A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-416, Revised Statutes Cumulative Supplement, 2020, and section 28-405, Revised Statutes Supplement, 2021; to change provisions relating to the schedules of controlled substances; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 28-405, Revised Statutes Supplement, 2021, is amended to read:

28-405 The following are the schedules of controlled substances referred to in the Uniform Controlled Substances Act, unless specifically contained on the list of exempted products of the Drug Enforcement Administration of the United States Department of Justice as the list existed on January 31, 2021:

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

1. Acetylmethadol;
2. Allylprodine;
3. Alphacetylmethadol, except levo-alpha-acetylmethadol which is also known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
4. Alphameprodine;
5. Alphamethadol;
6. Benzethidine;
7. Betacetylmethadol;
8. Betameprodine;
9. Betamethadol;
10. Betaprodine;
11. Clonitazene;
12. Dextromoramide;
13. Difenoxin;
14. Diamorphine;
15. Diethylthiambutene;
16. Dimenoxadol;
17. Dimepheptanol;
18. Dimethylthiambutene;
19. Dioxaphetyl butyrate;
20. Dipipanone;
21. Ethylmethylthiambutene;
22. Etonitazene;
23. Etoperidine;
24. Furethidine;
25. Hydroxypethidine;
26. Ketobemidone;
27. Levomoramide;
28. Levophencylmorphan;
29. Morpherylidine;
30. Noracytmethadol;
31. Norlevorphanol;
32. Normethadone;
33. Norpipanone;
34. Phenadoxone;
35. Phenampromide;
36. Phenomorphan;
37. Phenoperidine;
38. Piriramide;
39. Proheptazine;
40. Propiridine;
41. Propiram;
42. Racemoramide;
43. Trimperidine;
44. Alpha-methylnorfen, N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl)propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine;
45. Tilidine;
46. 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropyramide, its optical and geometric isomers, salts, and salts of isomers;
47. 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts, and salts of isomers;
48. PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its optical isomers, salts, and salts of isomers;
(49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of isomers;
(50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts of isomers;
(51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide, its optical isomers, salts, and salts of isomers;
(52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts of isomers;
(53) Beta-hydroxy-3-methylfentanyl, (other name: N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl))-N-phenylpropanamide, its optical and geometric isomers, salts, and salts of isomers;
(54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide, its optical and geometric isomers, salts, and salts of isomers;
(55) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide, its optical isomers, salts, and salts of isomers;
(56) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide, its optical isomers, salts, and salts of isomers;
(57) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]N-methylbenzamide;
(58) 4-Fluoroisobutyryl Fentanyl;
(59) Acetyl Fentanyl;
(60) Acyrloylfentanyl;
(61) AH-7921, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]benzamide;
(62) Butyrofentanyl;
(63) Butyrofentanyl;
(64) Cyprenorphine;
(65) Desomorphine;
(66) Dihydrocodeine;
(67) Etorphine, except hydrochloride salt;
(68) Heroin;
(69) Hydromorphinol;
(70) Methyldesorphine;
(71) Methyldihydrocodeine;
(72) Morphine methylbromide;
Morphine methylsulfonate;
Morphine-N-Oxide;
Hydromorphone;
Nicocodeine;
Nicomorphine;
Normorphine;
Pholcodine; and
Thebacon.

Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designations, for purposes of this subdivision only, isomer shall include the optical, position, and geometric isomers:

- Bufotenine. Trade and other names shall include, but are not limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; and mappine;
- 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; and 4-bromo-2,5- DMA;
- 4-methoxyamphetamine. Trade and other names shall include, but are not limited to: 4-methoxy-alpha-methylphenethylamine; and paramethoxyamphetamine, PMA;
- 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; DOM; and STP;
- 4-methoxy-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido(1',2':1,2)azepino (5,4-b) indole; and Tabernanthe iboga;
- Lysergic acid diethylamide;
- Marijuana;
- Mescaline;
- Peyote. Peyote shall mean all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant or its seeds or extracts;
- Psilocybin;
- Psilocyzen;
- Tetrahydrocannabinols, including, but not limited to, synthetic equivalents of the substances contained in the plant or in the resinous extractives of cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol and their optical isomers, excluding dronabinol in a drug product approved by the federal Food and Drug Administration; Delta 6 cis or trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers. Since nomenclature of these substances is not internationally standardized, compounds of these structures shall be included regardless of the numerical designation of atomic positions covered. Tetrahydrocannabinols does not include cannabidiol contained in a drug product approved by the federal Food and Drug Administration;
- N-ethyl-3-piperidyl benzilate;
- N-methyl-3-piperidyl benzilate;
- Thiophene analog of phencyclidine. Trade and other names shall include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of phencyclidine; TCP; and TCP;
- Hashish or concentrated cannabis;
- Parahexyl. Trade and other names shall include, but are not limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo(b,d)pyran; and Synhexyl;
- Ethylamine analog of phencyclidine. Trade and other names shall include, but are not limited to: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; and PCE;
- Pyrrolidine analog of phencyclidine. Trade and other names shall include, but are not limited to: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; and PHP;
- Alpha-ethyltryptamine. Some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-amino butyl) indole; alpha-ET; and AET;
- 2,5-dimethoxy-4-ethylamphet-amine; and DOET;
- 1-(1-2-thienyl)cyclohexylpyrrolidine; and TCPy;
- Alpha-methyltryptamine, which is also known as AMT;
- Salvia divinorum or Salvinorin A. Salvia divinorum or Salvinorin A includes all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, derivative, mixture, or preparation of such plant, its seeds, or its extracts, including salts, isomers, and salts of isomers whenever the existence of such salts, isomers,
and salts of isomers is possible within the specific chemical designation;

(26) (25) Any material, compound, mixture, or preparation containing any quantity of any cannabinoid listed in subdivision (A) through (L) of this subdivision, including their salts, isomers, salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic analogs, unless specifically excepted elsewhere in this section. Since nomenclature of these synthetically produced cannabinoids is not internationally standardized and may continually evolve, these structures or compounds of these struc
tures shall be included under this subdivision, regardless of their specific numerical designation of atomic positions covered, so long as it can be determined through a recognized method of scientific testing or analysis that the substance contains properties that fit within one or more of the following categories:

(A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally contained in a plant of the genus cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following; or trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans tetrahydrocannabinol, and its optical isomers. This subdivision does not include cannabidiol contained in a drug product approved by the federal Food and Drug Administration;

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

(C) Naphthylmethylindoles: Any compound containing a 1-3-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-pyrrolidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in or on any of the listed ring systems to any extent;

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

(E) Naphthylidenemides: Any compound containing a naphthylidenemide structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-piperedidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in or on any of the listed ring systems to any extent;

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

(G) Cyclohexylphenols: Any compound containing a 2-(3-hydroxy-cyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-pyrrolidinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in or on any of the listed ring systems to any extent;

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

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

(J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-tetramethylcyclopropanoylindole structure at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropropylmethyl group, whether or not substituted in the listed ring systems to any extent; and

(K) Indole carboxamides: Any compound containing a 1-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl, benzyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-piperidinyl)methyl-3-morpholinyl)methyl, or tetrahydropropylmethyl group, substitution at the carboxylate group by an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl, phenyl, aminooxoalkyl group, or quinolinyl group, whether or not further substituted in or on any of the listed ring systems to any extent or to the adamantyl, 1-methyl, phenyl, aminooxoalkyl, benzyl, or propionaldehyde groups to any extent; and

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

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

(A) Substitution of the phenyl ring by any halo, hydroxyl, alkyl, trifluoromethyl, alkoxyl, or alkylthio groups; (B) substitution at the 2-position by any alkyl groups; or (C) substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzy1, hydroxybenzyl or methoxybenzyl groups, and including, but not limited to:

(i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine, which is also known as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine;
(ii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is also known as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine;
(iii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is also known as 2C-2 or 2,5-Dimethoxy-4-methylphenethylamine;
(iv) 2-(2,5-Dimethoxy-4-(n-propylphenyl)ethanamine, which is also known as 2C-1 or 2,5-Dimethoxy-4-(n-propylphenethylamine)
(v) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine, which is also known as 2C-I or 2,5-Dimethoxy-4-nitrophenethylamine;
(vi) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine, which is also known as 2C-I or 2,5-Dimethoxy-4-nitrophenethylamine;
(vii) 2-(2,5-Dimethoxy-4-(n-propylphenyl)ethanamine, which is also known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;
(viii) 2-(2,5-Dimethoxy-4-(n-propylphenyl)ethanamine, which is also known as 2C-T or 2,5-Dimethoxy-4-propylphenethylamine;
(ix) 2-(2,5-Dimethoxy-4-isopropylphenethylamine, which is also known as 2C-B or 2,5-Dimethoxy-4-isopropylphenethylamine;
(x) 2-(2,5-Dimethoxy-4-(methylthio)phenethylamine, which is also known as 2C-B or 2,5-Dimethoxy-4-(methylthio)phenethylamine;
(xi) 2-(2,5-dimethoxy-4-(methylthio)phenethylamine, which is also known as 2C-B or 2,5-Dimethoxy-4-(methylthio)phenethylamine;
(xii) 1-(2,5-Dimethoxy-4-isopropylphenethylamine, which is also known as 2C-B or 2,5-Dimethoxy-4-(isopropylthio)phenethylamine;
(xiii) 1-(2,5-Dimethoxy-4-isopropylphenethylamine, which is also known as 2C-B or 2,5-Dimethoxy-4-(isopropylthio)phenethylamine;
(xiv) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also known as DOB or 2,5-Dimethoxy-4-bromoamphetamin
(xv) 1-(4-Chloro-2,5-dimethoxyphenyl)propan-2-amine, which is also known as DCI or 2,5-Dimethoxy-4-chloroamphetamine;
(xvi) 2-(4-bromo-2,5-dimethoxyphenyl)ethylamine, which is also known as 2C-B-NBO Me or 258-NBO Me or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
(xvii) 2-(4-bromo-2,5-dimethoxyphenyl)ethylamine, which is also known as 2C-B-NBO Me or 258-NBO Me or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
(xviii) N-(2-Methoxybenzyl)2-(3,4,5-trimethoxyphenyl)ethanamine, which is also known as Mescaline-NBO Me or 3,4,5-trimethoxy-N-(2-

-5-
(xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[2-(6-methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine; 

(xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine, which is also known as 2C-5-hemifLY; 

(xx) 2-(8-Bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine, which is also known as 2C-B-FLY; 

(xxi) N-[(3-Bromo-2,3,4,7,8,9-hexahydroprano[2,3-g]chromen-5-yl)ethyl]ethanamine, which is also known as 2C-B-butterFLY; 

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

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

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

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

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

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

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

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

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

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

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

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

(xxxiv) 3,4-methylenedioxyamphetamine, which is also known as MDA; 

(xxv) 3,4-methylenedioxy-N,N-diallyltryptamine, which is also known as 5-MeO-DALT; 

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

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

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

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

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

(H) Dimethyltryptamine, which is also known as N,N-Dimethyltryptamine, DET; and 

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

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

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

(ii) 3,4-methylenedioxy-N,N-diallyltryptamine, which is also known as 4-HO-DIPT; 

(E) 5-methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

(G) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

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

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

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

(ii) 3,4-methylenedioxy-N,N-diallyltryptamine, which is also known as 4-HO-DIPT; 

(E) 5-methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

(G) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

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

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

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

(ii) 3,4-methylenedioxy-N,N-diallyltryptamine, which is also known as 4-HO-DIPT; 

(E) 5-methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

(G) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-DIMPT; 

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

(I) Dimethyltryptamine, which is also known as DMT; and
(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Mecloqualone;
(2) Methaqualone; and
(3) Gamma-Hydroxybutyric Acid. Some other names include: GHB; Gamma-hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium Oxybate; and Sodium Oxybutyrate.

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

(1) Fenethylline;
(2) N-ethylamphetamine;
(3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;
(4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone;
(5) Methcathinone, its salts, optical isomers, and salts of optical isomers. Some other names: 2-(methylamino)-propiophenone; alpha-(-methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; methylcathinone; monomethylpropion; ephedraine; N-methylcathinone; AL-464; AL-422; AL-463; UR1432; and 4-MEC;
(6) (+/-)cis-4-methylaminorex; and (+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine;
(7) N,N-dimethylamphetaime; N,N-alpha-trimethylbenzeneethanamine; and
(8) Benzylpiperazine, 1-benzylpiperazine; and
(9) 4,4'-dimethylaminorex (other names: 4,4'-DMAR, 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine).

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

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

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, buprenorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone and their salts, but including the following:
   (A) Raw opium;
   (B) Opium extracts;
   (C) Opium fluid;
   (D) Powdered opium;
   (E) Granulated opium;
   (F) Tincture of opium;
   (G) Codeine;
   (H) Ethylmorphine;
   (I) Etorphine hydrochloride;
   (J) Hydrocodone;
   (K) Hydromorphone;
   (L) Metopon;
   (M) Morphine;
   (N) Oxycodone;
   (O) Oxymorphone;
   (P) Oripavine;
   (Q) Thebaine; and
   (R) Dihydroetorphine;
(2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent to or identical with any of the substances referred to in subdivision (3) of this subdivision, except that these substances shall not include the isoquinoline alkaloids of opium:
   (3) Opium poppy and poppy straw;
   (4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent to or identical with any of these substances, including cocaine or ecgonine and its salts, optical isomers, and salts of optical isomers, except that the substances shall not include deccocainized coca leaves or extractions which do not contain cocaine or ecgonine; and
(5) Concentrate of poppy straw, the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy.

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

(1) Alphaprodine;
(2) Anileridine;
(3) Bezitramide;
(4) Diphenoxylate;
(5) Fentanyl;
(6) Isomethadone;
(7) Levorphanol;
(8) Metazocine;
(9) Methadone;
(10) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;
(11) Moramide-intermediate, 2-methyl-3-morpholinol-1,1-diphenylpropylene-
carboxylic acid;
(12) Norfentanyl (N-phenyl-N-piperidin-4-yl) propionamide Norfentanyl (N-
phenyl-N-piperidin-4-yl) propionamide;
(13) Oliceridine;
(14) Pethidine or meperidine;
(15) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
(16) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
(17) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
(18) Phenacetin;
(19) Phencyclidine;
(20) Phenmetrazine and its salts;
(21) Methamphetamine, its salts, isomers, and salts of its isomers;
(22) Methylphenidate; and
(23) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

(c) Any material, compound, mixture, or preparation which contains any
quantity of the following substances having a potential for abuse associated
with a stimulant effect on the central nervous system:
(1) Amphetamine, its salts, optical isomers, and salts of its optical
isomers;
(2) Phenmetrazine and its salts;
(3) Methamphetamine, its salts, isomers, and salts of its isomers;
(4) Methylphenidate; and
(5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

(d) Any material, compound, mixture, or preparation which contains any
quantity of the following substances having a potential for abuse associated
with a depressant effect on the central nervous system, including their salts,
isomers, and salts of isomers whenever the existence of such salts, isomers,
and salts of isomers is possible within the specific chemical designations:
(1) Amobarbital;
(2) Secobarbital;
(3) Pentobarbital;
(4) Phenycyclidine; and
(5) Glutethimide.

(e) Hallucinogenic substances known as:
(1) Nabilone. Another name for nabilone: (+/-)-trans-3-(1,1-
dimethylheptyl)-6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-
dibenzo(b,d)pyran-9-one; and
(2) Dronabinol in an oral solution in a drug product approved by the
federal Food and Drug Administration.

(f) Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the
following substances:
(1) Immediate precursor to amphetamine and methamphetamine: Phenylacetone.
Trade and other names shall include, but are not limited to: Phenyl-2-
propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone;
(2) Immediate precursors to phencyclidine, PCP:
(A) 1-phenylcyclohexylamine; or
(B) 1-piperidinocyclohexancarbonitrile, PCC; or
(3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine
(ANPP).

Schedule III

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

(b) Any material, compound, mixture, or preparation which contains any
quantity of the following substances having a potential for abuse associated
with a depressant effect on the central nervous system:
(1) Any substance which contains any quantity of a derivative of barbituric acid or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules of this section;
(2) Aprobartinal;
(3) Butabarbital;
(4) Butalbital;
(5) Butethal;
(6) Butobarbital;
(7) Chlorhexadol;
(8) Embutramide;
(9) Lysergic acid;
(10) Lysergic acid amide;
(11) Methyprylon;
(12) Perampanel;
(13) Secbutabarbitral;
(14) Sulfonfusedylmethane;
(15) Sulfonmethane;
(16) Nalorphine;
(17) Talbutal;
(18) Thiamylal;
(19) Vinbarbital;
(20) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;
(23) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing only as a suppository;
(24) Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;
(25) Ketamine, its salts, isomers, and salts of isomers. Some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone; and
(26) Tiletamine and zolazepam or any salt thereof. Trade or other names for a tiletamine-zolazepam combination product shall include, but are not limited to: telazol. Trade or other names for tiletamine shall include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Trade or other names for zolazepam shall include, but are not limited to: (R)-1-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrazapon.
(c) Unless specifically excepted or unless listed in another schedule:
(1) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:
(A) Not more than one and eight-tenths grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
(B) Not more than one and eight-tenths grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(C) Not more than one and eight-tenths grams of dihydrocodeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(D) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(E) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams, or not more than twenty-five milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; and
(F) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
(2) Any material, compound, mixture, or preparation containing any of the following narcotic drug or its salts, as set forth below:
(A) Buprenorphine.
(d) Unless contained on the list of exempt anabolic steroids of the Drug Enforcement Administration of the United States Department of Justice as the list existed on January 31, 2021, any anabolic steroid, which shall include any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:
(1) 3-beta,17-dihydroxy-5a-androstan-3,17-dione;
(2) 3-alpha,17-beta-dihydroxy-5a-androstan-3,17-dione;
(4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-ene);
(5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-ene);
(7) 5-androstenediol (3-beta,17-beta-dihydroxy-5alpha-androst-1-ene);
(8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);
4-androstenedione (androst-4-en-3,17-dione); 
5-androstenedione (androst-5-en-3,17-dione); 
Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyandrost-4-en-3-one); 
Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one); 
Boldione (androsta-1,4-diene-3,17,3-one); 
Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-en-3-one); 
Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one); 
Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-alpha-methyl-androst-1,4-dien-3-one); 
Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-en-17-beta); 
Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-hydroxy-5-alpha-androst-1-en-3-one); 
Dihydrotestosterone (17-beta-hydroxy-androstan-3-one); 
Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-androstane-3-one); 
Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestra-4-en-ene); 
Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-dihydroxyandrost-4-en-3-one); 
Formebulone (formebolone); (2-formyl-17-alpha-methyl-11-alpha,17-beta-dihydroxyandrost-1,4-dien-3-one); 
Furazabol (17-alpha-methyl-17-beta-hydroxyandrostano[2,3-c]-furazan); 
Hydroxytestosterone (4,17-beta-dihydroxy-androstane-2,4-dien-3-one); 
Nortestosterone (17-alpha-methyl-5-alpha-androstane-3-one); 
Methandienone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-androstan-3-one); 
Methandrostenolone (17-alpha-methyl-17-beta-hydroxyandrostane-3-one); 
Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyandrostane-3-one); 
Methandrostenolone (17-alpha-methyl-5-alpha-androstane-3-one); 
Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstane-3-one); 
Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androstane-3-one); 
Methyltrienolone (17-alpha-methyl-17-beta-hydroxy-5-alpha-androstane-3-one); 
Metherolone (2-alpha,17-alpha-dimethyl-5-alpha-androstane-3-one); 
Mestanolone (17-alpha-methyl-3-beta,17-beta-dihydroxyandrostane-3-one); 
Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-alpha-androstane-3-one); 
Methandienone (17-alpha-methyl-17-beta-hydroxyandrostane-3-one); 
Methyldienolone (17-alpha-methyl-17-beta-hydroxyestr-4,9(10)-dien-3-one); 
Nandrolone (17-beta-hydroxyestr-4,9(10)-dien-3-one); 
Androstane-2,4-dione; 17-alpha-methyl-androst-ene-3,17 beta-diol; 
Androstane-3,5-dione; 17-alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
17 beta-hydroxy-androstano[2,3-d]isoxazole;
17 beta-hydroxy-androstano[3,2-c]isoxazole;
18a-homo-3-hydroxy-2,5(10)-dien-17-one;
2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androst-17 beta-ol;
4-chloro-17 alpha-methyl-17 beta-hydroxy-androstan-4-en-3-one;
4-chloro-17 alpha-methyl-androstan-4-en-3,11-diene;
4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;
4-chloro-17 alpha-methyl-androsta-1,4, diene-3,17 beta-diol,
4-hydroxy-androst-4-en-3,17-dione;
5 alpha-Androstan-3,6,17 triene;
6 alpha-methyl-androst-4-ene-3,17-dione;
6 alpha-methyl-androst-4-ene-3,17-dione;
Delta 1-dihydrotestosterone;
Estra-4,9,11-triene-3,17-dione; and
Any salt, ester, or ether of a drug or substance described or listed
in this subdivision if the salt, ester, or ether promotes muscle growth.

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

Schedule IV
(a) Any material, compound, mixture, or preparation which contains any
quantity of the following substances, including their salts, isomers, and salts
of isomers whenever the existence of such salts, isomers, and salts of isomers
is possible within the specific chemical designation:
(1) Barbital;
(2) Choral betaine;
(3) Choral hydrate;
(4) Chlordiazepoxide, but not including librax (chlordiazepoxide
hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and water
soluble esterified estrogens);
(5) Clonazepam;
(6) Clorazepate;
(7) Diazepam;
(8) Ethchlorvynol;
(9) Ethinamate;
(10) Flurazepam;
(11) Mebutamate;
(12) Meprobamate;
(13) Methohexital;
(14) Methylphenobarbital;
(15) Oxazepam;
(16) Paraldehyde;
(17) Petrichloral;
(18) Phenobarbital;
(19) Prazepam;
(20) Alprazolam;
(21) Bromazepam;
(22) Camazepam;
(23) Cloxazolam;
(24) Clotiazepam;
(25) Cloxazolam;
(26) Delorazepam;
(27) Estazolam;
(28) Ethyl loflazepate;
(29) Fludiazepam;
(30) Flunitrazepam;
(31) Halazepam;
(32) Haloxazolam;
(33) Ketazolam;
(34) Lorazepam;
(35) Midazolam;
(36) Oxazolam;
(37) Pinazepam;
(38) Alprazolam;
(39) Nitrazepam;
(40) Nortizazolam;
(41) Oxazolam;
(42) Temazepam;
(43) Tetrazepam;
(44) Triazolam;
(45) Trizolam;
(46) Midazolam;
(47) Quazepam;
(48) Zolpidem;
(49) Dichloralphenazone;
(50) Zaleplon;
(51) Zopiclone;
(f) Any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible: Fenfluramine.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designations:

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

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

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

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

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

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

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

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

1. Primatene Tablets; and
2. Bronkaid Dual Action Caplets.

Schedule V

(a) Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts calculated as the free anhydrous base or alkaloid, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:
(1) Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;
(2) Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;
(3) Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;
(4) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;
(5) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams; and
(6) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit.

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

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

(1) Ezogabine (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic acid ethyl ester);
(2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);
(3) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid);
(4) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviax), including its salts;
(5) Cenobamate; and
(6) Lasmiditan.

Sec. 2. Section 28-416, Revised Statutes Cumulative Supplement, 2020, is amended to read:

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

(2) Except as provided in subsections (4), (5), (7), (8), (9), and (10) of this section, any person who violates subsection (3) of this section with respect to: (a) A controlled substance classified in Schedule I, II, or III of section 28-405 which is an exceptionally hazardous drug shall be guilty of a Class II felony; (b) any other controlled substance classified in Schedule I, II, or III of section 28-405 shall be guilty of a Class IIA felony; or (c) a controlled substance classified in Schedule IV or V of section 28-405 shall be guilty of a Class IIIA felony.

(3) A person knowingly or intentionally possessing a controlled substance, except marijuana or any substance containing a quantifiable amount of the substances, chemicals, or compounds described, defined, or delineated in subdivision (c)(26) (c)(25) of Schedule I of section 28-405, unless such substance is possessed pursuant to the practice of medical or surgical art, shall be guilty of a Class IV felony.

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

(b) For purposes of this subsection:

(i) Playground means any outdoor facility, including any parking lot appurtenant to the facility, intended for recreation, open to the public, and with any portion containing three or more apparatus intended for the recreation of children, including sliding boards, swings, and teeterboards;
(ii) Video arcade facility means any facility legally accessible to persons under eighteen years of age, intended primarily for the use of pinball and video machines for amusement, and containing a minimum of ten pinball or video machines; and
(iii) Youth center means any recreational facility or gymnasium, including any parking lot appurtenant to the facility or gymnasium, intended primarily for use by persons under eighteen years of age which regularly provides athletic, civic, or cultural activities.

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and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of eighteen years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance.

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

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

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

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

(a) One hundred forty grams or more shall be guilty of a Class IB felony;
(b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
(c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

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

(a) One hundred forty grams or more shall be guilty of a Class IB felony;
(b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
(c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

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

(a) One hundred forty grams or more shall be guilty of a Class IB felony;
(b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
(c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

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

(a) One hundred forty grams or more shall be guilty of a Class IB felony;
(b) At least twenty-eight grams but less than one hundred forty grams shall be guilty of a Class IC felony; or
(c) At least ten grams but less than twenty-eight grams shall be guilty of a Class ID felony.

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

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

[The text continues with various subsections and penalties for marijuana possession, possession of synthetic drugs, and other offenses involving controlled substances, with detailed descriptions of quantities and corresponding penalties.]
Any person convicted of violating this section, if sentenced to the Department of Correctional Services, shall attend appropriate treatment and counseling on drug abuse.

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

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

In addition to the existing penalties available for a violation of subsection (1) of this section, including any criminal attempt or conspiracy to violate subsection (1) of this section, a sentencing court may order that any money, securities, negotiable instruments, firearms, conveyances, or electronic communication devices as defined in section 28-833 or any equipment, components, peripherals, software, hardware, or accessories related to electronic communication devices be forfeited as a part of the sentence imposed if it finds by clear and convincing evidence adduced at a separate hearing in the same prosecution, following conviction for a violation of subsection (1) of this section, and conducted pursuant to section 28-1601, that any or all such property was derived from, used, or intended to be used to facilitate a violation of subsection (1) of this section.

In addition to the penalties provided in this section:

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

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

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

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

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

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

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

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

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

Sec. 3. Original section 28-416, Revised Statutes Cumulative Supplement, 2020, and section 28-405, Revised Statutes Supplement, 2021, are repealed.