

1 **H. B. 4208**

2  
3 (By Delegates Fleischauer, Barill,  
4 Marshall, Barker, Perdue, Kinsey, Ellem,  
5 Pasdon, Hunt, Marcum and Border)  
6

7 [Introduced January 17, 2014; referred to the  
8 Committee on Health and Human Resources then the  
9 Judiciary.]

10 A BILL to amend and reenact §60A-2-204; §60A-2-206, §60A-2-208 and  
11 §60A-2-212 of the Code of West Virginia, 1931, as amended, all  
12 relating to amending the lists of scheduled drugs and  
13 controlling synthetic drugs.

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

15 That §60A-2-204; §60A-2-206; §60A-2-208 and §60A-2-212 of the  
16 Code of West Virginia, 1931, as amended, be amended and reenacted,  
17 all to read as follows:

18 **ARTICLE 2. STANDARDS AND SCHEDULES.**

19 **§60A-2-204. Schedule I.**

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

23 (b) Opiates. Unless specifically excepted or unless listed in  
24 another schedule, any of the following opiates, including their  
25 isomers, esters, ethers, salts and salts of isomers, esters and

1 ethers, whenever the existence of such isomers, esters, ethers and  
2 salts is possible within the specific chemical designation (for  
3 purposes of subdivision (34) of this subsection only, the term  
4 isomer includes the optical and geometric isomers):

5 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)  
6 -4-piperidinyl]-N-phenylacetamide);

7 (2) Acetylmethadol;

8 (3) Allylprodine;

9 (4) Alphacetylmethadol (except levoalphacetylmethadol also  
10 known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

11 (5) Alphameprodine;

12 (6) Alphamethadol;

13 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)  
14 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-  
15 propanilido) piperidine);

16 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-  
17 4-piperidinyl]-N-phenylpropanamide);

18 (9) Benzethidine;

19 (10) Betacetylmethadol;

20 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4-  
21 piperidinyl]-N-phenylpropanamide);

22 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-  
23 hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

24 (13) Betameprodine;

- 1 (14) Betamethadol;
- 2 (15) Betaprodine;
- 3 (16) Clonitazene;
- 4 (17) Dextromoramide;
- 5 (18) Diampromide;
- 6 (19) Diethylthiambutene;
- 7 (20) Difenoquin;
- 8 (21) Dimenoxadol;
- 9 (22) Dimepheptanol;
- 10 (23) Dimethylthiambutene;
- 11 (24) Dioxaphetyl butyrate;
- 12 (25) Dipipanone;
- 13 (26) Ethylmethylthiambutene;
- 14 (27) Etonitazene;
- 15 (28) Etoxadine;
- 16 (29) Furethidine;
- 17 (30) Hydroxypethidine;
- 18 (31) Ketobemidone;
- 19 (32) Levomoramide;
- 20 (33) Levophenacymorphan;
- 21 (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 22 piperidyl]-N-phenylpropanamide);
- 23 (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4-
- 24 piperidinyl]-N-phenylpropanamide);

- 1 (36) Morpheridine;
- 2 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 3 (38) Noracymethadol;
- 4 (39) Norlevorphanol;
- 5 (40) Normethadone;
- 6 (41) Norpipanone;
- 7 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-
- 8 phenethyl)-4-piperidinyl] propanamide);
- 9 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 10 (44) Phenadoxone;
- 11 (45) Phenampromide;
- 12 (46) Phenomorphan;
- 13 (47) Phenoperidine;
- 14 (48) Piritramide;
- 15 (49) Proheptazine;
- 16 (50) Properidine;
- 17 (51) Propiram;
- 18 (52) Racemoramide;
- 19 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 20 piperidinyl]-propanamide);
- 21 (54) Tilidine;
- 22 (55) Trimeperidine.
- 23 (c) *Opium derivatives*. -- Unless specifically excepted or
- 24 unless listed in another schedule, any of the following opium

1 immediate derivatives, its salts, isomers and salts of isomers  
2 whenever the existence of such salts, isomers and salts of isomers  
3 is possible within the specific chemical designation:

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

1 (22) Pholcodine;

2 (23) Thebacon.

3 (d) *Hallucinogenic substances.* -- Unless specifically  
4 excepted or unless listed in another schedule, any material,  
5 compound, mixture or preparation, which contains any quantity of  
6 the following hallucinogenic substances, or which contains any of  
7 its salts, isomers and salts of isomers, whenever the existence of  
8 such salts, isomers, and salts of isomers is possible within the  
9 specific chemical designation (for purposes of this subsection  
10 only, the term "isomer" includes the optical, position and  
11 geometric isomers):

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

15 (2) 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other  
16 names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-  
17 2,5-DMA;

18 (3) 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other  
19 names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-  
20 desmethyl DOB; 2C-B, Nexus;

21 (4) 2,5-dimethoxyamphetamine; some trade or other names:  
22 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA;

23 (5) 2,5-dimethoxy-4-ethylamphet-amine; some trade or other  
24 names: DOET;

- 1 (6) 4-methoxyamphetamine; some trade or other names:  
2 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA;
- 3 (7) 5-methoxy-3, 4-methylenedioxy-amphetamine;
- 4 (8) 4-methyl-2,5-dimethoxy-amphetamine; some trade and other  
5 names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM";  
6 and "STP";
- 7 (9) 3,4-methylenedioxy amphetamine;
- 8 (10) 3,4-methylenedioxymethamphetamine (MDMA);
- 9 (11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-  
10 ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl  
11 MDA, MDE, MDEA);
- 12 (12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-  
13 hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-  
14 hydroxy MDA);
- 15 (13) 3,4,5-trimethoxy amphetamine;
- 16 (14) Bufotenine; some trade and other names: 3-  
17 (beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)  
18 -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-  
19 dimethyltryptamine; mappine;
- 20 (15) Diethyltryptamine; some trade and other names: N,  
21 N-Diethyltryptamine; DET;
- 22 (16) Dimethyltryptamine; some trade or other names: DMT;
- 23 (17) Ibogaine; some trade and other names: 7-Ethyl-6, 6  
24 Beta, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-

1 pyrido [1', 2': 1, 2] azepino [5,4-b] indole; Tabernanthe iboga;  
2 (18) Lysergic acid diethylamide;  
3 (19) Marihuana;  
4 (20) Mescaline;  
5 (21) Parahexyl-7374; some trade or other names: 3-Hexyl  
6 -1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo  
7 [b,d] pyran; Synhexyl;  
8 (22) Peyote; meaning all parts of the plant presently  
9 classified botanically as *Lophophora williamsii* Lemaire, whether  
10 growing or not, the seeds thereof, any extract from any part of  
11 such plant, and every compound, manufacture, salts, immediate  
12 derivative, mixture or preparation of such plant, its seeds or  
13 extracts (Interprets 21 USC 812(c), Schedule I(c) (12));  
14 (23) N-ethyl-3-piperidyl benzilate;  
15 (24) N-methyl-3-piperidyl benzilate;  
16 (25) Psilocybin;  
17 (26) Psilocyn;  
18 (27) Tetrahydrocannabinols; synthetic equivalents of the  
19 substances contained in the plant, or in the resinous extractives  
20 of *Cannabis*, sp. and/or synthetic substances, immediate derivatives  
21 and their isomers with similar chemical structure and  
22 pharmacological activity such as the following:  
23 delta-1 Cis or trans tetrahydrocannabinol, and their optical  
24 isomers;



1 delta-6 Cis or trans tetrahydrocannabinol, and their optical  
2 isomers;

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

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

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

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

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

16 (31) 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names:  
17 TCPy.

18 (32) 4-methylmethcathinone (Mephedrone);

19 (33) 3,4-methylenedioxypyrovalerone (MDPV);

20 (34) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);

21 (35) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)

22 (36) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)

23 (37) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)

24 (38) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)

- 1        (39) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine  
 2 (2C-T-4)
- 3        (40) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)
- 4        (41) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)
- 5        (42) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P)
- 6        (43) 3,4-Methylenedioxy-N-methylcathinone (Methylone)
- 7        (44) (2,5-dimethoxy-4-(n)-propyltghiophenethylamine (2C-T-7,  
 8 itsoptical isomers, salts and salts of isomers
- 9        (45) 5-methoxy-N,N-dimethyltryptamine some trade or other  
 10 names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole;  
 11 5-MeO-DMT (5-MeO-DMT)
- 12        (46) Alpha-methyltryptamine (other name: AMT)
- 13        (47) 5-methoxy-N,N-diisopropyltryptamine (other name:  
 14 5-MeO-DIPT)
- 15        (48) Synthetic Cannabinoids as follows:
- 16        ( a )        2 - [ ( 1 R , 3 S ) - 3 - h y d r o x y c y c l o h e x y l ] - 5 -  
 17 (2-methyloctan-2-yl)phenol) {also known as CP 47,497 and  
 18 homologues};
- 19        ( b )        r e l - 2 - [ ( 1 S , 3 R ) - 3 - h y d r o x y c y c l o h e x y l ]  
 20 -5-(2-methylnonan-2-yl)phenol {also known as CP 47,497-C8 homolog};
- 21        ( c )        [ ( 6 a R ) - 9 - ( h y d r o x y m e t h y l ) - 6 ,  
 22 6 - d i m e t h y l - 3 - ( 2 - m e t h y l o c t a n - 2 - y l ) - 6 a ,  
 23 7,10,10a-tetrahydrobenzo[c]chromen-1-ol)] {also known as HU-210};
- 24        ( d )        ( d e x a n a b i n o l ,

1 (6a*S*,10a*S*)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-  
 2 6a,7,10,10a-tetrahydrobenzol[*c*]chromen-1-ol) {also known as  
 3 HU-211};

4 (e) 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};

5 (f) 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};

6 (g) (2-methyl-1-propyl-1*H*-indol-3-yl)-1naphthalenyl-methanone  
 7 {also known as JWH-015};

8 (h) (1-hexyl-1*H*-indol-3-yl)-1-naphthalenyl-methanone {also  
 9 known as JWH-019};

10 (i) [1-[2-(4-morpholinyl)ethyl]  
 11 -1*H*-indol-3-yl]-1-naphthalenyl-methanone {also known as JWH-200};

12 (j) 1-(1-pentyl-1*H*-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone  
 13 {also known as JWH-250};

14 (k) 2-((1*S*,2*S*,5*S*)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl)  
 15 -5-(2-methyloctan-2-yl)phenol {also known as CP 55,940};

16 (l) (4-methyl-1-naphthalenyl) (1-pentyl-1*H*-indol-3-yl)  
 17 -methanone {also known as JWH-122};

18 (m) (4-methyl-1-naphthalenyl) (1-pentyl-1*H*-indol-3-yl)  
 19 -methanone {also known as JWH-398};

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

22 (o) 1-(1-(2-cyclohexylethyl)-1*H*-indol-3-yl)  
 23 -2-(2-methoxyphenyl) ethanone {also known as RCS-8}; ~~and~~

24 (p) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081)

1       (q) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201)

2       (r) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694)

3       (Since nomenclature of these substances is not internationally  
4 standardized, any immediate precursor or immediate derivative of  
5 these substances shall be covered).

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

13       (1) Mecloqualone;

14       (2) Methaqualone.

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

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

22       (2) Cathinone; some trade or other names: 2-amino-1-phenyl-1-  
23 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and  
24 norephedrone;

- 1 (3) Fenethylamine;
- 2 (4) Methcathinone, its immediate precursors and immediate  
3 derivatives, its salts, optical isomers and salts of optical  
4 isomers; some other names: (2-(methylamino)-propionophenone;  
5 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-  
6 one; alpha-N-methylaminopropionophenone; monomethylpropion;  
7 3,4-methylenedioxypropionophenone and/or  
8 mephedrone; 3,4-methylenedioxypropionophenone (MPVD); ephedrone;  
9 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and  
10 UR1432;
- 11 (5) (+-) cis-4-methylaminorex; ((-) cis-4,5-dihydro-4-methyl-  
12 5-phenyl-2-oxazolamine);
- 13 (6) N-ethylamphetamine;
- 14 (7) N,N-dimethylamphetamine; also known as N,N-alpha-  
15 trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 16 (g) Temporary listing of substances subject to emergency  
17 scheduling. Any material, compound, mixture or preparation which  
18 contains any quantity of the following substances:
- 19 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide  
20 (benzylfentanyl), its optical isomers, salts, and salts of isomers.
- 21 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide  
22 (thienylfentanyl), its optical isomers, salts and salts of isomers.
- 23 ~~(8)~~ (3) N-benzylpiperazine, also known as BZP.
- 24 (h) The following controlled substances are included in

1 Schedule I.

2 (1) Any compound, except bupropion or compounds listed under  
3 a different schedule, or compounds used within legitimate and  
4 approved medical research, structurally derived from 2-  
5 Aminopropan-1-one by substitution at the 1-position with Monocyclic  
6 or fused polycyclic ring systems, whether or not the compound is  
7 further modified in any of the following ways:

8 (A) By substitution in the ring system to any extent with  
9 Alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide  
10 Substituents whether or not further substituted in the ring system  
11 by one or more other univalent substituents.

12 (B) By substitution at the 3-position with an acyclic alkyl  
13 substituent.

14 (C) By substitution at the 2-amino nitrogen atom with alkyl,  
15 dialkyl, benzyl or methoxybenzyl groups.

16 (D) By inclusion of the 2-amino nitrogen atom in a cyclic  
17 structure.

18 (2) Synthetic cannabinoids or any material, compound, mixture  
19 or preparation which contains any quantity of the following  
20 substances, including their analogues, congeners, homologues,  
21 isomers, salts and salts of analogues, congeners, homologues and  
22 isomers, as follows:

23 (A) CP 47,497 AND homologues, 2-[(1R,3S)-3-  
24 Hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol).

- 1       ( B ) H U - 2 1 0 ,  
2 [(6AR,10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-Methyloctan-2-YL)  
3 -6A,7,10,10A-tetrahydrobenzo[C]chromen-1-OL)].  
4       (C) HU-211, (dexanabinol, (6AS,10AS)-9-(hydroxymethyl)-6,6-  
5 Dimethyl-3-(2-methyloctan-2-YL)-6A,7,10,10Atetrahydrobenzo[  
6 C]chromen-1-OL).  
7       (D) JWH-018, 1-pentyl-3-(1-naphthoyl)indole.  
8       (E) JWH-019, 1-hexyl-3-(1-naphthoyl)indole.  
9       (F) JWH-073, 1-butyl-3-(1-naphthoyl)indole.  
10       (G) JWH-200, (1-(2-morpholin-4-ylethyl)indol-3-yl)-  
11 Naphthalen-1-ylmethanone.  
12       (H) JWH-250, 1-pentyl-3-(2-methoxyphenylacetyl)indole.]  
13       (3)Synthetic cannabinoids including any material, compound,  
14 mixture or preparation that is not listed as a controlled substance  
15 in Schedule I through V, is not a federal Food and Drug  
16 Administration approved drug or used within legitimate and approved  
17 medical research and which contains any quantity of the following  
18 substances, their salts, isomers, whether optical positional or  
19 geometric, analogues, homologues and salts of isomers, analogues  
20 and homologues, unless specifically exempted, whenever the  
21 existence of these salts, isomers, analogues, homologues and salts  
22 of isomers, analogues and homologues if possible within the  
23 specific chemical designation:  
24       (A) Tetrahydrocannabinols meaning tetrahydrocannabinols which

1 are naturally contained in a plant of the genus cannabis as well as  
2 synthetic equivalents of the substances contained in the plant or  
3 in the resinous extractives of cannabis or synthetic substances,  
4 derivatives and their isomers with analogous chemical structure and  
5 or pharmacological activity such as the following:

6 (i) DELTA-1 CIS OR trans tetrahydrocannabinol and their  
7 Optical isomers.

8 (ii) DELTA-6 CIS OR trans tetrahydrocannabinol and their  
9 optical isomers.

10 (iii) DELTA-3,4 CIS or their trans tetrahydrocannabinol and  
11 Their optical isomers.

12 (B) Naphthoylindoles or any compound containing a 3-(-1-  
13 Naphthoyl) indole structure with substitution at the nitrogen atom  
14 of the indole ring whether or not further substituted in the indole  
15 ring to any extent and whether or not substituted in the naphthyl  
16 ring to any extent. This shall include the following:

17 (i) JWH 015.

18 (ii) JWH 018.

19 (iii) JWH 019.

20 (iv) JWH 073.

21 (v) JWH 081.

22 (vi) JWH 122.

23 (vii) JWH 200.

24 (viii) JWH 210.



- 1        (ix) JWH 398.
- 2        (x) AM 2201.
- 3        (xi) WIN 55,212.
- 4        (4) Naphylmethylindoles or any compound containing a  
5 1hindol-3-yl-(1-naphthyl) methane structure with a substitution at  
6 the nitrogen atom of the indole ring whether or not further  
7 substituted in the indole ring to any extent and whether or not  
8 substituted in the naphthyl ring to any extent. This shall include  
9 JWH 175 and JWH 184.
- 10       (5) Naphthoylpyrroles or any compound containing a 3-(1-  
11 Naphthoyl) pyrrole structure with substitution at the nitrogen atom  
12 of the pyrrole ring whether or not further substituted in the  
13 pyrrole ring to any extent and whether or not substituted in the  
14 naphthyl ring to any extent. This shall include JWH 147 and JWH  
15 307.
- 16       (6) Naphthylmethylindenes or any compound containing a  
17 Naphthylideneindene structure with substitution at the 3- Position  
18 of the indene ring whether or not further substituted in the indene  
19 ring to any extent and whether or not substituted in the naphthyl  
20 ring to any extent. This shall include JWH 176.
- 21       (7) Phenylacetylindoles or any compound containing a 3-  
22 Phenylacetylindole structure with substitution at the nitrogen atom  
23 of the indole ring whether or not further substituted in the indole  
24 ring to any extent and whether or not substituted in the phenyl

1 ring to any extent. This shall include the following:

2 (A) RCS-8, SR-18 OR BTM-8.

3 (B) JWH 250.

4 (C) JWH 203.

5 (D) JWH 251.

6 (E) JWH 302.

7 (8) Cyclohexylphenols or any compound containing a 2-(3-  
8 hydroxycyclohexyl) phenol structure with a substitution at the  
9 5-position of the phenolic ring whether or not substituted in the  
10 cyclohexyl ring to any extent. This shall include the following:

11 (A) CP 47,497 and its homologues and analogs.

12 (B) Cannabicyclohexanol.

13 (C) CP 55,940.

14 (9) Benzoylindoles or any compound containing a 3-(benzoyl)  
15 indole structure with substitution at the nitrogen atom of the  
16 indole ring whether or not further substituted in the indole ring  
17 to any extent and whether or not substituted in the phenyl ring to  
18 any extent. This shall include the following:

19 (A) AM 694.

20 (B) Pravadoline WIN 48,098.

21 (C) RCS 4.

22 (D) AM 679.

23 (10) [2,3-dihydro-5 methyl-3-(4-morpholinylmethyl)pyrrolo  
24 [1,2,3-DE]-1, 4-benzoxazin-6-YL]-1-naphthalenymethanone. This shall

1 include WIN 55,212-2.

2 (11) Dibenzopyrans or any compound containing a  
3 11-hydroxydelta 8-tetrahydrocannabinol structure with substitution  
4 on the 3-pentyl group. This shall include HU-210, HU-211, JWH 051  
5 and JWH 133.

6 (12) Adamantoylindoles or any compound containing a 3-(-1-  
7 Adamantoyl) indole structure with substitution at the nitrogen atom  
8 of the indole ring whether or not further substituted in the  
9 adamantoyl ring system to any extent. This shall include AM1248.

10 (13) Tetramethylcyclopropylindoles or any compound containing  
11 A 3-tetramethylcyclopropylindole structure with substitution at the  
12 nitrogen atom of the indole ring whether or not further substituted  
13 in the indole ring to any extent and whether or not substituted in  
14 the tetramethylcyclopropyl ring to any extent. This shall include  
15 UR-144 and XLR-11.

16 (14) N-(1-Adamantyl)-1-pentyl-1h-indazole-3-carboxamide. This  
17 shall include AKB48.

18 (15) Any other synthetic chemical compound that is a  
19 Cannabinoid receptor type 1 agonist as demonstrated by binding  
20 studies and functional assays that is not listed in schedules II,  
21 III, IV AND V, not federal Food and Drug Administration approved  
22 drug or used within legitimate, approved medical research.

23 **§60A-2-206. Schedule II.**

24 (a) Schedule II consists of the drugs and other substances, by

1 whatever official name, common or usual name, chemical name, or  
2 brand name designated, listed in this section.

3 (b) *Substances, vegetable origin or chemical synthesis.* --

4 Unless specifically excepted or unless listed in another schedule,  
5 any of the following substances whether produced directly or  
6 indirectly by extraction from substances of vegetable origin, or  
7 independently by means of chemical synthesis, or by a combination  
8 of extraction and chemical synthesis:

9 (1) Opium and opiate, and any salt, compound, derivative or  
10 preparation of opium or opiate excluding apomorphine,  
11 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene,  
12 naloxone and naltrexone, and their respective salts, but including  
13 the following:

14 (A) Raw opium;

15 (B) Opium extracts;

16 (C) Opium fluid;

17 (D) Powdered opium;

18 (E) Granulated opium;

19 (F) Tincture of opium;

20 (G) Codeine;

21 (H) Ethylmorphine;

22 (I) Etorphine hydrochloride;

23 (J) Hydrocodone;

24 (K) Hydromorphone;

- 1 (L) Metopon;
- 2 (M) Morphine;
- 3 (N) Oxycodone;
- 4 (O) Oxymorphone;
- 5 (P) Thebaine;
- 6 (2) Any salt, compound, derivative or preparation thereof  
7 which is chemically equivalent or identical with any of the  
8 substances referred to in subdivision (1) of this subsection,  
9 except that these substances shall not include the isoquinoline  
10 alkaloids of opium;
- 11 (3) Opium poppy and poppy straw;
- 12 (4) Coca leaves and any salt, compound, derivative or  
13 preparation of coca leaves (including cocaine and ecgonine and  
14 their salts, isomers, derivatives and salts of isomers and  
15 derivatives), and any salt, compound, derivative or preparation  
16 thereof which is chemically equivalent or identical with any of  
17 these substances, except that the substances shall not include  
18 decocainized coca leaves or extractions of coca leaves, which  
19 extractions do not contain cocaine or ecgonine;
- 20 (5) Concentrate of poppy straw (the crude extract of poppy  
21 straw in either liquid, solid or powder form which contains the  
22 phenanthrene alkaloids of the opium poppy).
- 23 (c) *Opiates*. -- Unless specifically excepted or unless in  
24 another schedule, any of the following opiates, including its

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

- 5 (1) Alfentanil;
- 6 (2) Alphaprodine;
- 7 (3) Anileridine;
- 8 (4) Bezitramide;
- 9 (5) Bulk dextropropoxyphene (nondosage forms);
- 10 (6) Carfentanil;
- 11 (7) Dihydrocodeine;
- 12 (8) Diphenoxylate;
- 13 (9) Fentanyl;
- 14 (10) Isomethadone;
- 15 (11) Levo-alpha-acetylmethadol; some other names:  
16 levo-alpha-acetylmethadol, levomethadyl acetate, LAAM;
- 17 (12) Levomethorphan;
- 18 (13) Levorphanol;
- 19 (14) Metazocine;
- 20 (15) Methadone;
- 21 (16) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,  
22 4-diphenyl butane;
- 23 (17) Moramide-Intermediate, 2-methyl-3-morpholino-1,  
24 1-diphenylpropane-carboxylic acid;

- 1 (18) Pethidine; (meperidine);
- 2 (19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-  
3 phenylpiperidine;
- 4 (20) P e t h i d i n e - I n t e r m e d i a t e - B ,  
5 ethyl-4-phenylpiperidine-4-carboxylate;
- 6 (21) P e t h i d i n e - I n t e r m e d i a t e - C ,  
7 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 8 (22) Phenazocine;
- 9 (23) Piminodine;
- 10 (24) Racemethorphan;
- 11 (25) Racemorphan;
- 12 (26) Remifentanil;
- 13 (27) Sufentanil.
- 14 (d) *Stimulants*. -- Unless specifically excepted or unless  
15 listed in another schedule, any material, compound, mixture or  
16 preparation which contains any quantity of the following substances  
17 having a stimulant effect on the central nervous system:
- 18 (1) Amphetamine, its salts, optical isomers and salts of its  
19 optical isomers;
- 20 (2) Methamphetamine, its salts, isomers and salts of its  
21 isomers;
- 22 (3) Methylphenidate;
- 23 (4) Phenmetrazine and its salts.
- 24 (5) Lisdexamfetamine

1 (e) *Depressants*. -- Unless specifically excepted or unless  
2 listed in another schedule, any material, compound, mixture or  
3 preparation which contains any quantity of the following substances  
4 having a depressant effect on the central nervous system, including  
5 its salts, isomers and salts of isomers whenever the existence of  
6 such salts, isomers and salts of isomers is possible within the  
7 specific chemical designation:

8 (1) Amobarbital;

9 (2) Glutethimide;

10 (3) Pentobarbital;

11 (4) Phencyclidine;

12 (5) Secobarbital.

13 (f) *Hallucinogenic substances*:

14 Nabilone: [Another name for nabilone: (+-)-trans-3-(1,  
15 1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6,  
16 6-dimethyl-9H-dibenzo [b,d] pyran-9-one].

17 (g) *Immediate precursors*. -- Unless specifically excepted or  
18 unless listed in another schedule, any material, compound, mixture,  
19 or preparation which contains any quantity of the following  
20 substances:

21 (1) Immediate precursor to amphetamine and methamphetamine:

22 (A) Phenylacetone;

23 Some trade or other names: phenyl-2-propanone; P2P; benzyl  
24 methyl ketone; methyl benzyl ketone;



1 (2) Immediate precursors to phencyclidine (PCP):

2 (A) 1-phenylcyclohexylamine;

3 (B) 1-piperidinocyclohexanecarbonitrile (PCC).

4 **§60A-2-208. Schedule III.**

5 (a) Schedule III consists of the drugs and other substances,  
6 by whatever official name, common or usual name, chemical name or  
7 brand name designated, listed in this section.

8 (b) *Stimulants.* -- Unless specifically excepted or unless  
9 listed in another schedule, any material, compound, mixture or  
10 preparation which contains any quantity of the following substances  
11 having a stimulant effect on the central nervous system, including  
12 its salts, isomers (whether optical, position or geometric), and  
13 salts of such isomers whenever the existence of the salts, isomers  
14 and salts of isomers is possible within the specific chemical  
15 designation:

16 (1) Those compounds, mixtures or preparations in dosage unit  
17 form containing any stimulant substances listed in Schedule II  
18 which compounds, mixtures or preparations were listed on August 25,  
19 1971, as excepted compounds under 21 C.F.R §1308.32, and any other  
20 drug of the quantitative composition shown in that list for those  
21 drugs or which is the same except that it contains a lesser  
22 quantity of controlled substances;

23 (2) Benzphetamine;

24 (3) Chlorphentermine;

- 1           (4) Clortermine;
- 2           (5) Phendimetrazine;
- 3           (6) Hydrocodone.
- 4           (c) *Depressants*. -- Unless specifically excepted or unless
- 5 listed in another schedule, any material, compound, mixture or
- 6 preparation which contains any quantity of the following substances
- 7 having a depressant effect on the central nervous system:
- 8           (1) Any compound, mixture or preparation containing:
- 9           (A) Amobarbital;
- 10           (B) Secobarbital;
- 11           (C) Pentobarbital; or any salt of pentobarbital and one or
- 12 more other active medicinal ingredients which are not listed in any
- 13 schedule;
- 14           (2) Any suppository dosage form containing:
- 15           (A) Amobarbital;
- 16           (B) Secobarbital;
- 17           (C) Pentobarbital; or any salt of any of these drugs and
- 18 approved by the food and drug administration for marketing only as
- 19 a suppository;
- 20           (3) Any substance which contains any quantity of a derivative
- 21 of barbituric acid or any salt of barbituric acid;
- 22           (4) Chlorhexadol;
- 23           (5) Lysergic acid;
- 24           (6) Lysergic acid amide;

- 1 (7) Methypylon;
- 2 (8) Sulfondiethylmethane;
- 3 (9) Sulfonethylmethane;
- 4 (10) Sulfonmethane;
- 5 (11) Tiletamine and zolazepam or any salt of tiletamine and  
6 zolazepam; some trade or other names for a tiletamine-zolazepam  
7 combination product: Telazol; some trade or other names for  
8 tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; some trade  
9 or other names for zolazepam: 4-(2-flurophenyl)-6, 8-dihydro-1, 3,  
10 8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one, flupyrazapon;
- 11 (12) Human growth hormones or anabolic steroids.
- 12 Ketamine, its salts, isomers and salts of isomers, including  
13 ketamine hydrochloride;
- 14 (13) Butalbital (in combination with aspirin).
- 15 (d) Nalorphine.
- 16 (e) *Narcotic drugs.* -- Unless specifically excepted or unless  
17 listed in another schedule, any material, compound, mixture or  
18 preparation containing any of the following narcotic drugs, or  
19 their salts calculated as the free anhydrous base or alkaloid, in  
20 limited quantities as set forth below:
- 21 (1) Not more than 1.8 grams of codeine per 100 milliliters and  
22 not more than 90 milligrams per dosage unit, with an equal or  
23 greater quantity of an isoquinoline alkaloid of opium;
- 24 (2) Not more than 1.8 grams of codeine per 100 milliliters or

1 not more than 90 milligrams per dosage unit, with one or more  
2 active, nonnarcotic ingredients in recognized therapeutic amounts;

3 (3) Not more than 300 milligrams of dihydrocodeinone  
4 (hydrocodone) per 100 milliliters or not more than 15 milligrams  
5 per dosage unit, with a fourfold or greater quantity of an  
6 isoquinoline alkaloid of opium;

7 (4) Not more than 300 milligrams of dihydrocodeinone  
8 (hydrocodone) per 100 milliliters or not more than 15 milligrams  
9 per dosage unit, with one or more active, nonnarcotic ingredients  
10 in recognized therapeutic amounts;

11 (5) Not more than 1.8 grams of dihydrocodeine per 100  
12 milliliters and not more than 90 milligrams per dosage unit, with  
13 one or more active, nonnarcotic ingredients in recognized  
14 therapeutic amounts;

15 (6) Not more than 300 milligrams of ethylmorphine per 100  
16 milliliters or not more than 15 milligrams per dosage unit, with  
17 one or more active, nonnarcotic ingredients in recognized  
18 therapeutic amounts;

19 (7) Not more than 500 milligrams of opium per 100 milliliters  
20 or per 100 grams or not more than 25 milligrams per dosage unit,  
21 with one or more active, nonnarcotic ingredients in recognized  
22 therapeutic amounts;

23 (8) Not more than 50 milligrams of morphine per 100  
24 milliliters or per 100 grams, with one or more active, nonnarcotic

1 ingredients in recognized therapeutic amounts;

2       (9) Buprenorphine.

3       (f) *Anabolic steroids.* -- Unless specifically excepted or  
4 unless listed in another schedule, any material, compound, mixture,  
5 or preparation containing any quantity of anabolic steroids,  
6 including its salts, isomers and salts of isomers whenever the  
7 existence of the salts of isomers is possible within the specific  
8 chemical designation.

9       (g) Dronabinol (synthetic) in sesame oil and encapsulated in  
10 a soft gelatin capsule in a United States food and drug  
11 administration approved drug product. (Some other names for  
12 dronabinol: (6aR-trans)-6a, 7, 8, 10a- tetrahydro-6, 6,  
13 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1- ol or  
14 (-)-delta-9-(trans)-tetrahydrocannabinol).

15 **§60A-2-212. Schedule V.**

16       (a) Schedule V shall consist of the drugs and other  
17 substances, by whatever official name, common or usual name,  
18 chemical name, or brand name designated, listed in this section.

19       ~~(b) *Narcotic drugs.* -- Unless specifically excepted or unless~~  
20 ~~listed in another schedule, any material, compound, mixture or~~  
21 ~~preparation containing any of the following narcotic drugs and~~  
22 ~~their salts, as set forth below:~~

23       ~~(1) Buprenorphine.~~ (c) Narcotic drugs containing nonnarcotic  
24 active medicinal ingredients. Any compound, mixture or preparation

1 containing any of the following narcotic drugs or their salts  
2 calculated as the free anhydrous base or alkaloid in limited  
3 quantities as set forth below, which shall include one or more  
4 nonnarcotic active medicinal ingredients in sufficient proportion  
5 to confer upon the compound, mixture or preparation valuable  
6 medicinal qualities other than those possessed by the narcotic drug  
7 alone:

8 (1) Not more than 200 milligrams of codeine per 100  
9 milliliters or per 100 grams;

10 (2) Not more than 100 milligrams of dihydrocodeine per 100  
11 milliliters or per 100 grams;

12 (3) Not more than 100 milligrams of ethylmorphine per 100  
13 milliliters or per 100 grams;

14 (4) Not more than 2.5 milligrams of diphenoxylate and not less  
15 than 25 micrograms of atropine sulfate per dosage unit;

16 (5) Not more than 100 milligrams of opium per 100 milliliters  
17 or per 100 grams;

18 (6) Not more than 0.5 milligrams of difenoxin and not less  
19 than 25 micrograms of atropine sulfate per dosage unit.

20 ~~(d)~~ (c) *Stimulants*. -- Unless specifically exempted or excluded  
21 or unless listed in another schedule, any material, compound,  
22 mixture or preparation which contains any quantity of the following  
23 substances having a stimulant effect on the central nervous system,  
24 including its salts, isomers and salts of isomers:

1           (1) Pyrovalerone.

2           ~~(e)~~(d) Any compound, mixture or preparation containing as its  
3 single active ingredient ephedrine, pseudoephedrine or  
4 phenylpropanolamine, their salts or optical isomers, or salts of  
5 optical isomers except products which are for pediatric use  
6 primarily intended for administration to children under the age of  
7 twelve: *Provided*, That neither the offenses set forth in section  
8 four hundred one, article four of this chapter, nor the penalties  
9 therein, shall be applicable to ephedrine, pseudoephedrine or  
10 phenylpropanolamine which shall be subject to the provisions of  
11 article ten of this chapter.

NOTE: The purpose of this bill is to control certain drugs, including synthetic hallucinogens, by better conforming the state lists of controlled substances to the federal lists, and by adding language mirroring the federal Controlled Substances Analogue Enforcement Act of 1986 which outlaws analogues to Schedule I controlled substances.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.