

1 ENGROSSED SENATE AMENDMENTS
TO

2 ENGROSSED HOUSE
BILL NO. 1616

By: Derby of the House

and

Standridge of the Senate

7 An Act relating to Oklahoma Bureau of Narcotics and
8 Dangerous Drugs Control; amending 63 O.S. 2011,
9 Sections 2-103, as last amended by Section 70,
10 Chapter 15, O.S.L. 2013, 2-105 and 2-110, as amended
11 by Section 46, Chapter 259, O.S.L. 2012 (63 O.S.
12 Supp. 2014, Sections 2-103 and 2-110), which relate
13 to the Uniform Controlled Dangerous Substances Act;
14 authorizing retired commissioned employees to
15 purchase certain weapons; providing procedures for
16 transferring ownership; modifying certain reporting
17 requirement; authorizing use of state-owned vehicles
18 by certain employees; amending 63 O.S. 2011, Sections
19 2-204, as last amended by Section 2, Chapter 154,
20 O.S.L. 2014 and 2-208, as amended by Section 3,
21 Chapter 80, O.S.L. 2012 (63 O.S. Supp. 2014, Sections
22 2-204 and 2-208), which relate to Schedule I and III
23 substances; adding substances related to
24 hallucinogenics and synthetic cannabinoids; deleting
certain substance from Schedule III; amending 63 O.S.
2011, Section 2-315, which relates to the Anti-Drug
Diversion Act; modifying submission requirement for
destroying controlled dangerous substances; amending
63 O.S. 2011, Section 2-407, which relates to
penalties for certain violations; and expanding scope
of certain prohibited act.

- 21 AMENDMENT NO. 1. Page 4, lines 9-20, delete all proposed new
language
- 22 AMENDMENT NO. 2. Page 6, line 16, delete Section 3 entirely and
renumber subsequent sections
- 23 AMENDMENT NO. 3. Page 35, line 18 1/2, insert a new Section 5 to
read as follows:

1 "SECTION 5. AMENDATORY 63 O.S. 2011, Section 2-210, as
2 last amended by Section 4, Chapter 154, O.S.L. 2014 (63 O.S. Supp.
3 2014, Section 2-210), is amended to read as follows:

4 Section 2-210. Schedule IV.

5 A. Any material, compound, mixture, or preparation which
6 contains any quantity of the following substances having a potential
7 for abuse associated with a stimulant or depressant effect on the
8 central nervous system:

- 9 1. Chloral betaine;
- 10 2. Chloral hydrate;
- 11 3. Ethchlorvynol;
- 12 4. Ethinamate;
- 13 5. Meprobamate;
- 14 6. Paraldehyde;
- 15 7. Petrichloral;
- 16 8. Diethylpropion;
- 17 9. Phentermine;
- 18 10. Pemoline;
- 19 11. Chlordiazepoxide;
- 20 12. Chlordiazepoxide and its salts, but not including
21 chlordiazepoxide hydrochloride and clidinium bromide or
22 chlordiazepoxide and water-soluble esterified estrogens;
- 23 13. Diazepam;
- 24 14. Oxazepam;

- 1 15. Clorazepate;
- 2 16. Flurazepam and its salts;
- 3 17. Clonazepam;
- 4 18. Barbital;
- 5 19. Mebutamate;
- 6 20. Methohexital;
- 7 21. Methylphenobarbital;
- 8 22. Phenobarbital;
- 9 23. Fenfluramine;
- 10 24. Pentazocine;
- 11 25. Propoxyphene;
- 12 26. Butorphanol;
- 13 27. Alprazolam;
- 14 28. Halazepam;
- 15 29. Lorazepam;
- 16 30. Prazepam;
- 17 31. Temazepam;
- 18 32. Triazolam;
- 19 33. Carisoprodol;
- 20 34. Dichloralphenazone;
- 21 35. Estazolam;
- 22 36. Eszopiclone;
- 23 37. Midazolam;
- 24 38. Modafinil;

1 39. Zaleplon;

2 40. Zolpidem;

3 41. Tramadol;~~or~~

4 42. Bromazepam~~;~~ ; or

5 43. Suvorexant.

6 B. 1. The following nonnarcotic substances, which may, under
7 the Federal Food, Drug, and Cosmetic Act (21 U.S.C., Section 301),
8 be lawfully sold over the counter without a prescription, are
9 excluded from all schedules of controlled substances under this
10 title:

11 a. Breathe-Aid,

12 b. BronCare,

13 c. Bronchial Congestion,

14 d. Bronkaid Tablets,

15 e. Bronkaid Dual Action Caplets,

16 f. Bronkotabs,

17 g. Bronkolixir,

18 h. NeoRespin,

19 i. Pazo Hemorrhoid Ointment and Suppositories,

20 j. Primatene Tablets,

21 k. Primatene "Dual Action" Formula,

22 l. Quelidrine,

23 m. Resp, and

24 n. Vatronal Nose Drops.

1 2. At the request of any person, the Director may exempt any
2 other drug product containing ephedrine from being included as a
3 Schedule IV controlled substance if such product:

- 4 a. is labeled and marketed in a manner consistent with
5 the pertinent OTC tentative final or final monograph
6 issued by the FDA, and
- 7 b. is manufactured and distributed for legitimate
8 medicinal use and in a manner that reduces or
9 eliminates the likelihood of abuse.

10 3. In making a determination regarding a drug product, the
11 Director, after notice and hearing, shall consider the following:

- 12 a. the history and current pattern of abuse,
- 13 b. the name and labeling of the product,
- 14 c. the intended manner of distribution, advertising and
15 promotion of the product, and
- 16 d. other factors as may be relevant to and consistent
17 with the public health and safety.

18 4. The hearing shall be held in accordance with the
19 Administrative Procedures Act.

20 5. A list of current drug products meeting exemption
21 requirements under this subsection may be obtained from the Bureau
22 upon written request.

23 C. The Board of Pharmacy may except by rule any compound,
24 mixture, or preparation containing any depressant substance listed

1 in subsection A of this section from the application of all or any
2 part of the Uniform Controlled Dangerous Substances Act, Section 2-
3 101 et seq. of this title, if the compound, mixture, or preparation
4 contains one or more active medicinal ingredients not having a
5 depressant effect on the central nervous system, and if the
6 admixtures are included therein in combinations, quantity,
7 proportion, or concentration that vitiate the potential for abuse of
8 the substances which have a depressant effect on the central nervous
9 system."

10 and renumber subsequent sections

11 AMENDMENT NO. 4. Page 1, restore the title to read:

12 "An Act relating to Oklahoma Bureau of Narcotics and
13 Dangerous Drugs Control; amending 63 O.S. 2011,
14 Section 2-103, as last amended by Section 70, Chapter
15 15, O.S.L. 2013, which relates to the Director of the
16 Bureau; removing certain provisions relating to
17 determination of salaries; amending 63 O.S. 2011,
18 Section 2-105, which relates to certain reports;
19 requiring State Medical Examiner to report deaths to
20 certain persons; amending 63 O.S. 2011, Sections 2-
21 204, as last amended by Section 2, Chapter 154, O.S.L.
22 2014, 2-208, as amended by Section 3, Chapter 80,
23 O.S.L. 2012 (63 O.S. Supp. 2014, Sections 2-204 and 2-
24 208), and 2-210, as last amended by Section 4, Chapter
154, O.S.L. 2014 (63 O.S. Supp. 2014, Section 2-210),
which relate to Schedule I, III, and IV substances;
adding substances related to hallucinogenics and
synthetic cannabinoids; deleting certain substance
from Schedule III; adding certain substance to
Schedule IV; amending 63 O.S. 2011, Section 2-315,
which relates to the Anti-Drug Diversion Act;
modifying submission requirement for destroying
controlled dangerous substances; amending 63 O.S.
2011, Section 2-407, which relates to penalties for
certain violations; expanding scope of certain

1 prohibited act to include failure to disclose certain
2 information."

3 Passed the Senate the 22nd day of April, 2015.

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5 _____
6 Presiding Officer of the Senate

7 Passed the House of Representatives the ____ day of _____,
8 2015.

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10 _____
11 Presiding Officer of the House
12 of Representatives

1 ENGROSSED HOUSE
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8 Dangerous Drugs Control; amending 63 O.S. 2011,
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10 Chapter 15, O.S.L. 2013, 2-105 and 2-110, as amended
11 by Section 46, Chapter 259, O.S.L. 2012 (63 O.S.
12 Supp. 2014, Sections 2-103 and 2-110), which relate
13 to the Uniform Controlled Dangerous Substances Act;
14 authorizing retired commissioned employees to
15 purchase certain weapons; providing procedures for
16 transferring ownership; modifying certain reporting
17 requirement; authorizing use of state-owned vehicles
18 by certain employees; amending 63 O.S. 2011, Sections
19 2-204, as last amended by Section 2, Chapter 154,
20 O.S.L. 2014 and 2-208, as amended by Section 3,
21 Chapter 80, O.S.L. 2012 (63 O.S. Supp. 2014, Sections
22 2-204 and 2-208), which relate to Schedule I and III
23 substances; adding substances related to
24 hallucinogenics and synthetic cannabinoids; deleting
certain substance from Schedule III; amending 63 O.S.
2011, Section 2-315, which relates to the Anti-Drug
Diversion Act; modifying submission requirement for
destroying controlled dangerous substances; amending
63 O.S. 2011, Section 2-407, which relates to
penalties for certain violations; and expanding scope
of certain prohibited act.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-103, as
last amended by Section 70, Chapter 15, O.S.L. 2013 (63 O.S. Supp.
2014, Section 2-103), is amended to read as follows:

1 Section 2-103. A. The Director shall be appointed by the
2 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
3 Commission. The Director of Narcotics and Dangerous Drugs Control
4 on January 1, 1984, shall be initially appointed as Director. The
5 succeeding Director shall, at the time of the appointment, have a
6 Bachelor's Degree from an accredited college or university and at
7 least five (5) years of experience in drug law enforcement. The
8 Director may appoint necessary assistants, agents, and other
9 personnel to perform the work of the office and may prescribe their
10 titles and duties and fix their compensation, ~~other than the~~
11 ~~salaries established in subsection A of Section 2-103a of this~~
12 ~~title,~~ pursuant to Merit System rules. The Director may appoint
13 employees to the positions of Chief of Law Enforcement Information
14 and Technology, Public Information/Education Officer, Training
15 Officer, Program Administrators, Grants Administrator, Criminal
16 Analysts, Legal Secretary, and Typist Clerk/Spanish
17 Transcriptionists. The positions shall be unclassified and exempt
18 from the rules and procedures of the Office of Management and
19 Enterprise Services, except leave regulations. The office of the
20 Director shall be located at a suitable place in Oklahoma City,
21 Oklahoma.

22 B. 1. Agents appointed by the Director shall have the powers
23 of peace officers generally; provided, the Director may appoint
24 special agents and reserve special agents, who shall be unclassified

1 employees of the state, to meet specific investigatory needs.
2 Special agents and reserve special agents shall not be required to
3 meet the age and educational requirements as specified in this
4 section.

5 2. Agents appointed on and after November 1, 1998, shall be at
6 least twenty-one (21) years of age and shall have a Bachelor's
7 Degree from an accredited college or university.

8 3. Each entering agent, with the exception of special agents,
9 shall be required to serve one (1) year in a probationary status as
10 a prerequisite to being placed on permanent status.

11 C. Agents appointed pursuant to the provisions of this section
12 shall have the responsibility of investigating alleged violations
13 and shall have the authority to arrest those suspected of having
14 violated the provisions of the Uniform Controlled Dangerous
15 Substances Act, as well as the crimes of money laundering and human
16 trafficking, as otherwise set forth by laws of this state.

17 D. The Director may appoint reserve special agents who shall
18 not be considered employees of the state and shall serve at the will
19 of the Director. Reserve special agents shall complete a minimum of
20 one hundred sixty (160) hours of training pursuant to Section 3311
21 of Title 70 of the Oklahoma Statutes and may not serve more than one
22 hundred forty (140) hours per calendar month. Upon completion of
23 training, reserve special agents appointed by the Director shall
24 have general peace officer powers and the authority to arrest those

1 suspected of having violated the provisions of the Uniform
2 Controlled Dangerous Substances Act. The agency may expend funds
3 related to training and special reserve agents may receive travel
4 expenses pursuant to the State Travel Reimbursement Act.

5 E. A commissioned employee of the Oklahoma State Bureau of
6 Narcotics and Dangerous Drugs Control shall be entitled to receive
7 upon retirement by reason of length of service, the continued
8 custody and possession of the sidearm and badge carried by such
9 employee immediately prior to retirement. In addition to the
10 sidearm and badge, the commissioned employee may purchase the rifle,
11 shotgun and additional service pistols issued to the commissioned
12 employee immediately prior to retirement. The cost of purchasing
13 the weapon shall be the cost of the weapon at the time of the
14 initial purchase of the weapon. Upon payment of the replacement
15 cost, the retired employee shall be entitled to ownership of the
16 weapon. Any records regarding the ownership of each weapon
17 transferred shall be modified to reflect the transfer to the retired
18 commissioned employee. Proceeds from the purchase of the weapon
19 shall be deposited in the Oklahoma Bureau of Narcotics Revolving
20 Fund.

21 F. A commissioned employee of the Bureau may be entitled to
22 receive, upon retirement by reason of disability, the continued
23 custody and possession of the sidearm and badge carried by such
24

1 employee immediately prior to retirement upon written approval of
2 the Director.

3 G. Custody and possession of the sidearm and badge of a
4 commissioned employee killed in the line of duty may be awarded by
5 the Director to the spouse or next of kin of the deceased employee.

6 H. Custody and possession of the sidearm and badge of a
7 commissioned employee who dies while employed at the Oklahoma State
8 Bureau of Narcotics and Dangerous Drugs Control may be awarded by
9 the Director to the spouse or next of kin of the deceased employee.

10 I. Any Director appointed on or after July 1, 2003, shall be
11 eligible to participate in either the Oklahoma Public Employees
12 Retirement System or in the Oklahoma Law Enforcement Retirement
13 System and shall make an irrevocable election in writing to
14 participate in one of the two retirement systems.

15 SECTION 2. AMENDATORY 63 O.S. 2011, Section 2-105, is
16 amended to read as follows:

17 Section 2-105. A. It shall be the duty of all departments,
18 officers, agencies, and employees of the state to cooperate with the
19 Director of the Oklahoma State Bureau of Narcotics and Dangerous
20 Drugs Control in carrying out the functions of the office. The
21 State Medical Examiner shall promptly report to the ~~office~~ offices
22 of the Director of the Oklahoma Bureau of Narcotics and Dangerous
23 Drugs Control, the Executive Director of the State Board of Medical
24 Licensure and Supervision and the Executive Director of the State

1 Board of Osteopathic Examiners all deaths occurring within the state
2 which were the result or probable result of abuse of a controlled
3 dangerous substance.

4 B. The Bureau shall be required to compile a yearly report of
5 all fatal and nonfatal drug overdoses for the State of Oklahoma.
6 All registrants, as defined in the Anti-Drug Diversion Act, shall
7 report any person appearing at a medical facility with a drug
8 overdose to the central repository as provided in the Anti-Drug
9 Diversion Act. The determination of a drug overdose shall be made
10 solely at the discretion of the treating medical professional based
11 on the education, experience and professional opinion of the medical
12 professional. This information shall be considered part of the
13 central repository pursuant to the Anti-Drug Diversion Act and shall
14 be confidential and not open to the public pursuant to the
15 provisions of Section 2-309D of this title.

16 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2-110, as
17 amended by Section 46, Chapter 259, O.S.L. 2012 (63 O.S. Supp. 2014,
18 Section 2-110), is amended to read as follows:

19 Section 2-110. The Director of the Oklahoma State Bureau of
20 Narcotics and Dangerous Drugs Control may employ attorneys, who
21 shall be unclassified employees of the state, or contract with
22 attorneys, as needed. These attorneys may advise the Director, the
23 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control
24 Commission and Bureau personnel on all legal matters and shall

1 appear for and represent the Director, the Commission and Bureau
2 personnel in all administrative hearings and all litigation or other
3 proceedings which may arise in the discharge of their duties. At
4 the request of the Oklahoma State Bureau of Narcotics and Dangerous
5 Drugs Control Commission, such attorney shall assist the district
6 attorney in prosecuting charges of violators of the Uniform
7 Controlled Dangerous Substances Act or any felony relating to or
8 arising from a violation of the Uniform Controlled Dangerous
9 Substances Act. Attorneys for the Bureau who have been certified by
10 the Council on Law Enforcement Education and Training to carry a
11 weapon or have been issued a handgun license pursuant to the
12 provisions of the Oklahoma Self-Defense Act shall be allowed to
13 carry weapons pursuant to paragraph 3 of subsection A of Section
14 1272 of Title 21 of the Oklahoma Statutes. Attorneys for the Bureau
15 may use state-owned vehicles to provide transportation between the
16 residence of the employee and the assigned place of employment and
17 between the residence of the employee and any location other than
18 the assigned place of employment to which the employee travels in
19 the performance of the official duty of the employee. These
20 attorneys, pursuant to this provision, shall not be considered
21 eligible to participate in the Oklahoma Law Enforcement Retirement
22 System. If a conflict of interest would be created by such attorney
23 representing the Director, the Commission or Bureau personnel,

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1 additional counsel may be hired upon approval of the Oklahoma State
2 Bureau of Narcotics and Dangerous Drugs Control Commission.

3 SECTION 4. AMENDATORY 63 O.S. 2011, Section 2-204, as
4 last amended by Section 2, Chapter 154, O.S.L. 2014 (63 O.S. Supp.
5 2014, Section 2-204), is amended to read as follows:

6 Section 2-204. The controlled substances listed in this section
7 are included in Schedule I.

8 A. Any of the following opiates, including their isomers,
9 esters, ethers, salts, and salts of isomers, esters, and ethers,
10 unless specifically excepted, when the existence of these isomers,
11 esters, ethers, and salts is possible within the specific chemical
12 designation:

- 13 1. Acetylmethadol;
- 14 2. Allylprodine;
- 15 3. Alphacetylmethadol;
- 16 4. Alphameprodine;
- 17 5. Alphamethadol;
- 18 6. Benzethidine;
- 19 7. Betacetylmethadol;
- 20 8. Betameprodine;
- 21 9. Betamethadol;
- 22 10. Betaprodine;
- 23 11. Clonitazene;
- 24 12. Dextromoramide;

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

1 37. Phenoperidine;

2 38. Piritramide;

3 39. Proheptazine;

4 40. Properidine;

5 41. Racemoramide; or

6 42. Trimeperidine.

7 B. Any of the following opium derivatives, their salts,
8 isomers, and salts of isomers, unless specifically excepted, when
9 the existence of these salts, isomers, and salts of isomers is
10 possible within the specific chemical designation:

11 1. Acetorphine;

12 2. Acetyldihydrocodeine;

13 3. Benzylmorphine;

14 4. Codeine methylbromide;

15 5. Codeine-N-Oxide;

16 6. Cyprenorphine;

17 7. Desomorphine;

18 8. Dihydromorphine;

19 9. Etorphine;

20 10. Heroin;

21 11. Hydromorphinol;

22 12. Methyldesorphine;

23 13. Methylhydromorphine;

24 14. Morphine methylbromide;

1 15. Morphine methylsulfonate;

2 16. Morphine-N-Oxide;

3 17. Myrophine;

4 18. Nicocodeine;

5 19. Nicomorphine;

6 20. Normorphine;

7 21. Phoclodine; or

8 22. Thebacon.

9 C. Any material, compound, mixture, or preparation which
10 contains any quantity of the following hallucinogenic substances,
11 their salts, isomers, and salts of isomers, unless specifically
12 excepted, when the existence of these salts, isomers, and salts of
13 isomers is possible within the specific chemical designation:

14 1. Methcathinone;

15 2. 3, 4-methylenedioxy amphetamine;

16 3. 3, 4-methylenedioxy methamphetamine;

17 4. 5-methoxy-3, 4-methylenedioxy amphetamine;

18 5. 3, 4, 5-trimethoxy amphetamine;

19 6. Bufotenine;

20 7. Diethyltryptamine;

21 8. Dimethyltryptamine;

22 9. 4-methyl-2, 5-dimethoxyamphetamine;

23 10. Ibogaine;

24 11. Lysergic acid diethylamide;

- 1 12. Marihuana;
- 2 13. Mescaline;
- 3 14. N-benzylpiperazine;
- 4 15. N-ethyl-3-piperidyl benzilate;
- 5 16. N-methyl-3-piperidyl benzilate;
- 6 17. Psilocybin;
- 7 18. Psilocyn;
- 8 19. 2, 5 dimethoxyamphetamine;
- 9 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 10 21. 4 methoxyamphetamine;
- 11 22. Cyclohexamine;
- 12 23. Salvia Divinorum;
- 13 24. Salvinorin A;
- 14 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-
- 15 thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine;
- 16 TPCP, TCP;
- 17 26. Phencyclidine (PCP);
- 18 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-
- 19 Phenylcyclohexyl) - Pyrrolidine, PCPy, PHP;
- 20 28. 1-(3-trifluoromethylphenyl) piperazine;
- 21 29. Flunitrazepam;
- 22 30. B-hydroxy-amphetamine;
- 23 31. B-ketoamphetamine;
- 24 32. 2,5-dimethoxy-4-nitroamphetamine;

- 1 33. 2,5-dimethoxy-4-bromophenethylamine;
- 2 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 3 35. 2,5-dimethoxy-4-iodoamphetamine;
- 4 36. 2,5-dimethoxy-4-iodophenethylamine;
- 5 37. 2,5-dimethoxy-4-methylphenethylamine;
- 6 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 7 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 8 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 9 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 10 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;
- 11 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 12 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 13 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 14 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 15 47. 5-methoxy-N, N-dimethyltryptamine;
- 16 48. N-methyltryptamine;
- 17 49. A-ethyltryptamine;
- 18 50. A-methyltryptamine;
- 19 51. N, N-diethyltryptamine;
- 20 52. N, N-diisopropyltryptamine;
- 21 53. N, N-dipropyltryptamine;
- 22 54. 5-methoxy-a-methyltryptamine;
- 23 55. 4-hydroxy-N, N-diethyltryptamine;
- 24 56. 4-hydroxy-N, N-diisopropyltryptamine;

- 1 57. 5-methoxy-N, N-diisopropyltryptamine;
- 2 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 3 59. 3,4-Methylenedioxy-methcathinone (Methylone);
- 4 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 5 61. 4-Methylmethcathinone (Mephedrone);
- 6 62. 4-methoxymethcathinone;
- 7 63. 4-Fluoromethcathinone;
- 8 64. 3-Fluoromethcathinone;
- 9 65. 1-(8-bromobenzo 1,2-b;4,5-b' difuran-4-yl)-2-aminopropane;
- 10 66. 2,5-Dimethoxy-4-chloroamphetamine;
- 11 67. 4-Methylethcathinone;
- 12 68. Pyrovalerone;
- 13 69. N,N-diallyl-5-methoxytryptamine;
- 14 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 15 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone);
- 16 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone);
- 17 73. Alpha-Pyrrolidinopentiophenone;
- 18 74. 4-Fluoroamphetamine;
- 19 75. Pentredone;
- 20 76. 4'-Methyl-a-pyrrolidino-hexaphenone;
- 21 77. 2,5-dimethoxy-4-(n)-propylphenethylamine;
- 22 78. 2,5-dimethoxyphenethylamine;
- 23 79. 1,4-Dibenzylpiperazine;
- 24 80. N,N-Dimethylamphetamine;

- 1 81. 4-Fluoromethamphetamine;
- 2 82. 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 3 (25C-NBOMe);
- 4 83. 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 5 (25I-NBOMe);
- 6 84. 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzy)phenethylamine
- 7 (25B-NBOMe); ~~or~~
- 8 85. 1-(4-Fluorophenyl)piperazine; or
- 9 86. Methoxetamine.

10 D. Unless specifically excepted or unless listed in a different

11 schedule, any material, compound, mixture, or preparation which

12 contains any quantity of the following substances having stimulant

13 or depressant effect on the central nervous system:

- 14 1. Fenethylamine;
- 15 2. Mephedrone;
- 16 3. N-ethylamphetamine;
- 17 4. Methaqualone;
- 18 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-
- 19 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium
- 20 oxybate, and sodium oxybutyrate;
- 21 6. Gamma-Butyrolactone (GBL) as packaged, marketed,
- 22 manufactured or promoted for human consumption, with the exception
- 23 of legitimate food additive and manufacturing purposes;
- 24

1 7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or
2 manufactured for human consumption, with the exception of legitimate
3 food additive and manufacturing purposes;

4 8. Gamma Valerolactone (GVL) as packaged, marketed, or
5 manufactured for human consumption, with the exception of legitimate
6 food additive and manufacturing purposes; or

7 9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed,
8 manufactured, or promoted for human consumption with the exception
9 of legitimate manufacturing purposes.

10 E. 1. The following industrial uses of Gamma-Butyrolactone,
11 Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are
12 excluded from all schedules of controlled substances under this
13 title:

- 14 a. pesticides,
- 15 b. photochemical etching,
- 16 c. electrolytes of small batteries or capacitors,
- 17 d. viscosity modifiers in polyurethane,
- 18 e. surface etching of metal coated plastics,
- 19 f. organic paint disbursements for water soluble inks,
- 20 g. pH regulators in the dyeing of wool and polyamide
21 fibers,
- 22 h. foundry chemistry as a catalyst during curing,
- 23 i. curing agents in many coating systems based on
24 urethanes and amides,

- j. additives and flavoring agents in food, confectionary,
and beverage products,
- k. synthetic fiber and clothing production,
- l. tetrahydrofuran production,
- m. gamma butyrolactone production,
- n. polybutylene terephthalate resin production,
- o. polyester raw materials for polyurethane elastomers
and foams,
- p. coating resin raw material, and
- q. as an intermediate in the manufacture of other
chemicals and pharmaceuticals.

2. At the request of any person, the Director may exempt any other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol from being included as a Schedule I controlled substance if such product is labeled, marketed, manufactured and distributed for legitimate industrial use in a manner that reduces or eliminates the likelihood of abuse.

3. In making a determination regarding an industrial product, the Director, after notice and hearing, shall consider the following:

- a. the history and current pattern of abuse,
- b. the name and labeling of the product,
- c. the intended manner of distribution, advertising and
promotion of the product, and

1 d. other factors as may be relevant to and consistent
2 with the public health and safety.

3 4. The hearing shall be held in accordance with the procedures
4 of the Administrative Procedures Act.

5 F. Any material, compound, mixture, or preparation, whether
6 produced directly or indirectly from a substance of vegetable origin
7 or independently by means of chemical synthesis, or by a combination
8 of extraction and chemical synthesis, that contains any quantity of
9 the following substances, or that contains any of their salts,
10 isomers, and salts of isomers when the existence of these salts,
11 isomers, and salts of isomers is possible within the specific
12 chemical designation:

- 13 1. JWH-004;
- 14 2. JWH-007;
- 15 3. JWH-009;
- 16 4. JWH-015;
- 17 5. JWH-016;
- 18 6. JWH-018;
- 19 7. JWH-019;
- 20 8. JWH-020;
- 21 9. JWH-030;
- 22 10. JWH-046;
- 23 11. JWH-047;
- 24 12. JWH-048;

- 1 13. JWH-049;
- 2 14. JWH-050;
- 3 15. JWH-070;
- 4 16. JWH-071;
- 5 17. JWH-072;
- 6 18. JWH-073;
- 7 19. JWH-076;
- 8 20. JWH-079;
- 9 21. JWH-080;
- 10 22. JWH-081;
- 11 23. JWH-082;
- 12 24. JWH-094;
- 13 25. JWH-096;
- 14 26. JWH-098;
- 15 27. JWH-116;
- 16 28. JWH-120;
- 17 29. JWH-122;
- 18 30. JWH-145;
- 19 31. JWH-146;
- 20 32. JWH-147;
- 21 33. JWH-148;
- 22 34. JWH-149;
- 23 35. JWH-150;
- 24 36. JWH-156;

- 1 37. JWH-167;
- 2 38. JWH-175;
- 3 39. JWH-180;
- 4 40. JWH-181;
- 5 41. JWH-182;
- 6 42. JWH-184;
- 7 43. JWH-185;
- 8 44. JWH-189;
- 9 45. JWH-192;
- 10 46. JWH-193;
- 11 47. JWH-194;
- 12 48. JWH-195;
- 13 49. JWH-196;
- 14 50. JWH-197;
- 15 51. JWH-198;
- 16 52. JWH-199;
- 17 53. JWH-200;
- 18 54. JWH-201;
- 19 55. JWH-202;
- 20 56. JWH-203;
- 21 57. JWH-204;
- 22 58. JWH-205;
- 23 59. JWH-206;
- 24 60. JWH-207;

- 1 61. JWH-208;
- 2 62. JWH-209;
- 3 63. JWH-210;
- 4 64. JWH-211;
- 5 65. JWH-212;
- 6 66. JWH-213;
- 7 67. JWH-234;
- 8 68. JWH-235;
- 9 69. JWH-236;
- 10 70. JWH-237;
- 11 71. JWH-239;
- 12 72. JWH-240;
- 13 73. JWH-241;
- 14 74. JWH-242;
- 15 75. JWH-243;
- 16 76. JWH-244;
- 17 77. JWH-245;
- 18 78. JWH-246;
- 19 79. JWH-248;
- 20 80. JWH-249;
- 21 81. JWH-250;
- 22 82. JWH-251;
- 23 83. JWH-252;
- 24 84. JWH-253;

- 1 85. JWH-262;
- 2 86. JWH-292;
- 3 87. JWH-293;
- 4 88. JWH-302;
- 5 89. JWH-303;
- 6 90. JWH-304;
- 7 91. JWH-305;
- 8 92. JWH-306;
- 9 93. JWH-307;
- 10 94. JWH-308;
- 11 95. JWH-311;
- 12 96. JWH-312;
- 13 97. JWH-313;
- 14 98. JWH-314;
- 15 99. JWH-315;
- 16 100. JWH-316;
- 17 101. JWH-346;
- 18 102. JWH-348;
- 19 103. JWH-363;
- 20 104. JWH-364;
- 21 105. JWH-365;
- 22 106. JWH-367;
- 23 107. JWH-368;
- 24 108. JWH-369;

- 1 109. JWH-370;
- 2 110. JWH-371;
- 3 111. JWH-373;
- 4 112. JWH-386;
- 5 113. JWH-387;
- 6 114. JWH-392;
- 7 115. JWH-394;
- 8 116. JWH-395;
- 9 117. JWH-397;
- 10 118. JWH-398;
- 11 119. JWH-399;
- 12 120. JWH-400;
- 13 121. JWH-412;
- 14 122. JWH-413;
- 15 123. JWH-414;
- 16 124. JWH-415;
- 17 125. CP-55, 940;
- 18 126. CP-47, 497;
- 19 127. HU-210;
- 20 128. HU-211;
- 21 129. WIN-55, 212-2;
- 22 130. AM-2201;
- 23 131. AM-2233;
- 24 132. JWH-018 adamantyl-carboxamide;

- 1 133. AKB48;
- 2 134. JWH-122 N-(4-pentenyl) analog;
- 3 135. MAM2201;
- 4 136. URB597;
- 5 137. URB602;
- 6 138. URB754;
- 7 139. UR144;
- 8 140. XLR11;
- 9 141. A-796,260;
- 10 142. STS-135;
- 11 143. AB-FUBINACA;
- 12 144. AB-PINACA;
- 13 145. PB-22;
- 14 146. AKB48 N-5-Fluoropentyl;
- 15 147. AM1248;
- 16 148. FUB-PB-22;
- 17 149. ADB-FUBINACA;
- 18 150. BB-22;
- 19 151. 5-Fluoro PB-22; or
- 20 152. 5-Fluoro AKB-48.

21 G. In addition to those substances listed in subsection F of
22 this section, unless specifically excepted or unless listed in
23 another schedule, any material, compound, mixture, or preparation

24

1 which contains any quantity of a synthetic cannabinoid found to be
2 in any of the following chemical groups:

3 1. Naphthoylindoles: any compound containing a 3-(1-
4 naphthoyl)indole structure with or without substitution at the
5 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
6 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
7 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
8 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, ~~or~~
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, whether or not further substituted on the indole
11 ring to any extent, and whether or not substituted on the naphthyl
12 ring to any extent. Naphthoylindoles include, but are not limited
13 to:

- 14 a. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-
15 200),
- 16 b. 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201),
- 17 c. 1-pentyl-3-(1-naphthoyl)indole (JWH-018),
- 18 d. 1-butyl-3-(1-naphthoyl)indole (JWH-073),
- 19 e. 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081),
- 20 f. 1-propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015),
- 21 g. 1-hexyl-3-(1-naphthoyl)indole (JWH-019),
- 22 h. 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122),
- 23 i. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210),
- 24 j. 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398),

- 1 k. 1-pentyl-2-methyl-3-(1-naphthoyl)indole (JWH-007),
2 l. 1-pentyl-3-(7-methoxy-1-naphthoyl)indole (JWH-164),
3 m. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
4 (JWH-098),
5 n. 1-pentyl-3-(4-fluoro-1-naphthoyl)indole (JWH-412),
6 o. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-
7 naphthoyl)indole (AM-1220),
8 p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole
9 (MAM-2201), or
10 q. 1-(4-cyanobutyl)-3-(1-naphthoyl)indole (AM-2232);

11 2. Naphthylmethylindoles: any compound containing a 1H-indol-3-
12 yl-(1-naphthyl)methane structure with or without substitution at the
13 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
14 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
15 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
16 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, ~~or~~
17 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
18 halophenyl group, whether or not further substituted on the indole
19 ring to any extent, and whether or not substituted on the naphthyl
20 ring to any extent. Naphthylmethylindoles include, but are not
21 limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175);

22 3. Naphthoylpyrroles: any compound containing a 3-(1-
23 naphthoyl)pyrrole structure with or without substitution at the
24 nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,

1 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
2 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
3 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
4 morpholinyl)methyl, ~~or~~ (tetrahydropyran-4-yl)methyl, 1-
5 methylazepanyl, phenyl, or halophenyl group, whether or not further
6 substituted on the pyrrole ring to any extent, and whether or not
7 substituted on the naphthyl group to any extent. Naphthoylpyrroles
8 include, but are not limited to:

- 9 a. 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147),
- 10 b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole
11 (JWH-370),
- 12 c. 1-pentyl-3-(1-naphthoyl)pyrrole (JWH-030), or
- 13 d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole (JWH-147);

14 4. Naphthylideneindenes: any compound containing a
15 ~~naphthylideneindene~~ 1-(1-naphthylmethylene)indene structure with or
16 without substitution at the 3-position of the indene ring by an
17 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
18 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-
19 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
20 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, ~~or~~
21 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
22 halophenyl group, whether or not further substituted on the indene
23 group to any extent, and whether or not substituted on the naphthyl
24 group to any extent. Naphthylmethylindenes include, but are not

1 limited to, (1-[(3-pentyl)-1H-inden-1-ylidene)methyl]naphthalene
2 (JWH-176);

3 5. Phenylacetylindoles: any compound containing a 3-
4 phenylacetylindole structure with or without substitution at the
5 nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl,
6 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
7 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
8 2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, ~~or~~
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, whether or not further substituted on the indole
11 ring to any extent, and whether or not substituted on the phenyl
12 ring to any extent. Phenylacetylindoles include, but are not
13 limited to:

- 14 a. 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250),
- 15 b. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole
16 (RCS-8),
- 17 c. 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203),
- 18 d. 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251),
- 19 e. 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201), or
- 20 f. 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302);

21 6. Cyclohexylphenols: any compound containing a 2-(3-
22 hydroxycyclohexyl)phenol structure with or without substitution at
23 the 5-position of the phenolic ring by an alkyl, haloalkyl,
24 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,

1 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
2 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
3 morpholinyl)methyl, ~~or~~ (tetrahydropyran-4-yl)methyl, 1-
4 methylazepanyl, phenyl, or halophenyl group, and whether or not
5 further substituted on the cyclohexyl ring to any extent.

6 Cyclohexylphenols include, but are not limited to:

- 7 a. 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-
8 hydroxycyclohexyl]-phenol (CP-47,497),
9 b. 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-
10 phenol (cannabicyclohexanol; CP-47,497 C8 homologue),
11 or
12 c. 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-
13 hydroxypropyl)cyclohexyl]-phenol (CP 55,490 940);

14 7. Benzoylindoles: any compound containing a 3-(~~1-~~
15 benzoyl)indole structure with or without substitution at the
16 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
17 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
18 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
19 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, ~~or~~
20 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
21 halophenyl group, whether or not further substituted on the indole
22 ring to any extent, and whether or not substituted on the phenyl
23 group to any extent. Benzoylindoles include, but are not limited
24 to:

- a. 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4),
- b. 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098),
- c. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694),
- d. 1-pentyl-3-(2-iodobenzoyl)indole (AM-679), or
- e. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-iodobenzoyl)indole (AM-2233);

8. Cyclopropoylindoles: Any compound containing a 3-(cyclopropoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, ~~or~~ (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or halophenyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the cyclopropoyl ring to any extent. Cyclopropoylindoles include, but are not limited to:

- a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole (UR-144),
- b. 1-(5-chloropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (5Cl-UR-144), or
- c. 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11);

1 9. Indole Amides: Any compound containing a 1H-Indole-3-
2 carboxamide structure with or without substitution at ~~either~~ the
3 nitrogen atom of the ~~indazole~~ indole ring by an alkyl, haloalkyl,
4 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
5 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
6 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
7 morpholinyl)methyl, ~~or~~ (tetrahydropyran-4-yl)methyl, 1-
8 methylazepanyl, phenyl, or halophenyl group, whether or not
9 substituted at the carboxamide group by an adamantyl, ~~1-naphthyl~~
10 naphthyl, or phenyl, benzyl, quinolinyl, cycloalkyl, 1-amino-
11 3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-oxobutan-2-yl, 1-
12 methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-dimethyl-1-oxobutan-
13 2-yl or pyrrole group, and whether or not further substituted in the
14 indole, adamantyl, naphthyl, ~~or phenyl,~~ pyrrole, quinolinyl, or
15 cycloalkyl rings to any extent. Indole Amides include, but are not
16 limited to:

- 17 a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide
18 (2NE1), ~~or~~
- 19 b. N-(1-adamantyl)-1-(5-fluoropentyl-1H-indole-3-
20 carboxamide (STS-135),
- 21 c. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
22 indole-3-carboxamide (ADBICA),
- 23 d. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-
24 fluoropentyl)-1H-indole-3-carboxamide (5F-ADBICA),

1 e. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide
2 (NNE1),

3 f. 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-
4 carboxamide (5F-NNE1),

5 g. N-benzyl-1-pentyl-1H-indole-3-carboxamide (SDB-006),
6 or

7 h. N-benzyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide
8 (5F-SDB-006); and

9 10. Indole Esters: Any compound containing a 1H-Indole-3-
10 carboxylate structure with or without substitution at the nitrogen
11 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
12 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
13 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
14 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
15 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
16 halophenyl group, whether or not substituted at the carboxylate
17 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
18 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-
19 oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
20 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
21 further substituted in the indole, adamantyl, naphthyl, phenyl,
22 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole
23 Esters include, but are not limited to:

1 b. adamantan-1-yl-(1-pentyl-1H-indol-3-yl)methanone (AB-
2 001);

3 12. Carbazole Ketone: Any compound containing (9H-carbazole-3-
4 yl) methanone structure with or without substitution at the nitrogen
5 atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl,
6 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
7 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
8 2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, with substitution at the carbon of the methanone
11 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
12 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
13 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
14 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
15 further substituted at the carbazole, adamantyl, naphthyl, phenyl,
16 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole
17 Ketones include, but are not limited to, naphthalen-1-yl(9-pentyl-
18 9H-carbazol-3-yl)methanone (EG-018);

19 13. Benzimidazole Ketone: Any compound containing
20 (benzimidazole-2-yl) methanone structure with or without
21 substitution at either nitrogen atom of the benzimidazole ring by an
22 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
23 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-
24 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-

1 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, with substitution at the carbon of the methanone
4 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
5 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
6 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
7 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
8 further substituted in the benzimidazole, adamantyl, naphthyl,
9 phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent.

10 Benzimidazole Ketones include, but are not limited to:

- 11 a. naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-
12 1)methanone (JWH-018 benzimidazole analog), or
13 b. (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-
14 yl)(naphthalen-1-yl)methanone (FUBIMINA); and

15 14. Modified by Replacement: any compound defined in this
16 subsection that is modified by replacement of a carbon with nitrogen
17 in the indole, naphthyl, ~~or~~ indene, benzimidazole, or carbazole
18 ring.

19 SECTION 5. AMENDATORY 63 O.S. 2011, Section 2-208, as
20 amended by Section 3, Chapter 80, O.S.L. 2012 (63 O.S. Supp. 2014,
21 Section 2-208), is amended to read as follows:

22 Section 2-208. The controlled substances listed in this section
23 are included in Schedule III.

24

1 A. Unless listed in another schedule, any material, compound,
2 mixture, or preparation, which contains any quantity of the
3 following substances or any other substance having a potential for
4 abuse associated with a stimulant or depressant effect on the
5 central nervous system:

6 1. Any drug product containing gamma-hydroxybutyric acid,
7 including its salts, isomers, and salts of isomers, for which an
8 application has been approved under Section 505 of the Federal Food,
9 Drug, and Cosmetic Act;

10 2. Any material, compound, mixture, or preparation which
11 contains any quantity of the following hormonal substances or
12 steroids, including their salts, isomers, esters and salts of
13 isomers and esters, when the existence of these salts, isomers,
14 esters, and salts of isomers and esters is possible within the
15 specific chemical designation:

- 16 a. Boldenone,
- 17 b. Chlorotestosterone,
- 18 c. Clostebol,
- 19 d. Dehydrochlormethyltestosterone,
- 20 e. Dihydrotestosterone,
- 21 f. Drostanolone,
- 22 g. Ethylestrenol,
- 23 h. Fluoxymesterone,
- 24 i. Formebolone,

- 1 j. Mesterolone,
2 k. Methandienone,
3 l. Methandranone,
4 m. Methandriol,
5 n. Methandrostenolone,
6 o. Methenolone,
7 p. Methyltestosterone, except as provided in subsection E
8 of this section,
9 q. Mibolerone,
10 r. Nandrolone,
11 s. Norethandrolone,
12 t. Oxandrolone,
13 u. Oxymesterone,
14 v. Oxymetholone,
15 w. Stanolone,
16 x. Stanozolol,
17 y. Testolactone,
18 z. Testosterone, except as provided in subsection E of
19 this section, and
20 aa. Trenbolone;
- 21 3. Any substance which contains any quantity of a derivative of
22 barbituric acid, or any salt of a derivative of barbituric acid;
- 23 4. Benzphetamine and its salts;
- 24 5. Buprenorphine;

- 1 6. Butalbital/acetaminophen/caffeine;
- 2 7. Chlorhexadol;
- 3 8. Chlorphentermine and its salts;
- 4 9. Clortermine;
- 5 10. Glutethimide;
- 6 11. ~~Hydrocodone with another active ingredient;~~
- 7 ~~12.~~ Ketamine, its salts, isomers, and salts of isomers;
- 8 ~~13.~~ 12. Lysergic acid;
- 9 ~~14.~~ 13. Lysergic acid amide;
- 10 ~~15.~~ 14. Mazindol;
- 11 ~~16.~~ 15. Methyprylon;
- 12 ~~17.~~ 16. Phendimetrazine;
- 13 ~~18.~~ 17. Phenylacetone (P2P);
- 14 ~~19.~~ 18. Sulfondiethylmethane;
- 15 ~~20.~~ 19. Sulfonethylmethane;
- 16 ~~21.~~ 20. Sulfonmethane;
- 17 ~~22.~~ 21. Tetrahydrocannabinols;
- 18 ~~23.~~ 22. 1-Phenycyclohexylamine; or
- 19 ~~24.~~ 23. 1-Piperidinocyclohexanecarbo nitrile (PCC).

20 Livestock implants as regulated by the Federal Food and Drug
21 Administration shall be exempt.

22 B. Nalorphine.

23

24

1 C. Unless listed in another schedule, any material, compound,
2 mixture, or preparation containing limited quantities of any of the
3 following narcotic drugs, or any salts thereof:

4 1. Not more than one and eight-tenths (1.8) grams of codeine or
5 any of its salts, per one hundred (100) milliliters or not more than
6 ninety (90) milligrams per dosage unit, with an equal or greater
7 quantity of an isoquinoline alkaloid of opium;

8 2. Not more than one and eight-tenths (1.8) grams of codeine or
9 any of its salts, per one hundred (100) milliliters or not more than
10 ninety (90) milligrams per dosage unit, with one or more active,
11 nonnarcotic ingredients in recognized therapeutic amounts;

12 3. Not more than one and eight-tenths (1.8) grams of
13 dihydrocodeine or any of its salts, per one hundred (100)
14 milliliters or not more than ninety (90) milligrams per dosage unit,
15 with one or more active, nonnarcotic ingredients in recognized
16 therapeutic amounts;

17 4. Not more than three hundred (300) milligrams of
18 ethylmorphine or any of its salts, per one hundred (100) milliliters
19 or not more than fifteen (15) milligrams per dosage unit, with one
20 or more ingredients in recognized therapeutic amounts;

21 5. Not more than five hundred (500) milligrams of opium per one
22 hundred (100) milliliters or per one hundred (100) grams, or not
23 more than twenty-five (25) milligrams per dosage unit, with one or
24

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

3 6. Not more than fifty (50) milligrams of morphine or any of
4 its salts, per one hundred (100) milliliters or per one hundred
5 (100) grams with one or more active, nonnarcotic ingredients in
6 recognized therapeutic amounts.

7 D. The Board of Pharmacy may except by rule any compound,
8 mixture, or preparation containing any stimulant or depressant
9 substance listed in subsections A and B of this section from the
10 application of all or any part of the Uniform Controlled Dangerous
11 Substances Act if the compound, mixture, or preparation contains one
12 or more active medicinal ingredients not having a stimulant or
13 depressant effect on the central nervous system, and if the
14 admixtures are included therein in combinations, quantity,
15 proportion, or concentration that vitiate the potential for abuse of
16 the substances which have a stimulant or depressant effect on the
17 central nervous system.

18 E. The following hormonal substances or steroids are exempt
19 from classification as Schedule III controlled dangerous substances:

20 1. Estratest, containing 1.25 mg esterified estrogens and 2.5
21 mg methyltestosterone;

22 2. Estratest HS, containing 0.625 mg esterified estrogens and
23 1.25 mg methyltestosterone;

24

1 3. Premarin with Methyltestosterone, containing 1.25 mg
2 conjugated estrogens and 10.0 mg methyltestosterone;

3 4. Premarin with Methyltestosterone, containing 0.625 mg
4 conjugated estrogens and 5.0 mg methyltestosterone;

5 5. Testosterone Cypionate - Estradiol Cypionate injection,
6 containing 50 mg/ml Testosterone Cypionate; and

7 6. Testosterone Enanthate - Estradiol Valerate injection,
8 containing 90 mg/ml Testosterone Enanthate and 4 mg/ml Estradiol
9 Valerate.

10 SECTION 6. AMENDATORY 63 O.S. 2011, Section 2-315, is
11 amended to read as follows:

12 Section 2-315. A. Except as otherwise provided by law, any
13 person required to obtain an annual registration pursuant to Section
14 2-302 of this title, or any group home, or residential care home as
15 defined by Section 1-820 of this title shall submit for destruction
16 all controlled dangerous substances which are out of date, which are
17 unwanted, unused or which are abandoned by their owner at their
18 facility due to death or other circumstances.

19 B. All controlled dangerous substances described in subsection
20 A of this section shall be submitted to the Oklahoma City laboratory
21 of the Oklahoma State Bureau of Investigation, along with all
22 required information on forms provided by the Oklahoma State Bureau
23 of Investigation, to the federal Drug Enforcement Administration, to
24 a duly registered reverse distributor, ~~or~~ to the original registered

1 supplier or their registered agent, to a duly registered retail
2 pharmacy, or to a hospital or clinic with an on-site pharmacy
3 pursuant to the rules set forth in Part 1317 of Title 21 of the Code
4 of Federal Regulations. When any such substance is transported by
5 private contract or common carrier or United States Postal Service
6 for the purpose of destruction, the sender shall require a receipt
7 from such private contract or common carrier or United States Postal
8 Service, and such receipt shall be retained as a permanent record by
9 the sender.

10 C. Controlled dangerous substances submitted to the Oklahoma
11 State Bureau of Investigation pursuant to the provisions of this
12 section shall be destroyed pursuant to the procedures provided in
13 subsection A of Section 2-508 of this title.

14 Controlled dangerous substances submitted to any distributors,
15 reverse distributors or their original registered suppliers pursuant
16 to the provisions of this section shall be destroyed by incineration
17 so as to make the substance absolutely unusable for human purposes.
18 An official record listing the property destroyed, the location of
19 destruction and disposal, and the name and title of the person
20 supervising the destruction and disposal shall be submitted to the
21 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and
22 the federal Drug Enforcement Administration office located nearest
23 the destruction site.

24

1 D. The Office of the Chief Medical Examiner is hereby
2 authorized to perform on-site incineration of all controlled
3 dangerous substances which are obtained in the discharge of the
4 official duties of the Chief Medical Examiner. Any record relating
5 to destruction of a controlled dangerous substance shall be
6 maintained as required by the state or federal government and shall
7 be available for inspection by appropriate state or federal
8 government regulatory agencies.

9 E. This section shall constitute a part of the Uniform
10 Controlled Dangerous Substances Act.

11 SECTION 7. AMENDATORY 63 O.S. 2011, Section 2-407, is
12 amended to read as follows:

13 Section 2-407. A. No person shall obtain or attempt to obtain
14 any preparation excepted from the provisions of the Uniform
15 Controlled Dangerous Substances Act pursuant to Section 2-313 of
16 this title in a manner inconsistent with the provisions of paragraph
17 1 of subsection B of Section 2-313 of this title, or a controlled
18 dangerous substance or procure or attempt to procure the
19 administration of a controlled dangerous substance:

- 20 1. By fraud, deceit, misrepresentation, or subterfuge;
- 21 2. By the forgery of, alteration of, adding any information to
22 or changing any information on a prescription or of any written
23 order;
- 24 3. By the concealment of a material fact; ~~or~~

1 4. By the use of a false name or the giving of a false address;
2 or

3 5. By knowingly failing to disclose the receipt of a controlled
4 dangerous substance or a prescription for a controlled dangerous
5 substance of the same or similar therapeutic use from another
6 practitioner within the previous thirty (30) days.

7 B. Except as authorized by this act, a person shall not
8 manufacture, create, deliver, or possess with intent to manufacture,
9 create, or deliver or possess a prescription form, an original
10 prescription form, or a counterfeit prescription form. This shall
11 not apply to the legitimate manufacture or delivery of prescription
12 forms, or a person acting as an authorized agent of the
13 practitioner.

14 C. Information communicated to a physician in an effort
15 unlawfully to procure a controlled dangerous substance, or
16 unlawfully to procure the administration of any such drug, shall not
17 be deemed a privileged communication.

18 D. Any person who violates this section is guilty of a felony
19 punishable by imprisonment for not more than ten (10) years, by a
20 fine of not more than Ten Thousand Dollars (\$10,000.00), or by both
21 such fine and imprisonment. A second or subsequent offense under
22 this section is a felony punishable by imprisonment for not less
23 than four (4) years nor more than twenty (20) years, by a fine of
24

