

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 72

FINAL READING

Introduced by Hallstrom, 1.

Read first time January 09, 2025

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to
2 amend sections 28-405 and 28-416, Revised Statutes Cumulative
3 Supplement, 2024; to change provisions relating to controlled
4 substances schedules; to harmonize provisions; and to repeal the
5 original sections.

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

1 **Section 1.** Section 28-405, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 28-405 The following are the schedules of controlled substances
4 referred to in the Uniform Controlled Substances Act, unless specifically
5 contained on the list of exempted products of the Drug Enforcement
6 Administration of the United States Department of Justice as the list
7 existed on January 31, 2022:

8 Schedule I

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

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

- 1 (19) Dioxaphetyl butyrate;
- 2 (20) Dipipanone;
- 3 (21) Ethylmethylthiambutene;
- 4 (22) Etonitazene;
- 5 (23) Etoxeridine;
- 6 (24) Furethidine;
- 7 (25) Hydroxypethidine;
- 8 (26) Ketobemidone;
- 9 (27) Levomoramide;
- 10 (28) Levophenacylmorphane;
- 11 (29) Morpheridine;
- 12 (30) Noracymethadol;
- 13 (31) Norlevorphanol;
- 14 (32) Normethadone;
- 15 (33) Norpipanone;
- 16 (34) Phenadoxone;
- 17 (35) Phenampromide;
- 18 (36) Phenomorphan;
- 19 (37) Phenoperidine;
- 20 (38) Piritramide;
- 21 (39) Proheptazine;
- 22 (40) Properidine;
- 23 (41) Propiram;
- 24 (42) Racemoramide;
- 25 (43) Trimeperidine;
- 26 (44) Alpha-methylfentanyl, N-(1-(alpha-methyl-beta-phenyl)ethyl-4-
- 27 piperidyl) propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
- 28 piperidine;
- 29 (45) Tilidine;
- 30 (46) 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
- 31 phenylpropanamide, its optical and geometric isomers, salts, and salts of

1 isomers;

2 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical
3 isomers, salts, and salts of isomers;

4 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its
5 optical isomers, salts, and salts of isomers;

6 (49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-
7 piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of
8 isomers;

9 (50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-
10 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
11 of isomers;

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

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

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

20 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-
21 piperidinyl)-N-phenylpropanamide, its optical and geometric isomers,
22 salts, and salts of isomers;

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

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

27 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
28 piperidinyl)propanamide, its optical isomers, salts, and salts of
29 isomers;

30 (58) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
31 methylbenzamide;

- 1 (59) 4-Fluoroisobutyryl Fentanyl;
- 2 (60) Acetyl Fentanyl;
- 3 (61) Acryloylfentanyl;
- 4 (62) AH-7921; 3, 4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]
- 5 benzamide;
- 6 (63) Butyryl fentanyl;
- 7 (64) Cyclopentyl fentanyl;
- 8 (65) Cyclopropyl fentanyl;
- 9 (66) Furanyl fentanyl;
- 10 (67) Isobutyryl fentanyl;
- 11 (68) Isotonitazene;
- 12 (69) Methoxyacetyl fentanyl;
- 13 (70) MT-45; 1-cyclohexyl-4-(1,2-diphenylethyl) piperazine;
- 14 (71) Tetrahydrofuranyl fentanyl;
- 15 (72) 2-fluorofentanyl; N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
- 16 yl) propionamide;
- 17 (73) Ocfentanil;
- 18 (74) Ortho-Fluorofentanyl;
- 19 (75) Para-chloroisobutyryl fentanyl;
- 20 (76) Para-Fluorobutyryl Fentanyl;
- 21 (77) Valeryl fentanyl;
- 22 (78) Phenyl Fentanyl;
- 23 (79) Para-Methylfentanyl;
- 24 (80) Thiofuranyl Fentanyl;
- 25 (81) Beta-methyl Fentanyl;
- 26 (82) Beta'-Phenyl Fentanyl;
- 27 (83) Crotonyl Fentanyl;
- 28 (84) 2'-Fluoro Ortho-Fluorofentanyl;
- 29 (85) 4'-Methyl Acetyl Fentanyl;
- 30 (86) Ortho-Fluorobutyryl Fentanyl;
- 31 (87) Ortho-Methyl Acetylfentanyl;

- 1 (88) Ortho-Methyl Methoxyacetyl Fentanyl;
- 2 (89) Ortho-Fluoroacryl Fentanyl;
- 3 (90) Fentanyl Carbamate;
- 4 (91) Ortho-Fluoroisobutyryl Fentanyl;
- 5 (92) Para-Fluoro Furanyl Fentanyl;
- 6 (93) Para-Methoxybutyryl Fentanyl;
- 7 (94) Meta-Fluorofentanyl (N-(3-fluorophenyl)-N-(1-
- 8 phenethylpiperidin-4-yl)propionamide);
- 9 (95) Meta-Fluoroisobutyryl fentanyl (N-(3-fluorophenyl)-N-(1-
- 10 phenethylpiperidin-4-yl)isobutyramide);
- 11 (96) Para-Methoxyfuranyl fentanyl (N-(4-methoxyphenyl)-N-(1-
- 12 phenethylpiperidin-4-yl)furan-2-carboxamide);
- 13 (97) 3-Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
- 14 phenylfuran-3-carboxamide);
- 15 (98) 2',5'-Dimethoxyfentanyl (N-(1-(2,5-
- 16 dimethoxyphenethyl)piperidin-4-yl)-N-phenylpropionamide);
- 17 (99) Isovaleryl fentanyl (3-methyl-N-(1-phenethylpiperidin-4-yl)-N-
- 18 phenylbutanamide);
- 19 (100) Ortho-Fluorofuranyl fentanyl (N-(2-fluorophenyl)-N-(1-
- 20 phenethylpiperidin-4-yl)furan-2-carboxamide);
- 21 (101) Alpha-Methylbutyryl fentanyl (2-methyl-N-(1-
- 22 phenethylpiperidin-4-yl)-N-phenylbutanamide);
- 23 (102) Para-methyl cyclopropyl fentanyl (N-(4-methylphenyl)-N-(1-
- 24 phenethylpiperidin-4-yl)cyclopropanecarboxamide);
- 25 (103) Butonitazene (2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-
- 26 yl)-N,N-diethylethan-1-amine);
- 27 (104) Flunitazene (N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-
- 28 benzimidazol-1-yl)ethan-1-amine);
- 29 (105) Metodesnitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-
- 30 benzimidazol-1-yl)ethan-1-amine);
- 31 (106) Etodesnitazene (other names: 2-(2-(4-ethoxybenzyl)-1H-

1 benzimidazol-1-yl)-N,N-diethylethan-1-amine; and etazene);

2 (107) N-pyrrolidino etonitazene (other names: 2-(4-ethoxybenzyl)-5-
3 nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole; and etonitazepyne);

4 (108) Protonitazene (N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-
5 benzimidazol-1-yl)ethan-1-amine);

6 (109) 1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-
7 one (commonly known as 2-Methyl AP-237);

8 (110) ~~(94)~~ Brorphine (other name: 1-(1-(1-(4-bromophenyl) ethyl)
9 piperidin-4-yl-1,3-dihydro-2H-benzo[D]imidazole-2-one); and

10 (111) ~~(95)~~ Fentanyl-related substances, their isomers, esters,
11 ethers, salts and salts of isomers, esters, and ethers. Unless
12 specifically excepted, listed in another schedule, or specifically named
13 in this schedule, this includes any substance that is structurally
14 related to fentanyl by one or more of the following modifications:

15 (A) Replacement of the phenyl portion of the phenethyl group by any
16 monocycle, whether or not further substituted in or on the monocycle;

17 (B) Substitution in or on the phenethyl group with alkyl, alkenyl,
18 alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;

19 (C) Substitution in or on the piperidine ring with alkyl, alkenyl,
20 alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

21 (D) Replacement of the aniline ring with any aromatic monocycle
22 whether or not further substituted in or on the aromatic monocycle; or

23 (E) Replacement of the N-propionyl group by another acyl group;
24 and -

25 (112) Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-
26 benzimidazol-1-yl)ethan-1-amine).

27 (b) Any of the following opium derivatives, their salts, isomers,
28 and salts of isomers, unless specifically excepted, whenever the
29 existence of such salts, isomers, and salts of isomers is possible within
30 the specific chemical designation:

31 (1) Acetorphine;

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

23 (c) Any material, compound, mixture, or preparation which contains
24 any quantity of the following hallucinogenic substances, their salts,
25 isomers, and salts of isomers, unless specifically excepted, whenever the
26 existence of such salts, isomers, and salts of isomers is possible within
27 the specific chemical designation, and, for purposes of this subdivision
28 only, isomer shall include the optical, position, and geometric isomers:

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

1 dimethyltryptamine; and mappine;

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

5 (3) 4-methoxyamphetamine. Trade and other names shall include, but
6 are not limited to: 4-methoxy-alpha-methylphenethylamine; and
7 paramethoxyamphetamine, PMA;

8 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall
9 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-
10 methylphenethylamine; DOM; and STP;

11 (5) Para-methoxymethamphetamine. Trade and other names shall
12 include, but are not limited to: 1-(4-Methoxyphenyl)-N-methylpropan-2-
13 amine, PMMA, and 4-MMA;

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

18 (7) Lysergic acid diethylamide;

19 (8) Marijuana;

20 (9) Mescaline;

21 (10) Methoxetamine (MXE);

22 (11) Peyote. Peyote means ~~shall mean~~ all parts of the plant
23 presently classified botanically as Lophophora williamsii Lemaire,
24 whether growing or not, the seeds thereof, any extract from any part of
25 such plant, and every compound, manufacture, salts, derivative, mixture,
26 or preparation of such plant or its seeds or extracts;

27 (12) Psilocybin. Psilocybin does not include any pharmaceutical
28 composition of crystalline polymorph psilocybin approved by the federal
29 Food and Drug Administration;

30 (13) Psilocyn;

31 (14) Tetrahydrocannabinols, including, but not limited to, synthetic

1 equivalents of the substances contained in the plant or in the resinous
2 extractives of cannabis, sp. or synthetic substances, derivatives, and
3 their isomers with similar chemical structure and pharmacological
4 activity such as the following: Delta 1 cis or trans tetrahydrocannabinol
5 and their optical isomers, excluding dronabinol in a drug product
6 approved by the federal Food and Drug Administration; Delta 6 cis or
7 trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis
8 or trans tetrahydrocannabinol and its optical isomers. Since nomenclature
9 of these substances is not internationally standardized, compounds of
10 these structures shall be included regardless of the numerical
11 designation of atomic positions covered. Tetrahydrocannabinols does not
12 include cannabidiol contained in a drug product approved by the federal
13 Food and Drug Administration;

14 (15) N-ethyl-3-piperidyl benzilate;

15 (16) N-methyl-3-piperidyl benzilate;

16 (17) Thiophene analog of phencyclidine. Trade and other names shall
17 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
18 2-thienyl analog of phencyclidine; TPCP; and TCP;

19 (18) Hashish or concentrated cannabis;

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

23 (20) Ethylamine analog of phencyclidine. Trade and other names shall
24 include, but are not limited to: N-ethyl-1-phenylcyclohexylamine; (1-
25 phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
26 cyclohexamine; and PCE;

27 (21) Pyrrolidine analog of phencyclidine. Trade and other names
28 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-
29 pyrrolidine; PCPy; and PHP;

30 (22) Alpha-ethyltryptamine. Some trade or other names: etryptamine;
31 Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;

1 alpha-ET; and AET;

2 (23) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

3 (24) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

4 (25) Alpha-methyltryptamine, which is also known as AMT;

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

13 (27) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (other
14 names: eutylone or bk-EBDB);

15 (28) ~~(27)~~ Any material, compound, mixture, or preparation containing
16 any quantity of synthetically produced cannabinoids as listed in
17 subdivisions (A) through (L) of this subdivision, including their salts,
18 isomers, salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic
19 analogs, unless specifically excepted elsewhere in this section. Since
20 nomenclature of these synthetically produced cannabinoids is not
21 internationally standardized and may continually evolve, these structures
22 or compounds of these structures shall be included under this
23 subdivision, regardless of their specific numerical designation of atomic
24 positions covered, so long as it can be determined through a recognized
25 method of scientific testing or analysis that the substance contains
26 properties that fit within one or more of the following categories:

27 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally
28 contained in a plant of the genus cannabis (cannabis plant), as well as
29 synthetic equivalents of the substances contained in the plant, or in the
30 resinous extractives of cannabis, sp. and/or synthetic substances,
31 derivatives, and their isomers with similar chemical structure and

1 pharmacological activity such as the following: Delta 1 cis or trans
2 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans
3 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans
4 tetrahydrocannabinol, and its optical isomers. This subdivision does not
5 include cannabidiol contained in a drug product approved by the federal
6 Food and Drug Administration;

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

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

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

31 (E) Naphthylideneindenes: Any compound containing a

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

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

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

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

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

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

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

29 (L) Indole carboxylates: Any compound containing a 1-indole-3-
30 carboxylate structure with substitution at the nitrogen atom of the
31 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,

1 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
2 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
3 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
4 tetrahydropyranylmethyl group, substitution at the carboxylate group by
5 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
6 phenyl, aminooxoalkyl group, or quinolinyl group, whether or not further
7 substituted in or on any of the listed ring systems to any extent or to
8 the adamantyl, 1-naphthyl, phenyl, aminooxoalkyl, benzyl, or
9 propionaldehyde groups to any extent; and

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

15 (29) ~~(28)~~ Zipeprol 1-methoxy-3-[4-(2-methoxy-2-
16 phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol, including its isomers,
17 esters, ethers, salts, and salts of isomers, esters, and ethers, whenever
18 the existence of such isomers, esters, ethers, and salts is possible
19 within the specific chemical designation;

20 (30) ~~(29)~~ Any material, compound, mixture, or preparation containing
21 any quantity of a substituted phenethylamine as listed in subdivisions
22 (A) through (C) of this subdivision, unless specifically excepted, listed
23 in another schedule, or specifically named in this schedule, that is
24 structurally derived from phenylethan-2-amine by substitution on the
25 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a
26 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by
27 substitution with one alkoxy and either one fused furan, tetrahydrofuran,
28 or tetrahydropyran ring system; or by substitution with two fused ring
29 systems from any combination of the furan, tetrahydrofuran, or
30 tetrahydropyran ring systems, whether or not the compound is further
31 modified in any of the following ways:

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

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

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

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

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

14 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as
15 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;

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

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

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

22 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is
23 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;

24 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
25 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;

26 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
27 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;

28 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
29 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;

30 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
31 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;

- 1 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
2 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 3 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
4 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
5 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 6 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
7 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
8 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 9 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,
10 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
11 methoxybenzyl)phenethylamine;
- 12 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
13 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
14 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 15 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
16 which is also known as 2CB-5-hemiFLY;
- 17 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
18 yl)ethanamine, which is also known as 2C-B-FLY;
- 19 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
20 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 21 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
22 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-
23 NBOMe;
- 24 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,
25 which is also known as bromo-benzodifuranylisopropylamine or bromo-
26 dragonFLY;
- 27 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which
28 is also known as 2C-INBOH or 25I-NBOH;
- 29 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as 5-APB;
- 30 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
- 31 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known

1 as 5-APDB;

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

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

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

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

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

10 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as
11 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;

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

13 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as
14 MDMA;

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

17 (xxxvii) 3,4,5-trimethoxy amphetamine; and

18 (xxxviii) n-hydroxy-3, 4-Methylenedioxy-N-Hydroxyamphetamine, which
19 is also known as N-hydroxyMDA;

20 (31) ~~(30)~~ Any material, compound, mixture, or preparation containing
21 any quantity of a substituted tryptamine unless specifically excepted,
22 listed in another schedule, or specifically named in this schedule, that
23 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
24 known as tryptamine, by mono- or di-substitution of the amine nitrogen
25 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
26 in a cyclic structure whether or not the compound is further substituted
27 at the alpha position with an alkyl group or whether or not further
28 substituted on the indole ring to any extent with any alkyl, alkoxy,
29 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

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

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

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

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

7 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
8 5-MeOMiPT;

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

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

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

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

16 ~~(32)(A)~~ ~~(31)(A)~~ Any substance containing any quantity of the
17 following materials, compounds, mixtures, or structures:

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

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

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

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

22 (v) Fluoromethcathinone, or FMC;

23 (vi) Naphthylpyrovalerone, or naphyrone; or

24 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or
25 butylone; or

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

1 (i) Substitution in the ring system to any extent with alkyl,
2 alkoxy, alkylenedioxy, haloalkyl, hydroxyl, or halide substituents,
3 whether or not further substituted in the ring system by one or more
4 other univalent substituents;

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

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

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

16 (1) Amineptine 7-[(10,11-dihydro-5H-dibenzo[a,d]-cyclohepten-5-
17 yl)amino]heptanoic acid, including its salts, isomers, and salts of
18 isomers;

19 (2) Mecloqualone;

20 (3) Methaqualone; and

21 (4) Gamma-Hydroxybutyric Acid. Some other names include: GHB; Gamma-
22 hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium
23 Oxybate; and Sodium Oxybutyrate.

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

29 (1) Fenethylamine;

30 (2) N-ethylamphetamine;

31 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-

1 dihydro-5-phenyl-2-oxazolamine;

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

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

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

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

13 (8) Benzylpiperazine, 1-benzylpiperazine;

14 (9) 4,4'-dimethylaminorex (other names: 4,4'-DMAR, 4,5-dihydro-4-
15 methyl-5-(4-methylphenyl)-2-oxazolamine); and

16 (10) N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-
17 ium-5-yl)carbamimidate), including its salts, isomers, and salts of
18 isomers; -

19 (11) Mesocarb (N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-
20 oxadiazol-3-ium-5-yl)carbamimidate); and

21 (12) Methiopropamine (N-methyl-1-(thiophen-2-yl)propan-2-amine).

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

24 Schedule II

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

30 (1) Opium and opiate, and any salt, compound, derivative, or
31 preparation of opium or opiate, excluding apomorphine, buprenorphine,

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

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

1 cocaine or ecgonine; and

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

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

10 (1) Alphaprodine;

11 (2) Anileridine;

12 (3) Bezitramide;

13 (4) Diphenoxylate;

14 (5) Fentanyl;

15 (6) Isomethadone;

16 (7) Levomethorphan;

17 (8) Levorphanol;

18 (9) Metazocine;

19 (10) Methadone;

20 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
21 butane;

22 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
23 diphenylpropane-carboxylic acid;

24 (13) Norfentanyl (N-phenyl-N-piperidin-4-yl) propionamide;

25 (14) Oliceridine;

26 (15) Pethidine or meperidine;

27 (16) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

28 (17) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
29 carboxylate;

30 (18) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
31 carboxylic acid;

- 1 (19) Phenazocine;
 - 2 (20) Piminodine;
 - 3 (21) Racemethorphan;
 - 4 (22) Racemorphan;
 - 5 (23) Dihydrocodeine;
 - 6 (24) Bulk Propoxyphene in nondosage forms;
 - 7 (25) Sufentanil;
 - 8 (26) Alfentanil;
 - 9 (27) Levo-alphaacetylmethadol which is also known as levo-alpha-
 - 10 acetylmethadol, levomethadyl acetate, and LAAM;
 - 11 (28) Carfentanil;
 - 12 (29) Remifentanil;
 - 13 (30) Tapentadol; and
 - 14 (31) Thiafentanil.
- 15 (c) Any material, compound, mixture, or preparation which contains
- 16 any quantity of the following substances having a potential for abuse
- 17 associated with a stimulant effect on the central nervous system:
- 18 (1) Amphetamine, its salts, optical isomers, and salts of its
 - 19 optical isomers;
 - 20 (2) Phenmetrazine and its salts;
 - 21 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
 - 22 (4) Methylphenidate; and
 - 23 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.
- 24 (d) Any material, compound, mixture, or preparation which contains
- 25 any quantity of the following substances having a potential for abuse
- 26 associated with a depressant effect on the central nervous system,
- 27 including their salts, isomers, and salts of isomers whenever the
- 28 existence of such salts, isomers, and salts of isomers is possible within
- 29 the specific chemical designations:
- 30 (1) Amobarbital;
 - 31 (2) Secobarbital;

1 (3) Pentobarbital;

2 (4) Phencyclidine; and

3 (5) Glutethimide.

4 (e) Hallucinogenic substances known as:

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

8 (2) Dronabinol in an oral solution in a drug product approved by the
9 federal Food and Drug Administration.

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

13 (1) Immediate precursor to amphetamine and methamphetamine:
14 Phenylacetone. Trade and other names shall include, but are not limited
15 to: Phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl
16 ketone;

17 (2) Immediate precursors to phencyclidine, PCP:

18 (A) 1-phenylcyclohexylamine; or

19 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

20 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine
21 (ANPP).

22 Schedule III

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

30 (1) Benzphetamine;

31 (2) Chlorphentermine;

1 (3) Clortermine; and

2 (4) Phendimetrazine.

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

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

10 (2) Aprobarbital;

11 (3) Butabarbital;

12 (4) Butalbital;

13 (5) Butethal;

14 (6) Butobarbital;

15 (7) Chlorhexadol;

16 (8) Embutramide;

17 (9) Lysergic acid;

18 (10) Lysergic acid amide;

19 (11) Methyprylon;

20 (12) Perampanel;

21 (13) Secbutabarbital;

22 (14) Sulfondiethylmethane;

23 (15) Sulfonethylmethane;

24 (16) Sulfonmethane;

25 (17) Nalorphine;

26 (18) Talbutal;

27 (19) Thiamylal;

28 (20) Thiopental;

29 (21) Vinbarbital;

30 (22) Any compound, mixture, or preparation containing amobarbital,
31 secobarbital, pentobarbital, or any salt thereof and one or more other

1 active medicinal ingredients which are not listed in any schedule;

2 (23) Any suppository dosage form containing amobarbital,
3 secobarbital, pentobarbital, or any salt of any of these drugs and
4 approved by the federal Food and Drug Administration for marketing only
5 as a suppository;

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

10 (25) Ketamine, its salts, isomers, and salts of isomers. Some other
11 names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
12 cyclohexanone; ~~and~~

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

21 (27)(A) Xylazine or any of the substances listed below, including
22 their salts, isomers, and salts of isomers whenever the existence of such
23 salts, isomers, and salts of isomers is possible within the specific
24 chemical designation:

25 (i) Xylazine-M (2,6-dimethylaniline);

26 (ii) Xylazine-M (N-thiourea-2,6-dimethylaniline);

27 (iii) Xylazine-M (sulfone-HO-) isomer 2;

28 (iv) Xylazine-M (HO-2,6-dimethylaniline isomer 1);

29 (v) Xylazine-M (HO-2,6-dimethylaniline isomer 2);

30 (vi) Xylazine-M (oxo-);

31 (vii) Xylazine-M (HO-) isomer 1;

- 1 (viii) Xylazine-M (HO-) isomer 1 glucuronide;
- 2 (ix) Xylazine-M (HO-) isomer 2;
- 3 (x) Xylazine-M (HO-) isomer 2 glucuronide;
- 4 (xi) Xylazine-M (HO-oxo-) isomer 1;
- 5 (xii) Xylazine-M (HO-oxo-) isomer 1 glucuronide;
- 6 (xiii) Xylazine-M (HO-oxo-) isomer 2;
- 7 (xiv) Xylazine-M (HO-oxo-) isomer 2 glucuronide;
- 8 (xv) Xylazine-M (sulfone); and
- 9 (xvi) Xylazine-M (sulfone-HO-) isomer 1.

10 (B) This subdivision (27) shall not include xylazine when it is used
11 in any of the following manners:

12 (i) Dispensing or prescribing for, or administering to, a nonhuman
13 species a drug containing xylazine that has been approved by the United
14 States Secretary of Health and Human Services under section 512 of the
15 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b, as such act existed
16 on January 1, 2025;

17 (ii) Dispensing or prescribing for, or administering to, a nonhuman
18 species that is permissible under section 512(a)(4) of the Federal Food,
19 Drug, and Cosmetic Act, 21 U.S.C. 360b(a)(4), as such act existed on
20 January 1, 2025;

21 (iii) The manufacturing, distribution, or use of xylazine as an
22 active pharmaceutical ingredient for manufacturing an animal drug that
23 has been approved under section 512 of the Federal Food, Drug, and
24 Cosmetic Act, 21 U.S.C. 360b, or that has been issued an investigational
25 use exemption under section 512(j) of the act, 21 U.S.C. 360b(j), as such
26 act existed on January 1, 2025;

27 (iv) The manufacturing, distribution, or use of a xylazine bulk
28 chemical for pharmaceutical compounding by licensed pharmacists or
29 veterinarians for a nonhuman species in accordance with subdivision (B)
30 (i) or (ii) of this subdivision (27); or

31 (v) Any other use approved or permissible under the Federal Food,

1 Drug, and Cosmetic Act, when dispensed or prescribed for, or administered
2 to, a nonhuman species in accordance with subdivision (B)(i) or (ii) of
3 this subdivision (27).

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

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

10 (A) 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 an equal or greater quantity of an isoquinoline alkaloid of opium;

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

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

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

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

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

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

3 (A) Buprenorphine.

4 (d) Unless contained on the list of exempt anabolic steroids of the
5 Drug Enforcement Administration of the United States Department of
6 Justice as the list existed on January 31, 2022, any anabolic steroid,
7 which shall include any material, compound, mixture, or preparation
8 containing any quantity of the following substances, including its salts,
9 isomers, and salts of isomers whenever the existence of such salts of
10 isomers is possible within the specific chemical designation:

11 (1) 3-beta,17-dihydroxy-5a-androstane;

12 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;

13 (3) 5-alpha-androstan-3,17-dione;

14 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
15 ene);

16 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
17 ene);

18 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

19 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

20 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);

21 (9) 4-androstenedione (androst-4-en-3,17-dione);

22 (10) 5-androstenedione (androst-5-en-3,17-dione);

23 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-
24 hydroxyandrost-4-en-3-one);

25 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one);

26 (13) Boldione (androsta-1,4-diene-3,17-3-one);

27 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
28 en-3-one);

29 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);

30 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-
31 alpha-methyl-androst-1,4-dien-3-one);

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

- 1 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
2 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;
3 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
4 hydroxy-17-beta-hydroxyestr-4-en-3-one);
5 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
6 dien-3-one);
7 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
8 trien-3-one);
9 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
10 en-3-one);
11 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
12 en-3-one);
13 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
14 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
15 methyl-1-testosterone');
16 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
17 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
18 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
19 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
20 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
21 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
22 dione);
23 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
24 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
25 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
26 en-3-one);
27 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
28 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
29 one);
30 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
31 one);

- 1 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
2 androstan-3-one);
- 3 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
4 en-3-one);
- 5 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
6 hydroxy-[5-alpha]-androstan-3-one);
- 7 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
8 c]pyrazole);
- 9 (59) Stanozolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
10 androst-2-eno[3,2-c]-pyrazole);
- 11 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
12 one);
- 13 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
14 oic acid lactone);
- 15 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);
- 16 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
17 hydroxygon-4,9,11-trien-3-one);
- 18 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one);
- 19 (65) [3,2-c]-furazan-5 alpha-androstane-17 beta-ol;
- 20 (66) [3,2-c]pyrazole-androst-4-en-17 beta-ol;
- 21 (67) 17 alpha-methyl-androst-ene-3,17 beta-diol;
- 22 (68) 17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 23 (69) 17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
- 24 (70) 17 beta-hydroxy-androstano[2,3-d]isoxazole;
- 25 (71) 17 beta-hydroxy-androstano[3,2-c]isoxazole;
- 26 (72) 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;
- 27 (73) 2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androstan-17
28 beta-ol;
- 29 (74) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3-one;
- 30 (75) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3,11-
31 dione;

- 1 (76) 4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;
- 2 (77) 4-chloro-17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 3 (78) 4-hydroxy-androst-4-ene-3,17-dione;
- 4 (79) 5 alpha-Androstan-3,6,17-trione;
- 5 (80) 6-bromo-androst-1,4-diene-3,17-dione;
- 6 (81) 6-bromo-androstan-3,17-dione;
- 7 (82) 6 alpha-methyl-androst-4-ene-3,17-dione;
- 8 (83) Delta 1-dihydrotestosterone;
- 9 (84) Estra-4,9,11-triene-3,17-dione; and
- 10 (85) Any salt, ester, or ether of a drug or substance described or
- 11 listed in this subdivision if the salt, ester, or ether promotes muscle
- 12 growth.

13 (e) Hallucinogenic substances known as:

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

19 Schedule IV

20 (a) Any material, compound, mixture, or preparation which contains

21 any quantity of the following substances, including their salts, isomers,

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

23 salts of isomers is possible within the specific chemical designation:

- 24 (1) Barbital;
- 25 (2) Chloral betaine;
- 26 (3) Chloral hydrate;
- 27 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
- 28 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
- 29 water soluble esterified estrogens);
- 30 (5) Clonazepam;
- 31 (6) Clorazepate;

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

- 1 (38) Medazepam;
- 2 (39) Nimetazepam;
- 3 (40) Nitrazepam;
- 4 (41) Nordiazepam;
- 5 (42) Oxazolam;
- 6 (43) Pinazepam;
- 7 (44) Temazepam;
- 8 (45) Tetrazepam;
- 9 (46) Triazolam;
- 10 (47) Midazolam;
- 11 (48) Quazepam;
- 12 (49) Zolpidem;
- 13 (50) Dichloralphenazone;
- 14 (51) Zaleplon;
- 15 (52) Zopiclone;
- 16 (53) Fospropofol;
- 17 (54) Alfaxalone;
- 18 (55) Suvorexant;
- 19 (56) Carisoprodol;
- 20 (57) Brexanolone; 3 alpha-hydroxy-5 alpha-pregnan-20-one;
- 21 (58) Lemborexant;
- 22 (59) Solriamfetol; 2-amino-3-phenylpropyl carbamate;
- 23 (60) Remimazolam; and
- 24 (61) Serdexmethylphenidate; and -
- 25 (62) Zuranolone (1-[2-[(3R,5R,8R,9R,10S,13S,14S,17S)-3-hydroxy-3,13-
- 26 dimethyl-2,4,5,6,7,8,9,10,11,12,14,15,16,17-tetradecahydro-1H-
- 27 cyclopenta[a]phenanthren-17-yl]-2-oxoethyl]pyrazole-4-carbonitrile).

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

1 ~~possible: Fenfluramine.~~

2 **(b)** ~~(e)~~ Unless specifically excepted or unless listed in another
3 schedule, any material, compound, mixture, or preparation which contains
4 any quantity of the following substances having a stimulant effect on the
5 central nervous system, including their salts, isomers, whether optical,
6 position, or geometric, and salts of such isomers whenever the existence
7 of such salts, isomers, and salts of isomers is possible within the
8 specific chemical designation:

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

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

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

1 include: Tramadol.

2 ~~(d)~~ (e) Unless specifically excepted or unless listed in another
3 schedule, any material, compound, mixture, or preparation which contains
4 any quantity of the following substances ~~substance~~, including their ~~its~~
5 salts:

6 (1) Pentazocine; and

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

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

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

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

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

6 (i) Primatene Tablets; and

7 (ii) Bronkaid Dual Action Caplets.

8 (g) Any pharmaceutical composition of crystalline polymorph
9 psilocybin approved by the federal Food and Drug Administration.

10 Schedule V

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

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

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

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

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

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

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

30 (b) 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 stimulant
2 effect on the central nervous system, including its salts, isomers, and
3 salts of isomers: Pyrovalerone.

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

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

11 (2) Ganaxolone;

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

13 (4) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid);

14 (5) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]
15 butanamide) (also referred to as BRV; UCB-34714; Briviact), including its
16 salts;

17 (6) Cenobamate; and

18 (7) Lasmiditan.

19 **Sec. 2.** Section 28-416, Revised Statutes Cumulative Supplement,
20 2024, is amended to read:

21 28-416 (1) Except as authorized by the Uniform Controlled Substances
22 Act, it shall be unlawful for any person knowingly or intentionally: (a)
23 To manufacture, distribute, deliver, dispense, or possess with intent to
24 manufacture, distribute, deliver, or dispense a controlled substance; or
25 (b) to create, distribute, or possess with intent to distribute a
26 counterfeit controlled substance.

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

1 controlled substance classified in Schedule I, II, or III of section
2 28-405 shall be guilty of a Class IIA felony; or (c) a controlled
3 substance classified in Schedule IV or V of section 28-405 shall be
4 guilty of a Class IIIA felony.

5 (3) A person knowingly or intentionally possessing a controlled
6 substance, except marijuana or any substance containing a quantifiable
7 amount of the substances, chemicals, or compounds described, defined, or
8 delineated in subdivision (c)(28) ~~(e)(27)~~ of Schedule I of section
9 28-405, unless such substance was obtained directly or pursuant to a
10 medical order issued by a practitioner authorized to prescribe while
11 acting in the course of his or her professional practice, or except as
12 otherwise authorized by the act, shall be guilty of a Class IV felony. A
13 person shall not be in violation of this subsection if section 28-472 or
14 28-1701 applies.

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

1 greater than a Class IB felony.

2 (b) For purposes of this subsection:

3 (i) Playground means any outdoor facility, including any parking lot
4 appurtenant to the facility, intended for recreation, open to the public,
5 and with any portion containing three or more apparatus intended for the
6 recreation of children, including sliding boards, swingsets, and
7 teeterboards;

8 (ii) Video arcade facility means any facility legally accessible to
9 persons under eighteen years of age, intended primarily for the use of
10 pinball and video machines for amusement, and containing a minimum of ten
11 pinball or video machines; and

12 (iii) Youth center means any recreational facility or gymnasium,
13 including any parking lot appurtenant to the facility or gymnasium,
14 intended primarily for use by persons under eighteen years of age which
15 regularly provides athletic, civic, or cultural activities.

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

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

31 (c) Any person who violates subdivision (a) or (b) of this

1 subsection shall be punished by the next higher penalty classification
2 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of
3 this section, depending upon the controlled substance involved, for the
4 first violation and for a second or subsequent violation shall be
5 punished by the next higher penalty classification than that prescribed
6 for a first violation of this subsection, but in no event shall such
7 person be punished by a penalty greater than a Class IB felony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (13) Except as provided in section 28-1701, any person knowingly or
23 intentionally possessing marijuana weighing one ounce or less or any
24 substance containing a quantifiable amount of the substances, chemicals,
25 or compounds described, defined, or delineated in subdivision ~~(c)(28)~~ ~~(e)~~
26 ~~(27)~~ of Schedule I of section 28-405 shall:

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

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

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

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

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

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

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

24 (18) In addition to the existing penalties available for a violation
25 of subsection (1) of this section, including any criminal attempt or
26 conspiracy to violate subsection (1) of this section, a sentencing court
27 may order that any money, securities, negotiable instruments, firearms,
28 conveyances, or electronic communication devices as defined in section
29 28-833 or any equipment, components, peripherals, software, hardware, or
30 accessories related to electronic communication devices be forfeited as a
31 part of the sentence imposed if it finds by clear and convincing evidence

1 adduced at a separate hearing in the same prosecution, following
2 conviction for a violation of subsection (1) of this section, and
3 conducted pursuant to section 28-1601, that any or all such property was
4 derived from, used, or intended to be used to facilitate a violation of
5 subsection (1) of this section.

6 (19) In addition to the penalties provided in this section:

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

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

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

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

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

28 (i) For the first offense, the court may, as part of the judgment of
29 conviction or adjudication, (A) prohibit such person from obtaining any
30 permit or any license pursuant to the act for which such person would
31 otherwise be eligible until thirty days after the date of such order and

1 (B) require such person to attend a drug education class;

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

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

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

21 **Sec. 3.** Original sections 28-405 and 28-416, Revised Statutes
22 Cumulative Supplement, 2024, are repealed.