

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 63**

4 (By Senator K. Facemyer)

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6 [Originating in the Committee on Health and Human Resources;  
7 reported January 26, 2011.]

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9  
10 A BILL to amend and reenact §60A-1-101 of the Code of West  
11 Virginia, 1931, as amended; and to amend and reenact  
12 §60A-2-201 and §60A-2-204 of said code, all relating to  
13 defining key terms; modifying the authority of the Board of  
14 Pharmacy to add or delete substances to the schedules of  
15 controlled substances or reschedule substances; and adding  
16 synthetic cannabinoids and synthetic cocaine-like substances  
17 to the Schedule I list of controlled substances.

18 *Be it enacted by the Legislature of West Virginia:*

19 That §60A-1-101 of the Code of West Virginia, 1931, as  
20 amended, be amended and reenacted; and that §60A-2-201 and §60A-2-  
21 204 of said code be amended and reenacted, all to read as follows:

22 **ARTICLE 1. DEFINITIONS**

23 **§60A-1-101. Definitions.**

24 As used in this act:

25 (a) "Administer" means the direct application of a controlled

1 substance whether by injection, inhalation, ingestion or any other  
2 means to the body of a patient or research subject by:

3 (1) A practitioner (or, in his presence, by his authorized  
4 agent); or

5 (2) The patient or research subject at the direction and in  
6 the presence of the practitioner.

7 (b) "Agent" means an authorized person who acts on behalf of  
8 or at the direction of a manufacturer, distributor or dispenser. It  
9 does not include a common or contract carrier, public warehouseman  
10 or employee of the carrier or warehouseman.

11 ~~(c) "Bureau" means the "Bureau of Narcotics and Dangerous~~  
12 ~~Drugs, United States Department of Justice" or its successor~~  
13 ~~agency.~~

14 (c) "Analogue" means a substance that, in relation to a  
15 controlled substance, has a substantially similar chemical  
16 structure.

17 (d) "Bureau" means the "Bureau of Narcotics and Dangerous  
18 Drugs, United States Department of Justice" or its successor  
19 agency.

20 ~~(d)~~ (e) "Controlled substance" means a drug, substance or  
21 immediate precursor in Schedules I through V of article two.

22 ~~(e)~~ (f) "Counterfeit substance" means a controlled substance  
23 which, or the container or labeling of which, without  
24 authorization, bears the trademark, trade name or other identifying  
25 mark, imprint, number or device, or any likeness thereof, of a  
26 manufacturer, distributor or dispenser other than the person who in

1 fact manufactured, distributed or dispensed the substance.

2 ~~(f)~~ (g) "Imitation controlled substance" means: (1) A  
3 controlled substance which is falsely represented to be a different  
4 controlled substance; (2) a drug or substance which is not a  
5 controlled substance but which is falsely represented to be a  
6 controlled substance; or (3) a controlled substance or other drug  
7 or substance or a combination thereof which is shaped, sized,  
8 colored, marked, imprinted, numbered, labeled, packaged,  
9 distributed or priced so as to cause a reasonable person to believe  
10 that it is a controlled substance.

11 ~~(g)~~ (h) "Deliver" or "delivery" means the actual, constructive  
12 or attempted transfer from one person to another of: (1) A  
13 controlled substance, whether or not there is an agency  
14 relationship; (2) a counterfeit substance; or (3) an imitation  
15 controlled substance.

16 ~~(h)~~ (i) "Dispense" means to deliver a controlled substance to  
17 an ultimate user or research subject by or pursuant to the lawful  
18 order of a practitioner, including the prescribing, administering,  
19 packaging, labeling or compounding necessary to prepare the  
20 substance for that delivery.

21 ~~(i)~~ (j) "Dispenser" means a practitioner who dispenses.

22 ~~(j)~~ (k) "Distribute" means to deliver, other than by  
23 administering or dispensing, a controlled substance, a counterfeit  
24 substance or an imitation controlled substance.

25 ~~(k)~~ (l) "Distributor" means a person who distributes.

26 ~~(l)~~ (m) "Drug" means: (1) Substances recognized as drugs in

1 the official "United States Pharmacopoeia, official Homeopathic  
2 Pharmacopoeia of the United States or official National Formulary",  
3 or any supplement to any of them; (2) substances intended for use  
4 in the diagnosis, cure, mitigation, treatment or prevention of  
5 disease in man or animals; (3) substances (other than food)  
6 intended to affect the structure or any function of the body of man  
7 or animals; and (4) substances intended for use as a component of  
8 any article specified in clause (1), (2) or (3) of this  
9 subdivision. It does not include devices or their components, parts  
10 or accessories.

11 (n) "Immediate Derivative" means a substance which the "West  
12 Virginia Board of Pharmacy" (hereinafter in this act referred to as  
13 the State Board of Pharmacy) has found to be and by rule designates  
14 as being the principal compound or any analogue of the parent  
15 compound manufactured from a known controlled substance primarily  
16 for use and which has equal or similar pharmacologic activity as  
17 the parent compound which is necessary to prevent, curtail or limit  
18 manufacture.

19 ~~(m)~~ (o) "Immediate precursor" means a substance which the  
20 ~~"West Virginia Board of Pharmacy" (hereinafter in this act referred~~  
21 ~~to as the State Board of Pharmacy)~~ State Board of Pharmacy has  
22 found to be and by rule designates as being the principal compound  
23 commonly used or produced primarily for use and which is an  
24 immediate chemical intermediary used or likely to be used in the  
25 manufacture of a controlled substance, the control of which is  
26 necessary to prevent, curtail or limit manufacture.

1       ~~(n)~~ (p) "Manufacture" means the production, preparation,  
2 propagation, compounding, conversion or processing of a controlled  
3 substance, either directly or indirectly or by extraction from  
4 substances of natural origin, or independently by means of chemical  
5 synthesis, or by a combination of extraction and chemical  
6 synthesis, and includes any packaging or repackaging of the  
7 substance or labeling or relabeling of its container, except that  
8 this term does not include the preparation, compounding, packaging  
9 or labeling of a controlled substance:

10       (1) By a practitioner as an incident to his administering or  
11 dispensing of a controlled substance in the course of his  
12 professional practice; or

13       (2) By a practitioner, or by his authorized agent under his  
14 supervision, for the purpose of, or as an incident to, research,  
15 teaching or chemical analysis and not for sale.

16       ~~(o)~~ (q) "Marijuana" means all parts of the plant "Cannabis  
17 sativa L.", whether growing or not; the seeds thereof; the resin  
18 extracted from any part of the plant; and every compound,  
19 manufacture, salt, derivative, mixture or preparation of the plant,  
20 its seeds or resin. It does not include the mature stalks of the  
21 plant, fiber produced from the stalks, oil or cake made from the  
22 seeds of the plant, any other compound, manufacture, salt,  
23 derivative, mixture or preparation of the mature stalks (except the  
24 resin extracted therefrom), fiber, oil or cake, or the sterilized  
25 seed of the plant which is incapable of germination.

26       ~~(p)~~ (r) "Narcotic drug" means any of the following, whether

1 produced directly or indirectly by extraction from substances of  
2 vegetable origin or independently by means of chemical synthesis,  
3 or by a combination of extraction and chemical synthesis:

4 (1) Opium and opiate and any salt, compound, derivative or  
5 preparation of opium or opiate.

6 (2) Any salt, compound, isomer, derivative or preparation  
7 thereof which is chemically equivalent or identical with any of the  
8 substances referred to in paragraph (1) of this subdivision, but  
9 not including the isoquinoline alkaloids of opium.

10 (3) Opium poppy and poppy straw.

11 (4) Coca leaves and any salt, compound, derivative or  
12 preparation of coca leaves and any salt, compound, isomer,  
13 derivative or preparation thereof which is chemically equivalent or  
14 identical with any of these substances, but not including  
15 decocainized coca leaves or extractions of coca leaves which do not  
16 contain cocaine or ecgonine.

17 ~~(q)~~ (s) "Opiate" means any substance having an  
18 addiction-forming or addiction-sustaining liability similar to  
19 morphine or being capable of conversion into a drug having  
20 addiction-forming or addiction-sustaining liability. It does not  
21 include, unless specifically designated as controlled under section  
22 two hundred one, article two of this chapter, the dextrorotatory  
23 isomer of 3-methoxy-n-methylmorphinan and its salts  
24 (dextromethorphan). It does not include its racemic and  
25 levorotatory forms.

26 (t) "Opium poppy" means the plant of the species "Papaver

1 somniferum L.", except its seeds.

2 ~~(s)~~ (u) "Person" means individual, corporation, government or  
3 governmental subdivision or agency, business trust, estate, trust,  
4 partnership or association, or any other legal entity.

5 ~~(t)~~ (v) "Placebo" means an inert medicament or preparation  
6 administered or dispensed for its psychological effect, to satisfy  
7 a patient or research subject or to act as a control in  
8 experimental series.

9 ~~(u)~~ (w) "Poppy straw" means all parts, except the seeds, of  
10 the opium poppy after mowing.

11 ~~(v)~~ (x) "Practitioner" means:

12 (1) A physician, dentist, veterinarian, scientific  
13 investigator or other person licensed, registered or otherwise  
14 permitted to distribute, dispense, conduct research with respect  
15 to, or to administer a controlled substance in the course of  
16 professional practice or research in this state.

17 (2) A pharmacy, hospital or other institution licensed,  
18 registered or otherwise permitted to distribute, dispense, conduct  
19 research with respect to, or to administer a controlled substance  
20 in the course of professional practice or research in this state.

21 ~~(w)~~ (y) "Production" includes the manufacture, planting,  
22 cultivation, growing or harvesting of a controlled substance.

23 ~~(x)~~ (z) "State", when applied to a part of the United States,  
24 includes any state, district, commonwealth, territory, insular  
25 possession thereof and any area subject to the legal authority of  
26 the United States of America.

1        ~~(y)~~ (aa) "Ultimate user" means a person who lawfully possesses  
2 a controlled substance for his own use or for the use of a member  
3 of his household or for administering to an animal owned by him or  
4 by a member of his household.

5 **ARTICLE 2. STANDARDS AND SCHEDULES.**

6 **§60A-2-201. Authority of state board of pharmacy; recommendations**  
7 **to Legislature.**

8        (a) The state board of pharmacy shall administer the  
9 provisions of this chapter. It shall also, on the first day of each  
10 regular legislative session, recommend to the Legislature which  
11 substances should be added to or deleted from the schedules of  
12 controlled substances contained in this article or reschedule  
13 therein. The state board of pharmacy shall also have the authority  
14 between regular legislative sessions, on an emergency basis, to add  
15 to or delete from the schedules of controlled substances contained  
16 in this article or reschedule such substances ~~based upon the~~  
17 ~~recommendations and approval of the federal food, drug and cosmetic~~  
18 ~~agency,~~ and shall report such actions in the weekly State Register  
19 publication issued by the Secretary of State and on the first day  
20 of the regular legislative session immediately following said  
21 actions.

22        In making any such recommendation regarding a substance, the  
23 state board of pharmacy shall consider the following factors:

- 24        (1) The actual or relative potential for abuse;  
25        (2) The scientific evidence of its pharmacological effect, if



1 known;

2 (3) The state of current scientific knowledge regarding the  
3 substance;

4 (4) The history and current pattern of abuse;

5 (5) The scope, duration and significance of abuse;

6 (6) The potential of the substance to produce psychic or  
7 physiological dependence liability; and

8 (7) Whether the substance is an immediate precursor of a  
9 substance already controlled under this article.

10 (b) After considering the factors enumerated in subsection  
11 (a), the state board of pharmacy shall make findings with respect  
12 to the substance under consideration. If it finds that any  
13 substance not already controlled under any schedule has a potential  
14 for abuse, it shall recommend to the Legislature that the substance  
15 be added to the appropriate schedule. If it finds that any  
16 substance already controlled under any schedule should be  
17 rescheduled or deleted, it shall so recommend to the Legislature.

18 (c) If the state board of pharmacy designates a substance as  
19 an immediate precursor, substances which are precursors of the  
20 controlled precursor shall not be subject to control solely because  
21 they are precursors of the controlled precursor.

22 (d) If any substance is designated, rescheduled or deleted as  
23 a controlled substance under federal laws and notice thereof is  
24 given to the state board of pharmacy, the board shall recommend  
25 similar control of such substance to the Legislature, specifically  
26 stating that such recommendation is based on federal action and the

1 reasons why the federal government deemed such action necessary and  
2 proper.

3 (e) The authority vested in the board by subsection (a) of  
4 this section shall not extend to distilled spirits, wine, malt  
5 beverages or tobacco as those terms are defined or used in other  
6 chapters of this code nor to any nonnarcotic substance if such  
7 substance may under the "Federal Food, Drug and Cosmetic Act" and  
8 the law of this state lawfully be sold over the counter without a  
9 prescription.

## 10 **ARTICLE 2. STANDARDS AND SCHEDULES.**

### 11 **§60A-2-204. Schedule I.**

12 (a) Schedule I shall consist of the drugs and other  
13 substances, by whatever official name, common or usual name,  
14 chemical name, or brand name designated, listed in this section.

15 (b) Opiates. Unless specifically excepted or unless listed  
16 in another schedule, any of the following opiates, including their  
17 isomers, esters, ethers, salts and salts of isomers, esters and  
18 ethers, whenever the existence of such isomers, esters, ethers and  
19 salts is possible within the specific chemical designation (for  
20 purposes of subdivision (34) of this subsection only, the term  
21 isomer includes the optical and geometric isomers):

22 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)  
23 -4-piperidinyl]-N-phenylacetamide);

24 (2) Acetylmethadol;

25 (3) Allylprodine;

26 (4) Alphacetylmethadol (except levoalphacetylmethadol also known as

1 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);  
2 (5) Alphameprodine;  
3 (6) Alphamethadol;  
4 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)  
5 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(-  
6 propanilido) piperidine);  
7 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-  
8 4-piperidinyl]-N-phenylpropanamide);  
9 (9) Benzethidine;  
10 (10) Betacetylmethadol;  
11 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4-  
12 piperidinyl]-N-phenylpropanamide);  
13 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-  
14 hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);  
15 (13) Betameprodine;  
16 (14) Betamethadol;  
17 (15) Betaprodine;  
18 (16) Clonitazene;  
19 (17) Dextromoramide;  
20 (18) Diampromide;  
21 (19) Diethylthiambutene;  
22 (20) Difenoxy;  
23 (21) Dimenoxadol;  
24 (22) Dimepheptanol;  
25 (23) Dimethylthiambutene;  
26 (24) Dioxaphetyl butyrate;

- 1 (25) Dipipanone;
- 2 (26) Ethylmethylthiambutene;
- 3 (27) Etonitazene;
- 4 (28) Etoxeridine;
- 5 (29) Furethidine;
- 6 (30) Hydroxypethidine;
- 7 (31) Ketobemidone;
- 8 (32) Levomoramide;
- 9 (33) Levophenacylmorphan;
- 10 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 11 piperidyl]-N-phenylpropanamide);
- 12 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-
- 13 piperidinyl]-N-phenylpropanamide);
- 14 (36) Morpheridine;
- 15 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 16 (38) Noracymethadol;
- 17 (39) Norlevorphanol;
- 18 (40) Normethadone;
- 19 (41) Norpipanone;
- 20 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
- 21 phenethyl)-4-piperidinyl] propanamide);
- 22 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 23 (44) Phenadoxone;
- 24 (45) Phenampromide;
- 25 (46) Phenomorphan;
- 26 (47) Phenoperidine;

- 1 (48) Piritramide;
- 2 (49) Proheptazine;
- 3 (50) Properidine;
- 4 (51) Propiram;
- 5 (52) Racemoramide;
- 6 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 7 piperidinyl]-propanamide);
- 8 (54) Tilidine;
- 9 (55) Trimeperidine.
- 10 (c) Opium derivatives. -- Unless specifically excepted or
- 11 unless listed in another schedule, any of the following opium
- 12 derivatives, its salts, isomers and salts of isomers whenever the
- 13 existence of such salts, isomers and salts of isomers is possible
- 14 within the specific chemical designation:
- 15 (1) Acetorphine;
- 16 (2) Acetyldihydrocodeine;
- 17 (3) Benzylmorphine;
- 18 (4) Codeine methylbromide;
- 19 (5) Codeine-N-Oxide;
- 20 (6) Cyprenorphine;
- 21 (7) Desomorphine;
- 22 (8) Dihydromorphine;
- 23 (9) Drotebanol;
- 24 (10) Etorphine (except HCl Salt);
- 25 (11) Heroin;
- 26 (12) Hydromorphenol;

- 1 (13) Methyldesorphine;
- 2 (14) Methyldihydromorphine;
- 3 (15) Morphine methylbromide;
- 4 (16) Morphine methylsulfonate;
- 5 (17) Morphine-N-Oxide;
- 6 (18) Myrophine;
- 7 (19) Nicocodeine;
- 8 (20) Nicomorphine;
- 9 (21) Normorphine;
- 10 (22) Pholcodine;
- 11 (23) Thebacon.

12 (d) Hallucinogenic substances. -- Unless specifically  
13 excepted or unless listed in another schedule, any material,  
14 compound, mixture or preparation, which contains any quantity of  
15 the following hallucinogenic substances, or which contains any of  
16 its salts, isomers and salts of isomers, whenever the existence of  
17 such salts, isomers, and salts of isomers is possible within the  
18 specific chemical designation (for purposes of this subsection  
19 only, the term "isomer" includes the optical, position and  
20 geometric isomers):

21 (1) Alpha-ethyltryptamine; some trade or other names:  
22 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-  
23 aminobutyl) indole; alpha-ET; and AET;

24 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other  
25 names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-  
26 2,5-DMA;

1 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other  
2 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
3 desmethyl DOB; 2C-B, Nexus;

4 (4) 2,5-dimethoxyamphetamine; some trade or other names:  
5 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

6 (5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other  
7 names: DOET;

8 (6) 4-methoxyamphetamine; some trade or other names:  
9 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;

10 (7) 5-methoxy-3, 4-methylenedioxy-amphetamine;

11 (8) 4-methyl-2,5-dimethoxy-amphetamine; some trade and other  
12 names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM";  
13 and "STP";

14 (9) 3,4-methylenedioxy amphetamine;

15 (10) 3,4-methylenedioxymethamphetamine (MDMA);

16 (11) 3,4-methylenedioxy-N-ethylamphetamine (also known as -  
17 ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl  
18 MDA, MDE, MDEA);

19 (12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as -  
20 hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and -  
21 hydroxy MDA);

22 (13) 3,4,5-trimethoxy amphetamine;

23 (14) Bufotenine; some trade and other names: 3-  
24 (beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)  
25 -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-  
26 dimethyltryptamine; mappine;

1 (15) Diethyltryptamine; some trade and other names: N,  
2 N-Diethyltryptamine; DET;

3 (16) Dimethyltryptamine; some trade or other names: DMT;

4 (17) Ibogaine; some trade and other names: 7-Ethyl-6, 6  
5 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-  
6 pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe iboga;

7 (18) Lysergic acid diethylamide;

8 (19) Marihuana;

9 (20) Mescaline;

10 (21) Parahexyl-7374; some trade or other names: 3-Hexyl  
11 -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo  
12 [b,d] pyran; Synhexyl;

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

18 (23) N-ethyl-3-piperidyl benzilate;

19 (24) N-methyl-3-piperidyl benzilate;

20 (25) Psilocybin;

21 (26) Psilocyn;

22 (27) Tetrahydrocannabinols; synthetic equivalents of the  
23 substances contained in the plant, or in the resinous extractives  
24 of Cannabis, sp. and/or synthetic substances, immediate derivatives  
25 or analogues and their isomers with similar chemical structure and  
26 pharmacological activity such as the following:



1 delta-1 Cis or trans tetrahydrocannabinol, and their optical  
2 isomers;

3 delta-6 Cis or trans tetrahydrocannabinol, and their optical  
4 isomers;

5 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical  
6 isomers;

7 (Since nomenclature of these substances is not internationally  
8 standardized, compounds of these structures, regardless of  
9 numerical designation of atomic positions covered.)

10 (28) Ethylamine analog of phencyclidine; some trade or other  
11 names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)  
12 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

13 (29) Pyrrolidine analog of phencyclidine; some trade or other  
14 names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

15 (30) Thiophene analog of phencyclidine; some trade or other  
16 names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of  
17 phencyclidine; TPCP, TCP;

18 (31) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names:  
19 TCPy.

20 (32) Synthetic Cannabinoids as follows:

21 (a)

22 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol) {also  
23 known as CP 47,497 and homologues};

24 (b)

25 rel-2-[(1S,3R)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol  
26 {also known as CP 47,497-C8 homolog};

1 (c)  
2 [(6aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7  
3 ,10,10a-tetrahydrobenzo[c]chromen-1-ol)] {also known as HU-210};  
4 (d)  
5 (dexanabinol), (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-meth  
6 yloctan-2-yl)-6a,7,10,10a-tetrahydrobenzol[c]chromen-1-ol) {also  
7 known as HU-211};  
8 (e) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};  
9 (f) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};  
10 (g) (2-methyl-1-propyl-1H-indol-3-yl)-1naphthalenyl-methanone  
11 {also known as JWH-015};  
12 (h) (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also  
13 known as JWH-019};  
14 (i)  
15 [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-naphthalenyl-methanone  
16 {also known as JWH-200};  
17 (j) 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone  
18 {also known as JWH-250};  
19 (k)  
20 2-((1S,2S,5S)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)-5-(2-methy  
21 loctan-2-yl)phenol {also known as CP 55,940};  
22 (l)  
23 (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone {also  
24 known as JWH-122};  
25 (m)  
26 (4-methyl-1-naphthalenyl)(1-pentyl-1H-indol-3-yl)-methanone {also

1 known as JWH-398;

2 (n) (4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone {also  
3 known as RCS-4};

4 (o)

5 1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone  
6 {also known as RCS-8}; and

7 Since nomenclature of these substances is not internationally  
8 standardized, any immediate precursor or immediate derivative of  
9 these substances shall be covered;

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

17 (1) Mecloqualone;

18 (2) Methaqualone.

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

24 (1) Aminorex; some other names: aminoxaphen; 2-amino-5-  
25 phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine;

26 (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-

1 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and  
2 norephedrone;

3 (3) Fenethylamine;

4 (4) Methcathinone, its immediate precursors, immediate  
5 derivatives and analogues, its salts, optical isomers and salts of  
6 optical isomers; some other names: (2-(methylamino)-propylphenone;  
7 alpha-(methylamino)propylphenone; 2-(methylamino)-1-phenylpropan-1-  
8 one; alpha-N-methylaminopropylphenone; monomethylpropion;  
9 3,4-methylenedioxypropylphenone (MDPV), mephedrone; ephedrone;  
10 N-methylcathinone; methylcathinone; AL-464; AL-422; AL- 463 and  
11 UR1432;

12 (5) (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-methyl-  
13 5-phenyl-2-oxazoline);

14 (6) N-ethylamphetamine;

15 (7) N,N-dimethylamphetamine; also known as N,N-alpha-  
16 trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.

17 (g) Temporary listing of substances subject to emergency  
18 scheduling. Any material, compound, mixture or preparation which  
19 contains any quantity of the following substances:

20 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide  
21 (benzylfentanyl), its optical isomers, salts, and salts of isomers.

22 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide  
23 (thienylfentanyl), its optical isomers, salts and salts of isomers.

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(NOTE: Strike-throughs indicate language that would be  
stricken from the present law, and underscoring indicates new

language that would be added.)