

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4336

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HOUSEHOLDER, ATKINSON, CRISS, HOLLEN, HILL,

ROWAN, DEAN AND COOPER

[Passed March 9, 2018; in effect ninety days from passage.]

1 AN ACT to amend and reenact §60A-2-204, §60A-2-206, §60A-2-210, and §60A-2-212 of the
2 Code of West Virginia, 1931, as amended, all relating to updating schedules of controlled
3 substances; reorganizing each schedule by removing numbering and lettering for
4 subparts; by providing that the drugs listed in each schedule include not just the drug's
5 chemical substance but also any isomers, esters, ethers, salts, and salts of isomers,
6 esters, and ethers, when the existence of the such compounds are possible within the
7 chemical designation; and by adding specific chemical compounds to three of the
8 schedules.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STANDARDS AND SCHEDULES.

§60A-2-204. Schedule I.

1 (a) Schedule I shall consist of the drugs and other substances, by whatever official name,
2 common or usual name, chemical name, or brand name designated, listed in this section including
3 their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence
4 of such isomers, esters, ethers and salts is possible within the specific chemical designation.

5 (b) Opiates.

6 Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl) -4-piperidiny]—
7 phenylacetamide);

8 Acetylmethadol;

9 Allyprodine;

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

12 Alphameprodine;

13 Alphamethadol;

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

- 16 Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl- 4-piperidiny]—
17 phenylpropanamide);
- 18 Benzethidine;
- 19 Betacetylmethadol;
- 20 Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl) -4- piperidiny]-N-
21 phenylpropanamide);
- 22 Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- hydroxy-2-phenethyl)-3-methyl-4-
23 piperidiny]-N-phenylpropanamide);
- 24 Betameprodine;
- 25 Betamethadol;
- 26 Betaprodine;
- 27 Clonitazene;
- 28 Dextromoramide;
- 29 Diampromide;
- 30 Diethylthiambutene;
- 31 Difenoxin;
- 32 Dimenoxadol;
- 33 Dimepheptanol;
- 34 Dimethylthiambutene;
- 35 Dioxaphetyl butyrate;
- 36 Dipipanone;
- 37 Ethylmethylthiambutene;
- 38 Etonitazene;
- 39 Etoxidine;
- 40 Furethidine;
- 41 Hydroxypethidine;

- 42 Ketobemidone;
- 43 Levomoramide;
- 44 Levophenacymorphan;
- 45 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4- piperidyl]-N-phenylpropanamide);
- 46 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl) ethyl-4- piperidiny]—phenylpropanamide);
- 47 Morpheridine;
- 48 MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 49 Noracymethadol;
- 50 Norlevorphanol;
- 51 Normethadone;
- 52 Norpipanone;
- 53 Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2- phenethyl)-4-piperidiny] propanamide);
- 54 PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 55 Phenadoxone;
- 56 Phenampromide;
- 57 Phenomorphan;
- 58 Phenoperidine;
- 59 Piritramide;
- 60 Proheptazine;
- 61 Properidine;
- 62 Propiram;
- 63 Racemoramide;
- 64 Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4- piperidiny]-propanamide);
- 65 Tilidine;
- 66 Trimeperidine.
- 67 (c) *Opium derivatives:*

- 68 Acetorphine;
- 69 Acetyldihydrocodeine;
- 70 Benzylmorphine;
- 71 Codeine methylbromide;
- 72 Codeine-N-Oxide;
- 73 Cyprenorphine;
- 74 Desomorphine;
- 75 Dihydromorphine;
- 76 Drotebanol;
- 77 Etorphine (except HCl Salt);
- 78 Heroin;
- 79 Hydromorphanol;
- 80 Methyldesorphine;
- 81 Methyldihydromorphine;
- 82 Morphine methylbromide;
- 83 Morphine methylsulfonate;
- 84 Morphine-N-Oxide;
- 85 Myorphine;
- 86 Nicocodeine;
- 87 Nicomorphine;
- 88 Normorphine;
- 89 Pholcodine;
- 90 Thebacon.
- 91 (d) *Hallucinogenic substances.*
- 92 Alpha-ethyltryptamine; some trade or other names: etryptamine; Monase; alpha-ethy-1H-
- 93 indole-3-ethanamine; 3-(2- aminobutyl) indole; alpha-ET; and AET;

94 4-bromo-2, 5-dimethoxy-amphetamine; some trade or other names: 4-bromo-2,5-
95 dimethoxy-alpha-methylphenethylamine; 4-bromo- 2,5-DMA;
96 4-Bromo-2,5-dimethoxyphenethylamine; some trade or other names: 2-(4-bromo-2,5-
97 dimethoxyphenyl)-1-aminoethane; alpha- desmethyl DOB; 2C-B, Nexus;
98 N-(2-Methoxybenzyl)-4-bromo-2, 5-dimethoxyphenethylamine. The substance has the
99 acronym 25B-NBOMe.
100 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25C-NBOMe)
101 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25I-NBOMe)
102 2,5-dimethoxyamphetamine; some trade or other names: 2,5-dimethoxy-alpha-
103 methylphenethylamine; 2,5-DMA;
104 2,5-dimethoxy-4-ethylamphet-amine; some trade or other names: DOET;
105 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);
106 4-methoxyamphetamine; some trade or other names: 4-methoxy-alpha-
107 methylphenethylamine; paramethoxyamphetamine; PMA;
108 5-methoxy-3, 4-methylenedioxy-amphetamine;
109 4-methyl-2,5-dimethoxy-amphetamine; some trade and other names: 4-methyl-2,5-
110 dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP";
111 3,4-methylenedioxy amphetamine;
112 3,4-methylenedioxymethamphetamine (MDMA);
113 3,4-methylenedioxy-N-ethylamphetamine (also known as – ethyl-alpha-methyl-3,4
114 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, MDEA);
115 N-hydroxy-3,4-methylenedioxyamphetamine (also known as – hydroxy-alpha-methyl-3,4
116 (methylenedioxy) phenethylamine, and – hydroxy MDA);
117 3,4,5-trimethoxy amphetamine;
118 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
119 Alpha-methyltryptamine (other name: AMT);

120 Bufotenine; some trade and other names: 3-(beta-Dimethylaminoethyl)-5-
121 hydroxyindole;3-(2-dimethylaminoethyl) -5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-
122 dimethyltryptamine; mappine;

123 Diethyltryptamine; some trade and other names: N, N-Diethyltryptamine; DET;

124 Dimethyltryptamine; some trade or other names: DMT;

125 5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

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

128 Lysergic acid diethylamide;

129 Marihuana;

130 Mescaline;

131 Parahexyl-7374; some trade or other names: 3-Hexyl -1-hydroxy-7, 8, 9, 10-tetrahydro-6,
132 6, 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl;

133 Peyote; meaning all parts of the plant presently classified botanically as *Lophophora*
134 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such
135 plant, and every compound, manufacture, salts, immediate derivative, mixture or preparation of
136 such plant, its seeds or extracts;

137 N-ethyl-3-piperidyl benzilate;

138 N-methyl-3-piperidyl benzilate;

139 Psilocybin;

140 Psilocyn;

141 Tetrahydrocannabinols; synthetic equivalents of the substances contained in the plant, or
142 in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, immediate derivatives
143 and their isomers with similar chemical structure and pharmacological activity such as the
144 following:

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

- 146 delta-6 Cis or trans tetrahydrocannabinol, and their optical isomers;
147 delta-3,4 Cis or trans tetrahydrocannabinol, and its optical isomers;
148 (Since nomenclature of these substances is not internationally standardized, compounds
149 of these structures, regardless of numerical designation of atomic positions covered.)
150 Ethylamine analog of phencyclidine; some trade or other names: N-ethyl-1-
151 phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine,
152 cyclohexamine, PCE;
153 Pyrrolidine analog of phencyclidine; some trade or other names: 1-(1-phenylcyclohexyl)-
154 pyrrolidine, PCPy, PHP;
155 Thiophene analog of phencyclidine; some trade or other names: 1-[1-(2-thienyl)-
156 cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine; TCP, TCP;
157 1[1-(2-thienyl)cyclohexyl]pyrrolidine; some other names: TCPy.
158 4-methylmethcathinone (Mephedrone);
159 3,4-methylenedioxypropylvalerone (MDPV);
160 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
161 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)
162 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)
163 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)
164 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)
165 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)
166 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)
167 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)
168 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P)
169 3,4-Methylenedioxy-N-methylcathinone (Methylone)
170 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7, its optical isomers, salts and
171 salts of isomers

172 5-methoxy-N,N-dimethyltryptamine some trade or other names: 5-methoxy-3-[2-
173 (dimethylamino)ethyl]indole; 5-MeO-DMT(5-MeO-DMT)
174 Alpha-methyltryptamine (other name: AMT)
175 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT)
176 Synthetic Cannabinoids as follows:
177 2-[(1R,3S)-3-hydroxycyclohexyl]-5- (2-methyloctan-2-yl)phenol {also known as CP
178 47,497 and homologues};
179 rel-2-[(1S,3R)-3-hydroxycyclohexyl] -5-(2-methylnonan-2-yl)phenol {also known as CP
180 47,497-C8 homolog};
181 [(6a*R*)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7,10,10a-
182 tetrahydrobenzo[*c*]chromen-1-ol] {also known as HU-210};
183 (dexanabinol);
184 (6a*S*,10a*S*)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
185 tetrahydrobenzol[*c*]chromen-1-ol) {also known as HU-211};
186 1-Pentyl-3-(1-naphthoyl)indole {also known as JWH-018};
187 1-Butyl-3-(1-naphthoyl)indole {also known as JWH-073};
188 (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also known as JWH-015};
189 (1-hexyl-1H-indol-3-yl)-1-naphthalenyl-methanone {also known as JWH-019};
190 [1-[2-(4-morpholinyl) ethyl] -1H-indol-3-yl]-1-naphthalenyl-methanone {also known as
191 JWH-200};
192 1-(1-pentyl-1H-indol-3-yl)-2-(3-hydroxyphenyl)-ethanone {also known as JWH-250};
193 2-((1*S*,2*S*,5*S*)-5-hydroxy-2- (3-hydroxypropyl)cyclohexyl) -5-(2-methyloctan-2-yl)phenol
194 {also known as CP 55,940};
195 (4-methyl-1-naphthalenyl) (1-pentyl-1H-indol-3-yl) -methanone {also known as JWH-122};
196 (4-methyl-1-naphthalenyl) (1-pentyl-1H-indol-3-yl) -methanone {also known as JWH-398};
197 (4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone {also known as RCS-4};

198 1-(1-(2-cyclohexylethyl) -1H-indol-3-yl) -2-(2-methoxyphenyl) ethanone {also known as
199 RCS-8};
200 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081);
201 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201); and
202 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694).
203 Synthetic cannabinoids:
204 CP 47,497 AND homologues, 2-[(1R,3S)-3-Hydroxycyclohexyl]-5-(2-methyloctan-2-
205 YL)phenol);
206 HU-210, [(6AR,10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-Methyloctan-2-YL)-6A,7,10,
207 10A-tetrahydrobenzo[C] chromen-1-OL)];
208 HU-211, (dexanabinol, (6AS,10AS)-9-(hydroxymethyl)-6,6-Dimethyl-3-(2-methyloctan-2-
209 YL)-6A,7,10,10atetrahydrobenzo[C]chromen-1-OL);
210 JWH-018, 1-pentyl-3-(1-naphthoyl)indole;
211 JWH-019, 1-hexyl-3-(1-naphthoyl)indole;
212 JWH-073, 1-butyl-3-(1-naphthoyl)indole;
213 JWH-200, (1-(2-morpholin-4-ylethyl)indol-3-yl)- Naphthalen-1-ylmethanone;
214 JWH-250, 1-pentyl-3-(2-methoxyphenylacetyl)indole.]
215 Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (5F-
216 ADB);
217 Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (5F-AMB);
218 Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (FUB-
219 AMB);
220 N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-APINACA);
221 N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide
222 (ADB-FUBINACA);

- 223 Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
224 (MDMB-CHMICA);
- 225 Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
226 (MDMB-FUBINACA);
- 227 Tetrahydrocannabinols:
228 DELTA-1 CIS OR trans tetrahydrocannabinol and their Optical isomers.
229 DELTA-6 CIS OR trans tetrahydrocannabinol and their optical isomers.
230 DELTA-3,4 CIS or their trans tetrahydrocannabinol and their optical isomers.
- 231 Synthetic Phenethylamines
232 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe/ 2C-I-
233 NBOMe);
234 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe/2C-C-
235 NBOMe);
236 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe/ 2C-B-
237 NBOMe);
- 238 Synthetic Opioids (including their isomers, esters, ethers, salts and salts of isomers, esters
239 and ethers):
240 N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
241 furanyl fentanyl;
242 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (also known as U-
243 47700);
244 N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-
245 phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl);
246 N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, also known
247 as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide, (beta-
248 hydroxythiofentanyl).

- 249 N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl)
- 250 N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl)
- 251 N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopropyl fentanyl)
- 252 2-(2,4-dichlorophenyl)-N-((1S,2S)-2-(dimethylamino)cyclohexyl)-N-methylacetamide
- 253 (also known as U-48800)
- 254 Trans-3,4-dichloro-N-[2-(diethylamino)cyclohexyl]-N-methyl-benzamide (also known as
- 255 U-49900)
- 256 Trans-3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-benzeneacetamide (also
- 257 known as U-51754)
- 258 Opioid Receptor Agonist
- 259 AH-7921 (3,4-dichloro-N-(1dimethylamino)cyclohexylmethyl]benzamide).
- 260 Naphthoylindoles or any compound containing a 3-(-1- Naphthoyl) indole structure with
- 261 substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole
- 262 ring to any extent and whether or not substituted in the naphthyl ring to any extent. This shall
- 263 include the following:
- 264 JWH 015;
- 265 JWH 018;
- 266 JWH 019;
- 267 JWH 073;
- 268 JWH 081;
- 269 JWH 122;
- 270 JWH 200;
- 271 JWH 210;
- 272 JWH 398;
- 273 AM 2201;
- 274 WIN 55,212.

275 Naphthylmethyloindoles or any compound containing a 1-indol-3-yl-(1-naphthyl) methane
276 structure with a substitution at the nitrogen atom of the indole ring whether or not further
277 substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to
278 any extent. This shall include, but not be limited to, JWH 175 and JWH 184.

279 Naphthoylpyrroles or any compound containing a 3-(1-Naphthoyl) pyrrole structure with
280 substitution at the nitrogen atom of the pyrrole ring whether or not further substituted in the pyrrole
281 ring to any extent and whether or not substituted in the naphthyl ring to any extent. This shall
282 include, but not be limited to, JWH 147 and JWH 307.

283 Naphthylmethyloindenes or any compound containing a Naphthylideneindene structure
284 with substitution at the 3-Position of the indene ring whether or not further substituted in the
285 indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. This
286 shall include, but not be limited to, JWH 176.

287 Phenylacetyloindoles or any compound containing a 3-Phenylacetylindole structure with
288 substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole
289 ring to any extent and whether or not substituted in the phenyl ring to any extent. This shall include
290 the following:

291 RCS-8, SR-18 OR BTM-8;

292 JWH 250;

293 JWH 203;

294 JWH 251;

295 JWH 302.

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

299 CP 47,497 and its homologues and analogs;

300 Cannabicyclohexanol;

301 CP 55,940.

302 Benzoylindoles or any compound containing a 3-(benzoyl) indole structure with
303 substitution at the nitrogen atom of the indole ring whether or not further substituted in the indole
304 ring to any extent and whether or not substituted in the phenyl ring to any extent. This shall include
305 the following:

306 AM 694;

307 Pravadoline WIN 48,098;

308 RCS 4;

309 AM 679.

310 [2,3-dihydro-5 methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-DE]-1, 4-benzoxazin-6-YL]-1-
311 naphthalenymethanone. This shall include WIN 55,212-2.

312 Dibenzopyrans or any compound containing a 11-hydroxydelta 8-tetrahydrocannabinol
313 structure with substitution on the 3-pentyl group. This shall include HU-210, HU-211, JWH 051
314 and JWH 133.

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

318 Tetramethylcyclopropylindoles or any compound containing A 3-
319 tetramethylcyclopropylindole structure with substitution at the nitrogen atom of the indole ring
320 whether or not further substituted in the indole ring to any extent and whether or not substituted
321 in the tetramethylcyclopropyl ring to any extent. This shall include UR-144 and XLR-11.

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

323 Any other synthetic chemical compound that is a Cannabinoid receptor type 1 agonist as
324 demonstrated by binding studies and functional assays that is not listed in Schedules II, III, IV and
325 V, not federal Food and Drug Administration approved drug or used within legitimate, approved

326 medical research. Since nomenclature of these substances is not internationally standardized,
327 any immediate precursor or immediate derivative of these substances shall be covered.

328 Tryptamines:

329 5- methoxy- N- methyl-N-isopropyltryptamine (5-MeO-MiPT)

330 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT)

331 4-hydroxy-N-methyl-N-isopropyltryptamine (4-HO-MiPT)

332 4-hydroxy-N-methyl-N-ethyltryptamine (4-HO-MET)

333 4-acetoxy-N,N-diisopropyltryptamine (4-AcO-DiPT)

334 5-methoxy- α -methyltryptamine (5-MeO-AMT)

335 4-methoxy-N,N-Dimethyltryptamine (4-MeO-DMT)

336 4-hydroxy Diethyltryptamine (4-HO-DET)

337 5- methoxy- N,N- diallyltryptamine (5-MeO-DALT)

338 4-acetoxy-N,N-Dimethyltryptamine (4-AcO DMT)

339 4-hydroxy Diethyltryptamine (4-HO-DET)

340 (e) *Depressants.*

341 Mecloqualone;

342 Methaqualone.

343 (f) *Stimulants.*

344 Aminorex; some other names: aminoxaphen; 2-amino-5- phenyl-2-oxazoline; or 4,5-
345 dihydro-5-phenyl-2-oxazolamine;

346 Cathinone; some trade or other names: 2-amino-1-phenyl-1- propanone, alpha-
347 aminopropiophenone, 2-aminopropiophenone and norephedrone;

348 Fenethylamine;

349 Methcathinone, its immediate precursors and immediate derivatives, its salts, optical
350 isomers and salts of optical isomers; some other names: (2-(methylamino)-propiophenone; alpha-

351 (methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1- one; alpha—
352 methylaminopropiofenone; monomethylpropion; 3,4-methylenedioxypropiofenone and/or
353 mephedrone; 3,4-methylenedioxypropiofenone (MPVD); ephedrone; N-methylcathinone;
354 methylcathinone; AL-464; AL-422; AL- 463 and UR1432;
355 (+-) cis-4-methylaminorex; ((+)-cis-4,5-dihydro-4-methyl- 5-phenyl-2-oxazolamine);
356 N-ethylamphetamine;
357 N,N-dimethylamphetamine; also known as N,N-alpha- trimethyl-benzeneethanamine;
358 N,N-alpha-trimethylphenethylamine.

359 Alpha-pyrrolidinopentiophenone, also known as alpha-PVP, optical isomers, salts and
360 salts of isomers.

361 Substituted amphetamines:

362 2-Fluoroamphetamine

363 3-Fluoroamphetamine

364 4-Fluoroamphetamine

365 2-chloroamphetamine

366 3-chloroamphetamine

367 4-chloroamphetamine

368 2-Fluoromethamphetamine

369 3-Fluoromethamphetamine

370 4-Fluoromethamphetamine

371 4-chloromethamphetamine

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

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

376 N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical
377 isomers, salts and salts of isomers.

378 N-benzylpiperazine, also known as BZP.

379 Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);

380 4-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]-
381 butyramide);

382 Isobutyryl fentanyl (2-methyl-N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]-propanamide);

383 Methoxyacetyl fentanyl (2-methoxy-N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]-
384 acetamide);

385 3-methylbutyryl fentanyl (N-[3-methyl-1-(2-phenylethyl)piperidin-4-yl]-N-
386 phenylbutyramide);

387 4-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
388 yl)butyramide);

389 Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)piperidin-4-yl]-acetamide);

390 Tetrahydrofuran fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-
391 carboxamide);

392 Valeryl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]pentanamide).

393 (h) The following controlled substances are included in Schedule I:

394 Synthetic Cathinones or any compound, except bupropion or compounds listed under a
395 different schedule, or compounds used within legitimate and approved medical research,
396 structurally derived from 2- Aminopropan-1-one by substitution at the 1-position with Monocyclic
397 or fused polycyclic ring systems, whether or not the compound is further modified in any of the
398 following ways:

399 By substitution in the ring system to any extent with Alkyl, alkylendioxy, alkoxy, haloalkyl,
400 hydroxyl or halide Substituents whether or not further substituted in the ring system by one or
401 more other univalent substituents.

402 By substitution at the 3-position with an acyclic alkyl substituent.

403 By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl or methoxybenzyl
404 groups.

405 By inclusion of the 2-amino nitrogen atom in a cyclic structure.

406 Any other synthetic chemical compound that is a Cannabinoid receptor type 1 agonist as
407 demonstrated by binding studies and functional assays that is not listed in Schedules II, III, IV and
408 V, not federal Food and Drug Administration approved drug or used within legitimate, approved
409 medical research.

§60A-2-206. Schedule II.

1 (a) Schedule II consists of the drugs and other substances, by whatever official name,
2 common or usual name, chemical name or brand name designated, listed in this section. Unless
3 specifically excepted or unless listed in another schedule, any material, compound, mixture or
4 preparation which contains any quantity of the following substances, including their isomers,
5 esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such
6 isomers, esters, ethers and salts is possible within the specific chemical designation.

7 (b) *Substances, vegetable origin or chemical synthesis.* — Unless specifically excepted or
8 unless listed in another schedule, any of the following substances whether produced directly or
9 indirectly by extraction from substances of vegetable origin, or independently by means of
10 chemical synthesis, or by a combination of extraction and chemical synthesis:

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

14 Raw opium;

15 Opium extracts;

16 Opium fluid;

17 Powdered opium;

18 Granulated opium;

19 Tincture of opium;

20 Codeine;

21 Dihydroetorphine;

22 Ethylmorphine;

23 Etorphine hydrochloride;

24 Hydrocodone;

25 Hydromorphone;

26 Metopon;

27 Morphine;

28 Oripavine;

29 Oxycodone;

30 Oxymorphone; and

31 Thebaine;

32 Any salt, compound, derivative or preparation thereof which is chemically equivalent or
33 identical with any of the substances referred to in subdivision (1) of this subsection, except that
34 these substances shall not include the isoquinoline alkaloids of opium;

35 Opium poppy and poppy straw;

36 Coca leaves and any salt, compound, derivative or preparation of coca leaves (including
37 cocaine and ecgonine and their salts, isomers, derivatives and salts of isomers and derivatives),
38 and any salt, compound, derivative or preparation thereof which is chemically equivalent or
39 identical with any of these substances, except that the substances shall not include decocainized
40 coca leaves or extractions of coca leaves, which extractions do not contain cocaine or ecgonine;

41 Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or
42 powder form which contains the phenanthrene alkaloids of the opium poppy).

43 (c) *Opiates*. —

- 44 Alfentanil;
- 45 Alphaprodine;
- 46 Anileridine;
- 47 Bezitramide;
- 48 Bulk dextropropoxyphene (nondosage forms);
- 49 Carfentanil;
- 50 Dihydrocodeine;
- 51 Diphenoxylate;
- 52 Fentanyl;
- 53 Isomethadone;
- 54 Levo-alpha-acetylmethadol; some other names: levo-alpha-acetylmethadol, levomethadyl
- 55 acetate, LAAM;
- 56 Levomethorphan;
- 57 Levorphanol;
- 58 Metazocine;
- 59 Methadone;
- 60 Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- 61 Moramide-Intermediate, 2-methyl-3-morpholino-1,
- 62 1-diphenylpropane-carboxylic acid;
- 63 Pethidine; (meperidine);
- 64 Pethidine-Intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine;
- 65 Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 66 Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 67 Phenazocine;
- 68 Piminodine;
- 69 Racemethorphan;

70 Racemorphan;
71 Remifentanil;
72 Sufentanil;
73 Tapentadol
74 Thiafentanil (4-(methoxycarbonyl)-4-(N-phenmethoxyacetamido)-1-2-(thienyl)ethylpiperidine),
75 including its isomers, esters, ethers, salts and salts of isomers, esters and ethers.

76 (d) *Stimulants.* —

77 Amphetamine, its salts, optical isomers and salts of its optical isomers;
78 Methamphetamine, its salts, isomers and salts of its isomers;
79 Methylphenidate;
80 Phenmetrazine and its salts; and
81 Lisdexamfetamine.

82 (e) *Depressants.* —

83 Amobarbital;
84 Glutethimide;
85 Pentobarbital;
86 Phencyclidine;
87 Secobarbital.

88 (f) *Hallucinogenic substances:*

89 Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] if in an FDA approved oral solution
90 Nabilone: [Another name for nabilone: (+-)-trans-3-(1, 1-dimethylheptyl)-6, 6a, 7, 8, 10,
91 10a-hexahydro-1-hydroxy-6, 6-dimethyl-9H-dibenzo [b,d] pyran-9-one].

92 (g) *Immediate precursors.* — Unless specifically excepted or unless listed in another
93 schedule, any material, compound, mixture, or preparation which contains any quantity of the
94 following substances:

95 Immediate precursor to amphetamine and methamphetamine:

96 Phenylacetone;

97 Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl
98 benzyl ketone;

99 Immediate precursors to phencyclidine (PCP):

100 1-phenylcyclohexylamine; and

101 1-piperidinocyclohexanecarbonitrile (PCC).

102 Immediate precursor to fentanyl:

103 4-anilino-N-phenethyl-4-piperidine (ANPP).

§60A-2-210. Schedule IV.

1 (a) Schedule IV shall consist of the drugs and other substances, by whatever official name,
2 common or usual name, chemical name, or brand name designated, listed in this section. Unless
3 specifically excepted or unless listed in another schedule, any material, compound, mixture or
4 preparation which contains any quantity of the following substances, including their isomers,
5 esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such
6 isomers, esters, ethers and salts is possible within the specific chemical designation.

7 (b) *Narcotic drugs.* — Unless specifically excepted or unless listed in another schedule,
8 any material, compound, mixture or preparation containing any of the following narcotic drugs, or
9 their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth
10 below:

11 Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate
12 per dosage unit;

13 Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

14 (c) *Depressants.*

15 Alprazolam;

16 Barbital;

17 Bromazepam;

Enr. CS for HB 4336

- 18 Camazepam;
- 19 Carisoprodol;
- 20 Chloral betaine;
- 21 Chloral hydrate;
- 22 Chlordiazepoxide;
- 23 Clobazam;
- 24 Clonazepam;
- 25 Clorazepate;
- 26 Clotiazepam;
- 27 Cloxazolam;
- 28 Delorazepam;
- 29 Diazepam;
- 30 Dichloralphenazone;
- 31 Estazolam;
- 32 Ethchlorvynol;
- 33 Ethinamate;
- 34 Ethyl loflazepate;
- 35 Fludiazepam;
- 36 Flunitrazepam;
- 37 Flurazepam;
- 38 Fospropofol;
- 39 Halazepam;
- 40 Haloxazolam;
- 41 Ketazolam;
- 42 Loprazolam;
- 43 Lorazepam;

Enr. CS for HB 4336

- 44 Lormetazepam;
- 45 Mebutamate;
- 46 Medazepam;
- 47 Meprobamate;
- 48 Methohexital;
- 49 Methylphenobarbital (mephobarbital);
- 50 Midazolam;
- 51 Nimetazepam;
- 52 Nitrazepam;
- 53 Nordiazepam;
- 54 Oxazepam;
- 55 Oxazolam;
- 56 Paraldehyde;
- 57 Petrichloral;
- 58 Phenobarbital;
- 59 Pinazepam;
- 60 Prazepam;
- 61 Quazepam;
- 62 Temazepam;
- 63 Tetrazepam;
- 64 Triazolam;
- 65 Zaleplon;
- 66 Zolpidem;
- 67 Zopiclone'
- 68 Suvorexant ((7R)-4-(5-chloro-1,3-benzoxazol-2-yl)-7-methyl-1,4-diazepan-1-yl] [5-
- 69 methyl-2-(2H-1,2,3-triazol-2-yl)phenyl]methanone).

70 (d) Any material, compound, mixture or preparation which contains any quantity of
71 Fenfluramine and Dexfenfluramine.

72 (e) *Stimulants.*

73 Cathine ((+)-norpseudoephedrine);

74 Diethylpropion;

75 Fencamfamin;

76 Fenproporex;

77 Mazindol;

78 Mefenorex;

79 Modafinil;

80 Pemoline (including organometallic complexes and chelates thereof);

81 Phentermine;

82 Pipradrol;

83 Sibutramine;

84 SPA ((-)-1-dimethylamino-1,2-diphenylethane);

85 Eluxadolone (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl
86 [(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid);

87 (f) *Other substances.* —

88 Pentazocine;

89 Butorphanol.

90 Tramadol (2-[(dimethylamino)methyl]-1-(3-methoxyphenyl) cyclohexanol);

91 Amyl nitrite, butyl nitrite, isobutyl nitrite and the other organic nitrites are controlled
92 substances and no product containing these compounds as a significant component shall be
93 possessed, bought or sold other than pursuant to a bona fide prescription or for industrial or
94 manufacturing purposes.

§60A-2-212. Schedule V.

1 (a) Schedule V shall consist of the drugs and other substances, by whatever official name,
2 common or usual name, chemical name, or brand name designated, listed in this section. Unless
3 specifically excepted or unless listed in another schedule, any material, compound, mixture or
4 preparation which contains any quantity of the following substances, including their isomers,
5 esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such
6 isomers, esters, ethers and salts is possible within the specific chemical designation.

7 (b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound,
8 mixture or preparation containing any of the following narcotic drugs or their salts calculated as
9 the free anhydrous base or alkaloid in limited quantities as set forth below, which shall include
10 one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the
11 compound, mixture or preparation valuable medicinal qualities other than those possessed by the
12 narcotic drug alone.

13 Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

14 Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

15 Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

16 Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine
17 sulfate per dosage unit;

18 Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

19 Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine
20 sulfate per dosage unit.

21 (c) *Stimulants*: —

22 Pyrovalerone.

23 (d) Any compound, mixture or preparation containing as its single active ingredient
24 ephedrine, pseudoephedrine or phenylpropanolamine, their salts or optical isomers, or salts of
25 optical isomers except products which are for pediatric use primarily intended for administration

26 to children under the age of 12: *Provided*, That neither the offenses set forth in section four
27 hundred one, article four of this chapter, nor the penalties therein, shall be applicable to ephedrine,
28 pseudoephedrine or phenylpropanolamine which shall be subject to the provisions of article ten
29 of this chapter.

30 (e) *Depressants*: —

31 Ezogabine [N-[2-amino-4-94-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester];

32 Lacosamide [(R)-2-acetoamido- N -benzyl-3-methoxy-propionamide];

33 Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]; and

34 Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as
35 BRV; UCB-34714; Briviact).

36 (f) *Other substances*:

37 Gabapentin

38 Pregabalin

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....
Chairman, House Committee

.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

.....
Speaker of the House of Delegates

.....
President of the Senate

The within this the.....
day of, 2018.

.....
Governor