

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 167

Introduced by Ebke, 32.

Read first time January 10, 2017

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to cannabidiol; to amend sections 28-401 and
- 2 28-405, Reissue Revised Statutes of Nebraska; to redefine marijuana;
- 3 to include cannabidiol as a Schedule V controlled substance as
- 4 prescribed; to harmonize provisions; and to repeal the original
- 5 sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-401, Reissue Revised Statutes of Nebraska, is
2 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, the sterilized seed of such plant
29 which is incapable of germination, or cannabidiol contained in a drug
30 product approved by the federal Food and Drug Administration or obtained
31 pursuant to sections 28-463 to 28-468. When the weight of marijuana is

1 referred to in the Uniform Controlled Substances Act, it means its weight
2 at or about the time it is seized or otherwise comes into the possession
3 of law enforcement authorities, whether cured or uncured at that time.
4 When industrial hemp as defined in section 2-5701 is in the possession of
5 a person as authorized under section 2-5701, it is not considered
6 marijuana for purposes of the Uniform Controlled Substances Act;

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

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

1 substances referred to in subdivisions (a) and (b) of this subdivision,
2 except that the words narcotic drug as used in the Uniform Controlled
3 Substances Act does not include decocainized coca leaves or extracts of
4 coca leaves, which extracts do not contain cocaine or ecgonine, or
5 isoquinoline alkaloids of opium;

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

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

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

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

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

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

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

1 manufacture of a controlled substance, the control of which is necessary
2 to prevent, curtail, or limit such manufacture;

3 (23) State means the State of Nebraska;

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

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

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

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

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

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

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

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

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

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

1 nonhuman species and has been approved by the Secretary of Health and
2 Human Services for such administration, but if any person prescribes,
3 dispenses, or distributes such a steroid for human use, such person shall
4 be considered to have prescribed, dispensed, or distributed an anabolic
5 steroid within the meaning of this subdivision;

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

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

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

15 (35) Registrant means any person who has a controlled substances
16 registration issued by the state or the Drug Enforcement Administration
17 of the United States Department of Justice ~~administration~~;

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

22 (37) Signature means the name, word, or mark of a person written in
23 his or her own hand with the intent to authenticate a writing or other
24 form of communication or a digital signature which complies with section
25 86-611 or an electronic signature;

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

30 (39) Electronic signature has the definition found in section
31 86-621;

1 (40) Electronic transmission means transmission of information in
2 electronic form. Electronic transmission includes computer-to-computer
3 transmission or computer-to-facsimile transmission;

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

9 (42) Compounding has the same meaning as in section 38-2811;

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

15 (44) Lookalike substance means a product or substance, not
16 specifically designated as a controlled substance in section 28-405, that
17 is either portrayed in such a manner by a person to lead another person
18 to reasonably believe that it produces effects on the human body that
19 replicate, mimic, or are intended to simulate the effects produced by a
20 controlled substance or that possesses one or more of the following
21 indicia or characteristics:

22 (a) The packaging or labeling of the product or substance suggests
23 that the user will achieve euphoria, hallucination, mood enhancement,
24 stimulation, or another effect on the human body that replicates or
25 mimics those produced by a controlled substance;

26 (b) The name or packaging of the product or substance uses images or
27 labels suggesting that it is a controlled substance or produces effects
28 on the human body that replicate or mimic those produced by a controlled
29 substance;

30 (c) The product or substance is marketed or advertised for a
31 particular use or purpose and the cost of the product or substance is

1 disproportionately higher than other products or substances marketed or
2 advertised for the same or similar use or purpose;

3 (d) The packaging or label on the product or substance contains
4 words or markings that state or suggest that the product or substance is
5 in compliance with state and federal laws regulating controlled
6 substances;

7 (e) The owner or person in control of the product or substance uses
8 evasive tactics or actions to avoid detection or inspection of the
9 product or substance by law enforcement authorities;

10 (f) The owner or person in control of the product or substance makes
11 a verbal or written statement suggesting or implying that the product or
12 substance is a synthetic drug or that consumption of the product or
13 substance will replicate or mimic effects on the human body to those
14 effects commonly produced through use or consumption of a controlled
15 substance;

16 (g) The owner or person in control of the product or substance makes
17 a verbal or written statement to a prospective customer, buyer, or
18 recipient of the product or substance implying that the product or
19 substance may be resold for profit; or

20 (h) The product or substance contains a chemical or chemical
21 compound that does not have a legitimate relationship to the use or
22 purpose claimed by the seller, distributor, packer, or manufacturer of
23 the product or substance or indicated by the product name, appearing on
24 the product's packaging or label or depicted in advertisement of the
25 product or substance.

26 Sec. 2. Section 28-405, Reissue Revised Statutes of Nebraska, is
27 amended to read:

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

30 Schedule I

31 (a) Any of the following opiates, including their isomers, esters,

1 ethers, salts, and salts of isomers, esters, and ethers, unless
2 specifically excepted, whenever the existence of such isomers, esters,
3 ethers, and salts is possible within the specific chemical designation:

- 4 (1) Acetylmethadol;
- 5 (2) Allylprodine;
- 6 (3) Alphacetylmethadol, except levo-alphacetylmethadol which is also
7 known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 8 (4) Alphameprodine;
- 9 (5) Alphamethadol;
- 10 (6) Benzethidine;
- 11 (7) Betacetylmethadol;
- 12 (8) Betameprodine;
- 13 (9) Betamethadol;
- 14 (10) Betaprodine;
- 15 (11) Clonitazene;
- 16 (12) Dextromoramide;
- 17 (13) DifenoXin;
- 18 (14) Diampromide;
- 19 (15) Diethylthiambutene;
- 20 (16) Dimenoxadol;
- 21 (17) Dimepheptanol;
- 22 (18) Dimethylthiambutene;
- 23 (19) Dioxaphetyl butyrate;
- 24 (20) Dipipanone;
- 25 (21) Ethylmethylthiambutene;
- 26 (22) Etonitazene;
- 27 (23) EtoXeridine;
- 28 (24) Furethidine;
- 29 (25) Hydroxypethidine;
- 30 (26) Ketobemidone;
- 31 (27) Levomoramide;

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

1 piperidiny)-N-phenylpropanamide, its optical isomers, salts, and salts
2 of isomers;

3 (51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide,
4 its optical isomers, salts, and salts of isomers;

5 (52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-
6 piperidiny)-N-phenylpropanamide, its optical isomers, salts, and salts
7 of isomers;

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

11 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-
12 piperidiny)-N-phenylpropanamide, its optical and geometric isomers,
13 salts, and salts of isomers;

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

16 (56) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidiny)-
17 propanamide, its optical isomers, salts, and salts of isomers; and

18 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
19 piperidiny)propanamide, its optical isomers, salts, and salts of
20 isomers.

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

25 (1) Acetorphine;

26 (2) Acetyldihydrocodeine;

27 (3) Benzylmorphine;

28 (4) Codeine methylbromide;

29 (5) Codeine-N-Oxide;

30 (6) Cyrenorphine;

31 (7) Desomorphine;

- 1 (8) Dihydromorphine;
- 2 (9) Drotebanol;
- 3 (10) Etorphine, except hydrochloride salt;
- 4 (11) Heroin;
- 5 (12) Hydromorphinol;
- 6 (13) Methyldesorphine;
- 7 (14) Methyldihydromorphine;
- 8 (15) Morphine methylbromide;
- 9 (16) Morphine methylsulfonate;
- 10 (17) Morphine-N-Oxide;
- 11 (18) Myrophine;
- 12 (19) Nicocodeine;
- 13 (20) Nicomorphine;
- 14 (21) Normorphine;
- 15 (22) Pholcodine; and
- 16 (23) Thebacon.

17 (c) Any material, compound, mixture, or preparation which contains
18 any quantity of the following hallucinogenic substances, their salts,
19 isomers, and salts of isomers, unless specifically excepted, whenever the
20 existence of such salts, isomers, and salts of isomers is possible within
21 the specific chemical designation, and, for purposes of this subdivision
22 only, isomer shall include the optical, position, and geometric isomers:

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

27 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall
28 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-
29 methylphenethylamine; and 4-bromo-2,5-DMA;

30 (3) 4-methoxyamphetamine. Trade and other names shall include, but
31 are not limited to: 4-methoxy-alpha-methylphenethylamine; and

1 paramethoxyamphetamine, PMA;

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

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

9 (6) Lysergic acid diethylamide;

10 (7) Marijuana;

11 (8) Mescaline;

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

17 (10) Psilocybin;

18 (11) Psilocyn;

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

- 1 (13) N-ethyl-3-piperidyl benzilate;
- 2 (14) N-methyl-3-piperidyl benzilate;
- 3 (15) Thiophene analog of phencyclidine. Trade and other names shall
4 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
5 2-thienyl analog of phencyclidine; TPCP; and TCP;
- 6 (16) Hashish or concentrated cannabis;
- 7 (17) Parahexyl. Trade and other names shall include, but are not
8 limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
9 dibenzo(b,d)pyran; and Synhexyl;
- 10 (18) Ethylamine analog of phencyclidine. Trade and other names shall
11 include, but are not limited to: N-ethyl-1-phenylcyclohexylamine; (1-
12 phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
13 cyclohexamine; and PCE;
- 14 (19) Pyrrolidine analog of phencyclidine. Trade and other names
15 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-
16 pyrrolidine; PCPy; and PHP;
- 17 (20) Alpha-ethyltryptamine. Some trade or other names: etryptamine;
18 Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;
19 alpha-ET; and AET;
- 20 (21) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;
- 21 (22) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;
- 22 (23) Alpha-methyltryptamine, which is also known as AMT;
- 23 (24) Salvia divinorum or Salvinorin A. Salvia divinorum or
24 Salvinorin A includes all parts of the plant presently classified
25 botanically as Salvia divinorum, whether growing or not, the seeds
26 thereof, any extract from any part of such plant, and every compound,
27 manufacture, derivative, mixture, or preparation of such plant, its
28 seeds, or its extracts, including salts, isomers, and salts of isomers
29 whenever the existence of such salts, isomers, and salts of isomers is
30 possible within the specific chemical designation;
- 31 (25) Any material, compound, mixture, or preparation containing any

1 quantity of synthetically produced cannabinoids as listed in subdivisions
2 (A) through (L) of this subdivision, including their salts, isomers,
3 salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic analogs,
4 unless specifically excepted elsewhere in this section. Since
5 nomenclature of these synthetically produced cannabinoids is not
6 internationally standardized and may continually evolve, these structures
7 or compounds of these structures shall be included under this
8 subdivision, regardless of their specific numerical designation of atomic
9 positions covered, so long as it can be determined through a recognized
10 method of scientific testing or analysis that the substance contains
11 properties that fit within one or more of the following categories:

12 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally
13 contained in a plant of the genus cannabis (cannabis plant), as well as
14 synthetic equivalents of the substances contained in the plant, or in the
15 resinous extractives of cannabis, sp. and/or synthetic substances,
16 derivatives, and their isomers with similar chemical structure and
17 pharmacological activity such as the following: Delta 1 cis or trans
18 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans
19 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans
20 tetrahydrocannabinol, and its optical isomers;

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

29 (C) Naphthylmethylinindoles: Any compound containing a 1 H-indol-3-yl-
30 (1-naphthyl)methane structure with substitution at the nitrogen atom of
31 the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,

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

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

14 (E) Naphthylideneindenes: Any compound containing a
15 naphthylideneindene structure with substitution at the 3-position of the
16 indene 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 to any extent;

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

30 (G) Cyclohexylphenols: Any compound containing a 2-(3-
31 hydroxycyclohexyl)phenol structure with substitution at the 5-position of

1 the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
2 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
3 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
4 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
5 tetrahydropyranylmethyl group, whether or not substituted in or on any of
6 the listed ring systems to any extent;

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

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

23 (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 to any extent;

31 (K) Indole carboxamides: Any compound containing a 1-indole-3-

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

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

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

29 (26) Any material, compound, mixture, or preparation containing any
30 quantity of a substituted phenethylamine as listed in subdivisions (A)
31 through (C) of this subdivision, unless specifically excepted, listed in

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

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

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

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

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

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

23 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as
24 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;

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

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

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

31 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is

- 1 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;
- 2 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
3 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;
- 4 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
5 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;
- 6 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
7 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;
- 8 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
9 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 10 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
11 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 12 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
13 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
14 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 15 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
16 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
17 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 18 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,
19 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
20 methoxybenzyl)phenethylamine;
- 21 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
22 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
23 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 24 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
25 which is also known as 2CB-5-hemiFLY;
- 26 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
27 yl)ethanamine, which is also known as 2C-B-FLY;
- 28 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
29 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 30 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
31 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-

1 NBOMe;

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

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

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

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

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

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

13 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-
14 dimethoxy- α -methylphenethylamine; 2, 5-DMA;

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

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

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

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

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

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

24 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known
25 as N-ethyl- α -methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA; and

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

27 (27) Any material, compound, mixture, or preparation containing any
28 quantity of a substituted tryptamine unless specifically excepted, listed
29 in another schedule, or specifically named in this schedule, that is
30 structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
31 known as tryptamine, by mono- or di-substitution of the amine nitrogen

1 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
2 in a cyclic structure whether or not the compound is further substituted
3 at the alpha position with an alkyl group or whether or not further
4 substituted on the indole ring to any extent with any alkyl, alkoxy,
5 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

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

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

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

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

14 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
15 5-MeOMiPT;

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

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

20 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,
21 DET; and

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

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

25 (i) 3,4-methylenedioxymethcathinone, or bk-MDMA, or methylone;

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

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

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

29 (v) Fluoromethcathinone, or FMC;

30 (vi) Naphthylpyrovalerone, or naphyrone; or

31 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or

1 butylone; or

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

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

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

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

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

23 (1) Mecloqualone;

24 (2) Methaqualone; and

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

28 (e) Unless specifically excepted or unless listed in another
29 schedule, any material, compound, mixture, or preparation which contains
30 any quantity of the following substances having a stimulant effect on the
31 central nervous system, including its salts, isomers, and salts of

1 isomers:

2 (1) Fenethylamine;

3 (2) N-ethylamphetamine;

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

6 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-
7 aminopropiophenone; 2-aminopropiophenone; and norephedrine;

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

13 (6) (+/-)-cis-4-methylamphetamine; and (+/-)-cis-4,5-dihydro-4-methyl-5-
14 phenyl-2-oxazolamine;

15 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;
16 and N,N-alpha-trimethylphenethylamine; and

17 (8) Benzylpiperazine, 1-benzylpiperazine.

18 (f) Any controlled substance analogue to the extent intended for
19 human consumption.

20 Schedule II

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

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

30 (A) Raw opium;

31 (B) Opium extracts;

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

- 1 (b) Unless specifically excepted or unless in another schedule any
2 of the following opiates, including their isomers, esters, ethers, salts,
3 and salts of their isomers, esters, and ethers whenever the existence of
4 such isomers, esters, ethers, and salts is possible within the specific
5 chemical designation, dextrorphan excepted:
- 6 (1) Alphaprodine;
 - 7 (2) Anileridine;
 - 8 (3) Bezitramide;
 - 9 (4) Diphenoxylate;
 - 10 (5) Fentanyl;
 - 11 (6) Isomethadone;
 - 12 (7) Levomethorphan;
 - 13 (8) Levorphanol;
 - 14 (9) Metazocine;
 - 15 (10) Methadone;
 - 16 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
17 butane;
 - 18 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
19 diphenylpropane-carboxylic acid;
 - 20 (13) Pethidine or meperidine;
 - 21 (14) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
 - 22 (15) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
23 carboxylate;
 - 24 (16) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
25 carboxylic acid;
 - 26 (17) Phenazocine;
 - 27 (18) Piminodine;
 - 28 (19) Racemethorphan;
 - 29 (20) Racemorphan;
 - 30 (21) Dihydrocodeine;
 - 31 (22) Bulk Propoxyphene in nondosage forms;

1 (23) Sufentanil;

2 (24) Alfentanil;

3 (25) Levo-alphaacetylmethadol which is also known as levo-alpha-
4 acetylmethadol, levomethadyl acetate, and LAAM;

5 (26) Carfentanil;

6 (27) Remifentanil; and

7 (28) Tapentadol.

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

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

13 (2) Phenmetrazine and its salts;

14 (3) Methamphetamine, its salts, isomers, and salts of its isomers;

15 (4) Methylphenidate; and

16 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

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

23 (1) Amobarbital;

24 (2) Secobarbital;

25 (3) Pentobarbital;

26 (4) Phencyclidine; and

27 (5) Glutethimide.

28 (e) Hallucinogenic substances known as:

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

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

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

8 (2) Immediate precursors to phencyclidine, PCP:

9 (A) 1-phenylcyclohexylamine; or

10 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

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

13 Schedule III

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

21 (1) Benzphetamine;

22 (2) Chlorphentermine;

23 (3) Clortermine; and

24 (4) Phendimetrazine.

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

28 (1) Any substance which contains any quantity of a derivative of
29 barbituric acid or any salt of a derivative of barbituric acid, except
30 those substances which are specifically listed in other schedules of this
31 section;

- 1 (2) Chlorhexadol;
- 2 (3) Embutramide;
- 3 (4) Lysergic acid;
- 4 (5) Lysergic acid amide;
- 5 (6) Methyprylon;
- 6 (7) Perampanel;
- 7 (8) Sulfondiethylmethane;
- 8 (9) Sulfonethylmethane;
- 9 (10) Sulfonmethane;
- 10 (11) Nalorphine;
- 11 (12) Any compound, mixture, or preparation containing amobarbital,
- 12 secobarbital, pentobarbital, or any salt thereof and one or more other
- 13 active medicinal ingredients which are not listed in any schedule;
- 14 (13) Any suppository dosage form containing amobarbital,
- 15 secobarbital, pentobarbital, or any salt of any of these drugs and
- 16 approved by the federal Food and Drug Administration for marketing only
- 17 as a suppository;
- 18 (14) Any drug product containing gamma-hydroxybutyric acid,
- 19 including its salts, isomers, and salts of isomers, for which an
- 20 application is approved under section 505 of the Federal Food, Drug, and
- 21 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;
- 22 (15) Ketamine, its salts, isomers, and salts of isomers. Some other
- 23 names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
- 24 cyclohexanone; and
- 25 (16) Tiletamine and zolazepam or any salt thereof. Trade or other
- 26 names for a tiletamine-zolazepam combination product shall include, but
- 27 are not limited to: telazol. Trade or other names for tiletamine shall
- 28 include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-
- 29 cyclohexanone. Trade or other names for zolazepam shall include, but are
- 30 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-
- 31 (3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrazapon.

1 (c) Unless specifically excepted or unless listed in another
2 schedule:

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

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

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

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

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

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

26 (F) Not more than fifty milligrams of morphine per one hundred
27 milliliters or per one hundred grams with one or more active, nonnarcotic
28 ingredients in recognized therapeutic amounts; and

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

31 (A) Buprenorphine.

1 (d) Unless contained on the ~~administration's~~ list of exempt anabolic
2 steroids of the Drug Enforcement Administration of the United States
3 Department of Justice as the list existed on January 1, 2014, any
4 anabolic steroid, which shall include any material, compound, mixture, or
5 preparation containing any quantity of the following substances,
6 including its salts, isomers, and salts of isomers whenever the existence
7 of such salts of isomers is possible within the specific chemical
8 designation:

- 9 (1) 3-beta,17-dihydroxy-5a-androstane;
- 10 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;
- 11 (3) 5-alpha-androstan-3,17-dione;
- 12 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
13 ene);
- 14 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
15 ene);
- 16 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);
- 17 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);
- 18 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);
- 19 (9) 4-androstenedione (androst-4-en-3,17-dione);
- 20 (10) 5-androstenedione (androst-5-en-3,17-dione);
- 21 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-
22 hydroxyandrost-4-en-3-one);
- 23 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one);
- 24 (13) Boldione (androsta-1,4-diene-3,17-3-one);
- 25 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
26 en-3-one);
- 27 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);
- 28 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-
29 alpha-methyl-androst-1,4-dien-3-one);
- 30 (17) Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-
31 en-17-beta-ol) (a.k.a. 'madol');

- 1 (18) Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-
2 hydroxy-5-alpha-androst-1-en-3-one);
- 3 (19) 4-Dihydrotestosterone (17-beta-hydroxy-androstan-3-one);
- 4 (20) Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-
5 androstan-3-one);
- 6 (21) Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestr-4-ene);
- 7 (22) Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-
8 dihydroxyandrost-4-en-3-one);
- 9 (23) Formebolone (formebolone); (2-formyl-17-alpha-methyl-11-alpha,
10 17-beta-dihydroxyandrost-1,4-dien-3-one);
- 11 (24) Furazabol (17-alpha-methyl-17-beta-hydroxyandrostan[2,3-c]-
12 furazan);
- 13 (25) 13-beta-ethyl-17-beta-hydroxygon-4-en-3-one;
- 14 (26) 4-hydroxytestosterone (4,17-beta-dihydroxy-androst-4-en-3-one);
- 15 (27) 4-hydroxy-19-nortestosterone (4,17-beta-dihydroxy-estr-4-en-3-
16 one);
- 17 (28) Mestanolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
18 one);
- 19 (29) Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
20 one);
- 21 (30) Methandienone (17-alpha-methyl-17-beta-hydroxyandrost-1,4-
22 dien-3-one);
- 23 (31) Methandriol (17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-5-
24 ene);
- 25 (32) Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstan-17-
26 beta-ol-3-one);
- 27 (33) Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androst-1-en-3-
28 one);
- 29 (34) 17-alpha-methyl-3-beta,17-beta-dihydroxy-5a-androstane;
- 30 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
- 31 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;

- 1 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
2 hydroxy-17-beta-hydroxyestr-4-en-3-one);
- 3 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
4 dien-3-one);
- 5 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
6 trien-3-one);
- 7 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
8 en-3-one);
- 9 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
10 en-3-one);
- 11 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
12 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
13 methyl-1-testosterone');
- 14 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
- 15 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
- 16 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
- 17 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
- 18 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
- 19 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
20 dione);
- 21 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 22 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 23 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
24 en-3-one);
- 25 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
- 26 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
27 one);
- 28 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
29 one);
- 30 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
31 androstan-3-one);

1 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
2 en-3-one);

3 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
4 hydroxy-[5-alpha]-androst-3-one);

5 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
6 c]pyrazole);

7 (59) Stanazolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
8 androst-2-eno[3,2-c]-pyrazole);

9 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
10 one);

11 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
12 oic acid lactone);

13 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);

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

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

17 (65) Any salt, ester, or ether of a drug or substance described or
18 listed in this subdivision if the salt, ester, or ether promotes muscle
19 growth.

20 (e) Hallucinogenic substances known as:

21 (1) Dronabinol, synthetic, in sesame oil and encapsulated in a soft
22 gelatin capsule in a drug product approved by the federal Food and Drug
23 Administration. Some other names for dronabinol are (6aR-trans)-6a,
24 7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d)pyran-1-ol or
25 (-)-delta-9-(trans)-tetrahydrocannabinol.

26 Schedule IV

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

31 (1) Barbital;

- 1 (2) Chloral betaine;
- 2 (3) Chloral hydrate;
- 3 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
- 4 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
- 5 water soluble esterified estrogens);
- 6 (5) Clonazepam;
- 7 (6) Clorazepate;
- 8 (7) Diazepam;
- 9 (8) Ethchlorvynol;
- 10 (9) Ethinamate;
- 11 (10) Flurazepam;
- 12 (11) Mebutamate;
- 13 (12) Meprobamate;
- 14 (13) Methohexital;
- 15 (14) Methylphenobarbital;
- 16 (15) Oxazepam;
- 17 (16) Paraldehyde;
- 18 (17) Petrichloral;
- 19 (18) Phenobarbital;
- 20 (19) Prazepam;
- 21 (20) Alprazolam;
- 22 (21) Bromazepam;
- 23 (22) Camazepam;
- 24 (23) Clobazam;
- 25 (24) Clotiazepam;
- 26 (25) Cloxazolam;
- 27 (26) Delorazepam;
- 28 (27) Estazolam;
- 29 (28) Ethyl loflazepate;
- 30 (29) Fludiazepam;
- 31 (30) Flunitrazepam;

- 1 (31) Halazepam;
- 2 (32) Haloxazolam;
- 3 (33) Ketazolam;
- 4 (34) Loprazolam;
- 5 (35) Lorazepam;
- 6 (36) Lormetazepam;
- 7 (37) Medazepam;
- 8 (38) Nimetazepam;
- 9 (39) Nitrazepam;
- 10 (40) Nordiazepam;
- 11 (41) Oxazolam;
- 12 (42) Pinazepam;
- 13 (43) Temazepam;
- 14 (44) Tetrazepam;
- 15 (45) Triazolam;
- 16 (46) Midazolam;
- 17 (47) Quazepam;
- 18 (48) Zolpidem;
- 19 (49) Dichloralphenazone;
- 20 (50) Zaleplon;
- 21 (51) Zopiclone;
- 22 (52) Fospropofol;
- 23 (53) Alfaxalone;
- 24 (54) Suvorexant; and
- 25 (55) Carisoprodol.

26 (b) Any material, compound, mixture, or preparation which contains
27 any quantity of the following substance, including its salts, isomers,
28 whether optical, position, or geometric, and salts of such isomers,
29 whenever the existence of such salts, isomers, and salts of isomers is
30 possible: Fenfluramine.

31 (c) Unless specifically excepted or unless listed in another

1 schedule, any material, compound, mixture, or preparation which contains
2 any quantity of the following substances having a stimulant effect on the
3 central nervous system, including their salts, isomers, whether optical,
4 position, or geometric, and salts of such isomers whenever the existence
5 of such salts, isomers, and salts of isomers is possible within the
6 specific chemical designation:

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

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

- 25 (1) Propoxyphene in manufactured dosage forms;
- 26 (2) Not more than one milligram of difenoxin and not less than
27 twenty-five micrograms of atropine sulfate per dosage unit; and
- 28 (3) 2-[[dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its
29 salts, optical and geometric isomers, and salts of these isomers to
30 include: Tramadol.

31 (e) Unless specifically excepted or unless listed in another

1 schedule, any material, compound, mixture, or preparation which contains
2 any quantity of the following substance, including its salts:

3 (1) Pentazocine; and

4 (2) Butorphanol (including its optical isomers).

5 (f) Any material, compound, mixture, or preparation which contains
6 any quantity of the following substances, including its salts, isomers,
7 and salts of such isomers, whenever the existence of such salts, isomers,
8 and salts of isomers is possible: Lorcaserin.

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

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

1 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or
2 high, heightened sexual performance, or increased muscle mass:

3 (i) Primatene Tablets; and

4 (ii) Bronkaid Dual Action Caplets.

5 Schedule V

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

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

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

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

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

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

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

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

30 (c) Unless specifically exempted or excluded or unless listed in
31 another schedule, any material, compound, mixture, or preparation which

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

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

6 (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);
7 and

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

9 (d) Cannabidiol in a drug product approved by the federal Food and
10 Drug Administration.

11 Sec. 3. Original sections 28-401 and 28-405, Reissue Revised
12 Statutes of Nebraska, are repealed.