or (c) a controlled
18 substance classified in Schedule IV or V of section 28-405 shall be
19 guilty of a Class IIIA felony.

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

28 (4)(a) Except as authorized by the Uniform Controlled Substances
29 Act, any person eighteen years of age or older who knowingly or
30 intentionally manufactures, distributes, delivers, dispenses, or
31 possesses with intent to manufacture, distribute, deliver, or dispense a

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

15 (b) For purposes of this subsection:

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

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

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

29 (5)(a) Except as authorized by the Uniform Controlled Substances
30 Act, it shall be unlawful for any person eighteen years of age or older
31 to knowingly and intentionally employ, hire, use, cause, persuade, coax,

1 induce, entice, seduce, or coerce any person under the age of eighteen
2 years to manufacture, transport, distribute, carry, deliver, dispense,
3 prepare for delivery, offer for delivery, or possess with intent to do
4 the same a controlled substance or a counterfeit controlled substance.

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

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

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

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

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

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

31 (c) At least ten grams but less than twenty-eight grams shall be

1 guilty of a Class ID felony.

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

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

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

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

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

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

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

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

20 (10) Any person who violates subsection (1) of this section with
21 respect to amphetamine or any mixture or substance containing a
22 detectable amount of amphetamine, its salts, optical isomers, and salts
23 of its isomers, or with respect to methamphetamine or any mixture or
24 substance containing a detectable amount of methamphetamine, its salts,
25 optical isomers, and salts of its isomers, in a quantity of:

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

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

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

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

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

6 (13) Any person knowingly or intentionally possessing any ingestible
7 mixture or substance containing any detectable amount of marijuana or
8 tetrahydrocannabinols shall be guilty of a Class IV felony.

9 (14) Any person who knowingly or intentionally makes, creates, or
10 produces any ingestible compound, mixture, or substance containing any
11 detectable amount of marijuana or tetrahydrocannabinols shall be guilty
12 of a Class III felony.

13 ~~(15 13)~~ Any person knowingly or intentionally possessing marijuana
14 weighing one ounce or less ~~or any substance containing a quantifiable~~
15 ~~amount of the substances, chemicals, or compounds described, defined, or~~
16 ~~delineated in subdivision (c)(25) of Schedule I of section 28-405 shall:~~

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

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

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

28 ~~(16 14)~~ Any person convicted of violating this section, if placed on
29 probation, shall, as a condition of probation, satisfactorily attend and
30 complete appropriate treatment and counseling on drug abuse provided by a
31 program authorized under the Nebraska Behavioral Health Services Act or

1 other licensed drug treatment facility.

2 (17 15) Any person convicted of violating this section, if sentenced
3 to the Department of Correctional Services, shall attend appropriate
4 treatment and counseling on drug abuse.

5 (18 16) Any person knowingly or intentionally possessing a firearm
6 while in violation of subsection (1) of this section shall be punished by
7 the next higher penalty classification than the penalty prescribed in
8 subsection (2), (7), (8), (9), ~~or (10)~~, or (14) of this section, but in
9 no event shall such person be punished by a penalty greater than a Class
10 IB felony.

11 (19 17) A person knowingly or intentionally in possession of money
12 used or intended to be used to facilitate a violation of subsection (1)
13 of this section shall be guilty of a Class IV felony.

14 (20 18) In addition to the penalties provided in this section:

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

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

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

27 (iii) For a third or subsequent offense, the court may, as a part of
28 the judgment of conviction or adjudication, (A) impound any such licenses
29 or permits for twelve months and (B) require such person to complete no
30 fewer than sixty hours of community service, to attend a drug education
31 class, and to submit to a drug assessment by a licensed alcohol and drug

1 counselor; and

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

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

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

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

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

29 Sec. 4. Section 28-439, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 28-439 As used in sections 28-101, 28-431, and 28-439 to 28-444,

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

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

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

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

17 (4) Objects used, intended for use, or designed for use in
18 ingesting, inhaling, or otherwise introducing cocaine or any substances
19 or mixtures containing any chemical or material directly or indirectly
20 derived from the plant of the genus cannabis marijuana, cocaine, hashish,
21 or hashish oil into the human body, which shall include, but not be
22 limited to, the following:

23 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes
24 with or without screens, permanent screens, hashish heads, or punctured
25 metal bowls;

26 (b) Water pipes;

27 (c) Carburetion tubes and devices;

28 (d) Smoking and carburetion masks;

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

- 1 (f) Miniature cocaine spoons, and cocaine vials;
- 2 (g) Chamber pipes;
- 3 (h) Carburetor pipes;
- 4 (i) Electric pipes;
- 5 (j) Air-driven pipes;
- 6 (k) Chillums;
- 7 (l) Bongs; and
- 8 (m) Ice pipes or chillers.

9 Sec. 5. Section 28-1354, Revised Statutes Cumulative Supplement,
10 2014, is amended to read:

11 28-1354 For purposes of the Public Protection Act:

12 (1) Enterprise means any individual, sole proprietorship,
13 partnership, corporation, trust, association, or any legal entity, union,
14 or group of individuals associated in fact although not a legal entity,
15 and shall include illicit as well as licit enterprises as well as other
16 entities;

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

23 (3) Person means any individual or entity, as defined in section
24 21-214, holding or capable of holding a legal, equitable, or beneficial
25 interest in property;

26 (4) Prosecutor includes the Attorney General of the State of
27 Nebraska, the deputy attorney general, assistant attorneys general, a
28 county attorney, a deputy county attorney, or any person so designated by
29 the Attorney General, a county attorney, or a court of the state to carry
30 out the powers conferred by the act;

31 (5) Racketeering activity includes the commission of, criminal

1 attempt to commit, conspiracy to commit, aiding and abetting in the
2 commission of, aiding in the consummation of, acting as an accessory to
3 the commission of, or the solicitation, coercion, or intimidation of
4 another to commit or aid in the commission of any of the following:

5 (a) Offenses against the person which include: Murder in the first
6 degree under section 28-303; murder in the second degree under section
7 28-304; manslaughter under section 28-305; assault in the first degree
8 under section 28-308; assault in the second degree under section 28-309;
9 assault in the third degree under section 28-310; terroristic threats
10 under section 28-311.01; kidnapping under section 28-313; false
11 imprisonment in the first degree under section 28-314; false imprisonment
12 in the second degree under section 28-315; sexual assault in the first
13 degree under section 28-319; and robbery under section 28-324;

14 (b) Offenses relating to controlled substances which include: To
15 unlawfully manufacture, distribute, deliver, dispense, or possess with
16 intent to manufacture, distribute, deliver, or dispense a controlled
17 substance under subsection (1) of section 28-416; possession of marijuana
18 weighing more than one pound under subsection (12) of section 28-416;
19 possession of money used or intended to be used to facilitate a violation
20 of subsection (1) of section 28-416 prohibited under subsection (19 ~~17~~)
21 of section 28-416; any violation of section 28-418; to unlawfully
22 manufacture, distribute, deliver, or possess with intent to distribute or
23 deliver an imitation controlled substance under section 28-445;
24 possession of anhydrous ammonia with the intent to manufacture
25 methamphetamine under section 28-451; and possession of ephedrine,
26 pseudoephedrine, or phenylpropanolamine with the intent to manufacture
27 methamphetamine under section 28-452;

28 (c) Offenses against property which include: Arson in the first
29 degree under section 28-502; arson in the second degree under section
30 28-503; arson in the third degree under section 28-504; burglary under
31 section 28-507; theft by unlawful taking or disposition under section

1 28-511; theft by shoplifting under section 28-511.01; theft by deception
2 under section 28-512; theft by extortion under section 28-513; theft of
3 services under section 28-515; theft by receiving stolen property under
4 section 28-517; criminal mischief under section 28-519; and unlawfully
5 depriving or obtaining property or services using a computer under
6 section 28-1344;

7 (d) Offenses involving fraud which include: Burning to defraud an
8 insurer under section 28-505; forgery in the first degree under section
9 28-602; forgery in the second degree under section 28-603; criminal
10 possession of a forged instrument under section 28-604; criminal
11 possession of forgery devices under section 28-605; criminal
12 impersonation under section 28-638; identity theft under section 28-639;
13 identity fraud under section 28-640; false statement or book entry under
14 section 28-612; tampering with a publicly exhibited contest under section
15 28-614; issuing a false financial statement for purposes of obtaining a
16 financial transaction device under section 28-619; unauthorized use of a
17 financial transaction device under section 28-620; criminal possession of
18 a financial transaction device under section 28-621; unlawful circulation
19 of a financial transaction device in the first degree under section
20 28-622; unlawful circulation of a financial transaction device in the
21 second degree under section 28-623; criminal possession of a blank
22 financial transaction device under section 28-624; criminal sale of a
23 blank financial transaction device under section 28-625; criminal
24 possession of a forgery device under section 28-626; unlawful manufacture
25 of a financial transaction device under section 28-627; laundering of
26 sales forms under section 28-628; unlawful acquisition of sales form
27 processing services under section 28-629; unlawful factoring of a
28 financial transaction device under section 28-630; and fraudulent
29 insurance acts under section 28-631;

30 (e) Offenses involving governmental operations which include: Abuse
31 of public records under section 28-911; perjury or subornation of perjury

1 under section 28-915; bribery under section 28-917; bribery of a witness
2 under section 28-918; tampering with a witness or informant or jury
3 tampering under section 28-919; bribery of a juror under section 28-920;
4 assault on an officer, an emergency responder, a state correctional
5 employee, a Department of Health and Human Services employee, or a health
6 care professional in the first degree under section 28-929; assault on an
7 officer, an emergency responder, a state correctional employee, a
8 Department of Health and Human Services employee, or a health care
9 professional in the second degree under section 28-930; assault on an
10 officer, an emergency responder, a state correctional employee, a
11 Department of Health and Human Services employee, or a health care
12 professional in the third degree under section 28-931; and assault on an
13 officer, an emergency responder, a state correctional employee, a
14 Department of Health and Human Services employee, or a health care
15 professional using a motor vehicle under section 28-931.01;

16 (f) Offenses involving gambling which include: Promoting gambling in
17 the first degree under section 28-1102; possession of gambling records
18 under section 28-1105; gambling debt collection under section 28-1105.01;
19 and possession of a gambling device under section 28-1107;

20 (g) Offenses relating to firearms, weapons, and explosives which
21 include: Carrying a concealed weapon under section 28-1202;
22 transportation or possession of machine guns, short rifles, or short
23 shotguns under section 28-1203; unlawful possession of a handgun under
24 section 28-1204; unlawful transfer of a firearm to a juvenile under
25 section 28-1204.01; using a deadly weapon to commit a felony or
26 possession of a deadly weapon during the commission of a felony under
27 section 28-1205; possession of a deadly weapon by a prohibited person
28 under section 28-1206; possession of a defaced firearm under section
29 28-1207; defacing a firearm under section 28-1208; unlawful discharge of
30 a firearm under section 28-1212.02; possession, receipt, retention, or
31 disposition of a stolen firearm under section 28-1212.03; unlawful

1 possession of explosive materials in the first degree under section
2 28-1215; unlawful possession of explosive materials in the second degree
3 under section 28-1216; unlawful sale of explosives under section 28-1217;
4 use of explosives without a permit under section 28-1218; obtaining an
5 explosives permit through false representations under section 28-1219;
6 possession of a destructive device under section 28-1220; threatening the
7 use of explosives or placing a false bomb under section 28-1221; using
8 explosives to commit a felony under section 28-1222; using explosives to
9 damage or destroy property under section 28-1223; and using explosives to
10 kill or injure any person under section 28-1224;

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

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

15 (j) Offenses relating to public health and morals which include:
16 Prostitution under section 28-801; pandering under section 28-802;
17 keeping a place of prostitution under section 28-804; labor trafficking,
18 sex trafficking, labor trafficking of a minor, or sex trafficking of a
19 minor under section 28-831; a violation of section 28-1005; and any act
20 relating to the visual depiction of sexually explicit conduct prohibited
21 in the Child Pornography Prevention Act; and

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

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

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

27 (a) Incurred or contracted in gambling activity which was in
28 violation of federal law or the law of the state or which is
29 unenforceable under state or federal law in whole or in part as to
30 principal or interest because of the laws relating to usury; or

31 (b) Which was incurred in connection with the business of gambling

1 in violation of federal law or the law of the state or the business of
2 lending money or a thing of value at a rate usurious under state law if
3 the usurious rate is at least twice the enforceable rate.

4 Sec. 6. Original section 28-439, Reissue Revised Statutes of
5 Nebraska, and sections 28-401, 28-405, 28-416, and 28-1354, Revised
6 Statutes Cumulative Supplement, 2014, are repealed.