

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 887
95TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, March 4, 2010, with recommendation that the Senate Committee Substitute do pass.

3342S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to the designation of controlled substances, with penalty provisions and an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.017, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 195.017, to read as follows:

195.017. 1. The department of health and senior services shall place a
2 substance in Schedule I if it finds that the substance:

- 3 (1) Has high potential for abuse; and
4 (2) Has no accepted medical use in treatment in the United States or
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in
8 Schedule I;

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

- 13 (a) Acetyl-alpha-methylfentanyl;
14 (b) Acetylmethadol;
15 (c) Allylprodine;
16 (d) Alphacetylmethadol;
17 (e) Alphameprodine;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 18 (f) Alphamethadol;
19 (g) Alpha-methylfentanyl;
20 (h) Alpha-methylthiofentanyl;
21 (i) Benzethidine;
22 (j) Betacetylmethadol;
23 (k) Beta-hydroxyfentanyl;
24 (l) Beta-hydroxy-3-methylfentanyl;
25 (m) Betameprodine;
26 (n) Betamethadol;
27 (o) Betaprodine;
28 (p) Clonitazene;
29 (q) Dextromoramide;
30 (r) Diampromide;
31 (s) Diethylthiambutene;
32 (t) Difenoxin;
33 (u) Dimenoxadol;
34 (v) Dimepheptanol;
35 (w) Dimethylthiambutene;
36 (x) Dioxaphetyl butyrate;
37 (y) Dipipanone;
38 (z) Ethylmethylthiambutene;
39 (aa) Etonitazene;
40 (bb) Etoxadine;
41 (cc) Furethidine;
42 (dd) Hydroxypethidine;
43 (ee) Ketobemidone;
44 (ff) Levomoramide;
45 (gg) Levophenacilmorphan;
46 (hh) 3-Methylfentanyl;
47 (ii) 3-Methylthiofentanyl;
48 (jj) Morpheridine;
49 (kk) MPPP;
50 (ll) Noracymethadol;
51 (mm) Norlevorphanol;
52 (nn) Normethadone;
53 (oo) Norpipanone;

- 54 (pp) Para-fluorofentanyl;
55 (qq) PEPAP;
56 (rr) Phenadoxone;
57 (ss) Phenampromide;
58 (tt) Phenomorphan;
59 (uu) Phenoperidine;
60 (vv) Piritramide;
61 (ww) Proheptazine;
62 (xx) Properidine;
63 (yy) Propiram;
64 (zz) Racemoramide;
65 (aaa) Thiofentanyl;
66 (bbb) Tilidine;
67 (ccc) Trimeperidine;
68 (3) Any of the following opium derivatives, their salts, isomers and salts
69 of isomers unless specifically excepted, whenever the existence of these salts,
70 isomers and salts of isomers is possible within the specific chemical designation:
71 (a) Acetorphine;
72 (b) Acetyldihydrocodeine;
73 (c) Benzylmorphine;
74 (d) Codeine methylbromide;
75 (e) Codeine-N-Oxide;
76 (f) Cyprenorphine;
77 (g) Desomorphine;
78 (h) Dihydromorphine;
79 (i) Drotebanol;
80 (j) Etorphine (except hydrochloride salt);
81 (k) Heroin;
82 (l) Hydromorphanol;
83 (m) Methyldesorphine;
84 (n) Methyldihydromorphine;
85 (o) Morphine methylbromide;
86 (p) Morphine methylsulfonate;
87 (q) Morphine-N-Oxide;
88 (r) Myrophine;
89 (s) Nicocodeine;

- 90 (t) Nicomorphine;
- 91 (u) Normorphine;
- 92 (v) Pholcodine;
- 93 (w) Thebacon;
- 94 (4) Any material, compound, mixture or preparation which contains any
- 95 quantity of the following hallucinogenic substances, their salts, isomers and salts
- 96 of isomers, unless specifically excepted, whenever the existence of these salts,
- 97 isomers, and salts of isomers is possible within the specific chemical designation:
- 98 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 99 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 100 (c) 2,5-dimethoxyamphetamine;
- 101 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 102 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 103 (f) 4-methoxyamphetamine;
- 104 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 105 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 106 (i) 3,4-methylenedioxyamphetamine;
- 107 (j) 3,4-methylenedioxymethamphetamine;
- 108 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 109 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 110 (m) 3,4,5-trimethoxyamphetamine;
- 111 (n) Alpha-ethyltryptamine;
- 112 (o) Alpha-methyltryptamine;
- 113 (p) Bufotenine;
- 114 (q) Diethyltryptamine;
- 115 (r) Dimethyltryptamine;
- 116 (s) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (t) Ibogaine;
- 118 (u) **1-butyl-3(1-naphthoyl)indole;**
- 119 (v) **1-pentyl-3(1-naphthoyl)indole;**
- 120 (w) Lysergic acid diethylamide;
- 121 [(v)] (x) Marijuana or marihuana;
- 122 [(w)] (y) Mescaline;
- 123 [(x)] (z) Parahexyl;
- 124 [(y)] (aa) Peyote, to include all parts of the plant presently classified
- 125 botanically as Lophophora Williamsil Lemaire, whether growing or not; the seeds

126 thereof; any extract from any part of such plant; and every compound,
127 manufacture, salt, derivative, mixture or preparation of the plant, its seed or
128 extracts;

129 **(bb) Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-**
130 **hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5,**
131 **and homologues where side chain n-4,6, or 7;**

132 [(z)] **(cc)** N-ethyl-3-piperidyl benzilate;

133 [(aa)] **(dd)** N-methyl-3-piperidyl benzilate;

134 [(bb)] **(ee)** Psilocybin;

135 [(cc)] **(ff)** Psilocyn;

136 [(dd)] **(gg)** Tetrahydrocannabinols naturally contained in a plant of the
137 genus Cannabis (cannabis plant), as well as synthetic equivalents of the
138 substances contained in the cannabis plant, or in the resinous extractives of such
139 plant, or synthetic substances, derivatives, and their isomers with similar
140 chemical structure and pharmacological activity to those substances contained in
141 the plant, such as the following:

142 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;

143 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;

144 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;

145 d. Any compounds of these structures, regardless of numerical designation
146 of atomic positions covered;

147 [(ee)] **(hh)** Ethylamine analog of phencyclidine;

148 [(ff)] **(ii)** Pyrrolidine analog of phencyclidine;

149 [(gg)] **(jj)** Thiophene analog of phencyclidine;

150 [(hh)] **(kk)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

151 [(ii)] **(ll)** Salvia divinorum;

152 [(jj)] **(mm)** Salvinorin A;

153 (5) Any material, compound, mixture or preparation containing any
154 quantity of the following substances having a depressant effect on the central
155 nervous system, including their salts, isomers and salts of isomers whenever the
156 existence of these salts, isomers and salts of isomers is possible within the
157 specific chemical designation:

158 (a) Gamma-hydroxybutyric acid;

159 (b) Mecloqualone;

160 (c) Methaqualone;

161 (6) Any material, compound, mixture or preparation containing any

162 quantity of the following substances having a stimulant effect on the central
163 nervous system, including their salts, isomers and salts of isomers:

- 164 (a) Aminorex;
165 (b) N-benzylpiperazine;
166 (c) Cathinone;
167 (d) Fenethylamine;
168 (e) Methcathinone;
169 (f) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
170 oxazolamine);
171 (g) N-ethylamphetamine;
172 (h) N,N-dimethylamphetamine;

173 (7) A temporary listing of substances subject to emergency scheduling
174 under federal law shall include any material, compound, mixture or preparation
175 which contains any quantity of the following substances:

- 176 (a) N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its
177 optical isomers, salts and salts of isomers;
178 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
179 (thienylfentanyl), its optical isomers, salts and salts of isomers;
180 (8) Khat, to include all parts of the plant presently classified botanically
181 as *catha edulis*, whether growing or not; the seeds thereof; any extract from any
182 part of such plant; and every compound, manufacture, salt, derivative, mixture,
183 or preparation of the plant, its seed or extracts.

184 3. The department of health and senior services shall place a substance
185 in Schedule II if it finds that:

- 186 (1) The substance has high potential for abuse;
187 (2) The substance has currently accepted medical use in treatment in the
188 United States, or currently accepted medical use with severe restrictions; and
189 (3) The abuse of the substance may lead to severe psychic or physical
190 dependence.

191 4. The controlled substances listed in this subsection are included in
192 Schedule II:

- 193 (1) Any of the following substances whether produced directly or indirectly
194 by extraction from substances of vegetable origin, or independently by means of
195 chemical synthesis, or by combination of extraction and chemical synthesis:
196 (a) Opium and opiate and any salt, compound, derivative or preparation
197 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,

198 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their
199 respective salts but including the following:

200 a. Raw opium;

201 b. Opium extracts;

202 c. Opium fluid;

203 d. Powdered opium;

204 e. Granulated opium;

205 f. Tincture of opium;

206 g. Codeine;

207 h. Ethylmorphine;

208 i. Etorphine hydrochloride;

209 j. Hydrocodone;

210 k. Hydromorphone;

211 l. Metopon;

212 m. Morphine;

213 n. Oxycodone;

214 o. Oxymorphone;

215 p. Thebaine;

216 (b) Any salt, compound, derivative, or preparation thereof which is
217 chemically equivalent or identical with any of the substances referred to in this
218 subdivision, but not including the isoquinoline alkaloids of opium;

219 (c) Opium poppy and poppy straw;

220 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
221 leaves, and any salt, compound, derivative, or preparation thereof which is
222 chemically equivalent or identical with any of these substances, but not including
223 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

224 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
225 liquid, solid or powder form which contains the phenanthrene alkaloids of the
226 opium poppy);

227 (2) Any of the following opiates, including their isomers, esters, ethers,
228 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
229 and salts is possible within the specific chemical designation, dextrorphan and
230 levopropoxyphene excepted:

231 (a) Alfentanil;

232 (b) Alphaprodine;

233 (c) Anileridine;

- 234 (d) Bezitramide;
- 235 (e) Bulk dextropropoxyphene;
- 236 (f) Carfentanil;
- 237 (g) Butyl nitrite;
- 238 (h) Dihydrocodeine;
- 239 (i) Diphenoxylate;
- 240 (j) Fentanyl;
- 241 (k) Isomethadone;
- 242 (l) Levo-alphacetylmethadol;
- 243 (m) Levomethorphan;
- 244 (n) Levorphanol;
- 245 (o) Metazocine;
- 246 (p) Methadone;
- 247 (q) Meperidine;
- 248 (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-
- 249 diphenylbutane;
- 250 (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--
- 251 carboxylic acid;
- 252 (t) Pethidine (meperidine);
- 253 (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 254 (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 255 (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
- 256 acid;
- 257 (x) Phenazocine;
- 258 (y) Piminodine;
- 259 (z) Racemethorphan;
- 260 (aa) Racemorphan;
- 261 (bb) Remifentanil;
- 262 (cc) Sufentanil;
- 263 (3) Any material, compound, mixture, or preparation which contains any
- 264 quantity of the following substances having a stimulant effect on the central
- 265 nervous system:
- 266 (a) Amphetamine, its salts, optical isomers, and salts of its optical
- 267 isomers;
- 268 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 269 (c) Methamphetamine, its salts, isomers, and salts of its isomers;

- 270 (d) Phenmetrazine and its salts;
- 271 (e) Methylphenidate;
- 272 (4) Any material, compound, mixture, or preparation which contains any
- 273 quantity of the following substances having a depressant effect on the central
- 274 nervous system, including its salts, isomers, and salts of isomers whenever the
- 275 existence of those salts, isomers, and salts of isomers is possible within the
- 276 specific chemical designation:
- 277 (a) Amobarbital;
- 278 (b) Glutethimide;
- 279 (c) Pentobarbital;
- 280 (d) Phencyclidine;
- 281 (e) Secobarbital;
- 282 (5) Any material or compound which contains any quantity of nabilone;
- 283 (6) Any material, compound, mixture, or preparation which contains any
- 284 quantity of the following substances:
- 285 (a) Immediate precursor to amphetamine and methamphetamine:
- 286 Phenylacetone;
- 287 (b) Immediate precursors to phencyclidine (PCP):
- 288 a. 1-phenylcyclohexylamine;
- 289 b. 1-piperidinocyclohexanecarbonitrile (PCC).
- 290 5. The department of health and senior services shall place a substance
- 291 in Schedule III if it finds that:
- 292 (1) The substance has a potential for abuse less than the substances listed
- 293 in Schedules I and II;
- 294 (2) The substance has currently accepted medical use in treatment in the
- 295 United States; and
- 296 (3) Abuse of the substance may lead to moderate or low physical
- 297 dependence or high psychological dependence.
- 298 6. The controlled substances listed in this subsection are included in
- 299 Schedule III:
- 300 (1) Any material, compound, mixture, or preparation which contains any
- 301 quantity of the following substances having a potential for abuse associated with
- 302 a stimulant effect on the central nervous system:
- 303 (a) Benzphetamine;
- 304 (b) Chlorphentermine;
- 305 (c) Clortermine;

- 306 (d) Phendimetrazine;
- 307 (2) Any material, compound, mixture or preparation which contains any
308 quantity or salt of the following substances or salts having a depressant effect on
309 the central nervous system:
- 310 (a) Any material, compound, mixture or preparation which contains any
311 quantity or salt of the following substances combined with one or more active
312 medicinal ingredients:
- 313 a. Amobarbital;
- 314 b. Secobarbital;
- 315 c. Pentobarbital;
- 316 (b) Any suppository dosage form containing any quantity or salt of the
317 following:
- 318 a. Amobarbital;
- 319 b. Secobarbital;
- 320 c. Pentobarbital;
- 321 (c) Any substance which contains any quantity of a derivative of
322 barbituric acid or its salt;
- 323 (d) Chlorhexadol;
- 324 (e) Embutramide;
- 325 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
326 contained in a drug product for which an application has been approved under
327 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 328 (g) Ketamine, its salts, isomers, and salts of isomers;
- 329 (h) Lysergic acid;
- 330 (i) Lysergic acid amide;
- 331 (j) Methyprylon;
- 332 (k) Sulfondiethylmethane;
- 333 (l) Sulfonethylmethane;
- 334 (m) Sulfonmethane;
- 335 (n) Tiletamine and zolazepam or any salt thereof;
- 336 (3) Nalorphine;
- 337 (4) Any material, compound, mixture, or preparation containing limited
338 quantities of any of the following narcotic drugs or their salts:
- 339 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
340 more than ninety milligrams per dosage unit, with an equal or greater quantity
341 of an isoquinoline alkaloid of opium;

342 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
343 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
344 ingredients in recognized therapeutic amounts;

345 (c) Not more than three hundred milligrams of hydrocodone per one
346 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
347 fourfold or greater quantity of an isoquinoline alkaloid of opium;

348 (d) Not more than three hundred milligrams of hydrocodone per one
349 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
350 or more active nonnarcotic ingredients in recognized therapeutic amounts;

351 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
352 or not more than ninety milligrams per dosage unit, with one or more active
353 nonnarcotic ingredients in recognized therapeutic amounts;

354 (f) Not more than three hundred milligrams of ethylmorphine per one
355 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
356 or more active, nonnarcotic ingredients in recognized therapeutic amounts;

357 (g) Not more than five hundred milligrams of opium per one hundred
358 milliliters or per one hundred grams or not more than twenty-five milligrams per
359 dosage unit, with one or more active nonnarcotic ingredients in recognized
360 therapeutic amounts;

361 (h) Not more than fifty milligrams of morphine per one hundred milliliters
362 or per one hundred grams, with one or more active, nonnarcotic ingredients in
363 recognized therapeutic amounts;

364 (5) Any material, compound, mixture, or preparation containing any of the
365 following narcotic drugs or their salts, as set forth in subdivision (6) of this
366 subsection; buprenorphine;

367 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
368 pharmacologically related to testosterone (other than estrogens, progestins,
369 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
370 an anabolic steroid which is expressly intended for administration through
371 implants to cattle or other nonhuman species and which has been approved by
372 the Secretary of Health and Human Services for that administration. If any
373 person prescribes, dispenses, or distributes such steroid for human use, such
374 person shall be considered to have prescribed, dispensed, or distributed an
375 anabolic steroid within the meaning of this paragraph. Unless specifically
376 excepted or unless listed in another schedule, any material, compound, mixture
377 or preparation containing any quantity of the following substances, including its

378 salts, esters and ethers:

- 379 (a) $3\beta,17$ -dihydroxy- 5α -androstandane;
380 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstandane;
381 (c) 5α -androstan- $3,17$ -dione;
382 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
383 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
384 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
385 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
386 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
387 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
388 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
389 (k) Bolasterone ($7\alpha, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en- 3 -one);
390 (l) Boldenone (17β -hydroxyandrost- $1,4$,-diene- 3 -one);
391 (m) Calusterone ($7\beta, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en- 3 -one);
392 (n) Clostebol (4-chloro- 17β -hydroxyandrost-4-en- 3 -one);
393 (o) Dehydrochloromethyltestosterone (4-chloro- 17β -hydroxy- 17α -methyl-
394 androst- $1,4$ -dien- 3 -one);
395 (p) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17β -hydroxy- 5α -
396 androst-1-en- 3 -one);
397 (q) 4-dihydrotestosterone (17β -hydroxy-androstan- 3 -one);
398 (r) Drostanolone (17β -hydroxy- 2α -methyl- 5α -androstan- 3 -one);
399 (s) Ethylestrenol (17α -ethyl- 17β -hydroxyestr-4-ene);
400 (t) Fluoxymesterone (9-fluoro- 17α -methyl- $11\beta,17\beta$ -dihydroxyandrost-4-en-
401 3 -one);
402 (u) Formebolone (2-formyl- 17α -methyl- $11\alpha,17\beta$ -dihydroxyandrost- $1,4$ -dien-
403 3 -one);
404 (v) Furazabol (17α -methyl- 17β -hydroxyandrostano[$2,3$ -c]-furazan);
405 (w) 13β -ethyl- 17β -hydroxygon-4-en- 3 -one;
406 (x) 4-hydroxytestosterone (4, 17β -dihydroxy-androst-4-en- 3 -one);
407 (y) 4-hydroxy-19-nortestosterone (4, 17β -dihydroxy-estr-4-en- 3 -one);
408 (z) Mestanolone (17α -methyl- 17β -hydroxy- 5 -androstan- 3 -one);
409 (aa) Mesterolone (1α methyl- 17β -hydroxy- $[5\alpha]$ -androstan- 3 -one);
410 (bb) Methandienone (17α -methyl- 17β -hydroxyandrost- $1,4$ -dien- 3 -one);
411 (cc) Methandriol (17α -methyl- $3\beta,17\beta$ -dihydroxyandrost- 5 -ene);
412 (dd) Methenolone (1-methyl- 17β -hydroxy- 5α -androst-1-en- 3 -one);
413 (ee) 17α -methyl- $3\beta,17\beta$ -dihydroxy- 5α -androstandane);

- 414 (ff) 17α -methyl- $3\alpha,17\beta$ -dihydroxy-5 α -androstane);
- 415 (gg) 17α -methyl- $3\beta,17\beta$ -dihydroxyandrost-4-ene;
- 416 (hh) 17α -methyl-4-hydroxynandrolone (17α -methyl-4-hydroxy- 17β -
417 hydroxyestr-4-en-3-one);
- 418 (ii) Methyldienolone (17α -methyl- 17β -hydroxyestra-4,9(10)-dien-3-one);
- 419 (jj) Methyltrienolone (17α -methyl- 17β -hydroxyestra-4,9-11-trien-3-one);
- 420 (kk) Methyltestosterone (17α -methyl- 17β -hydroxyandrost-4-en-3-one);
- 421 (ll) Mibolerone ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyestr-4-en-3-one);
- 422 (mm) 17α -methyl- $\Delta 1$ -dihydrotestosterone (17β -hydroxy- 17α -methyl- 5α -
423 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- 424 (nn) Nandrolone (17β -hydroxyestr-4-ene-3-one);
- 425 (oo) 19-nor-4-androstenediol ($3\beta,17\beta$ -dihydroxyestr-4-ene);
- 426 (pp) 19-nor-4-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-4-ene);
- 427 (qq) 19-nor-5-androstenediol ($3\beta,17\beta$ -dihydroxyestr-5-ene);
- 428 (rr) 19-nor-5-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-5-ene);
- 429 (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 430 (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 431 (uu) Norbolethone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4-en-3-one);
- 432 (vv) Norclostebol (4-chloro- 17β -hydroxyestr-4-en-3-one);
- 433 (ww) Norethandrolone (17α -ethyl- 17β -hydroxyestr-4-en-3-one);
- 434 (xx) Normethandrolone (17α -methyl- 17β -hydroxyestr-4-en-3-one);
- 435 (yy) Oxandrolone (17α -methyl- 17β -hydroxy-2-oxa-[5α]-androstan-3-one);
- 436 (zz) Oxymesterone (17α -methyl-4, 17β -dihydroxyandrost-4-en-3-one);
- 437 (aaa) Oxymethalone (17α -methyl-2-hydroxymethylene- 17β -hydroxy-[5α]-
438 androstan-3-one);
- 439 (bbb) Stanozolol (17α -methyl- 17β -hydroxy-[5α]-androst-2-eno[3,2-c]-
440 pyrazole);
- 441 (ccc) Stenbolone (17β -hydroxy-2-methyl-[5α]-androst-1-en-3-one);
- 442 (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
443 acid lactone);
- 444 (eee) Testosterone (17β -hydroxyandrost-4-en-3-one);
- 445 (fff) Tetrahydrogestrinone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4,9,11-trien-3-
446 one);
- 447 (ggg) Trenbolone (17β -hydroxyestr-4,9,11-trien-3-one);
- 448 (hhh) Any salt, ester, or ether of a drug or substance described or listed
449 in this subdivision, except an anabolic steroid which is expressly intended for

450 administration through implants to cattle or other nonhuman species and which
451 has been approved by the Secretary of Health and Human Services for that
452 administration;

453 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin
454 capsule in a United States Food and Drug Administration approved drug product;

455 (8) The department of health and senior services may except by rule any
456 compound, mixture, or preparation containing any stimulant or depressant
457 substance listed in subdivisions (1) and (2) of this subsection from the application
458 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
459 preparation contains one or more active medicinal ingredients not having a
460 stimulant or depressant effect on the central nervous system, and if the
461 admixtures are included therein in combinations, quantity, proportion, or
462 concentration that vitiate the potential for abuse of the substances which have
463 a stimulant or depressant effect on the central nervous system.

464 7. The department of health and senior services shall place a substance
465 in Schedule IV if it finds that:

466 (1) The substance has a low potential for abuse relative to substances in
467 Schedule III;

468 (2) The substance has currently accepted medical use in treatment in the
469 United States; and

470 (3) Abuse of the substance may lead to limited physical dependence or
471 psychological dependence relative to the substances in Schedule III.

472 8. The controlled substances listed in this subsection are included in
473 Schedule IV:

474 (1) Any material, compound, mixture, or preparation containing any of the
475 following narcotic drugs or their salts calculated as the free anhydrous base or
476 alkaloid, in limited quantities as set forth below:

477 (a) Not more than one milligram of difenoxin and not less than twenty-five
478 micrograms of atropine sulfate per dosage unit;

479 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-
480 methyl-2- propionoxybutane);

481 (c) Any of the following limited quantities of narcotic drugs or their salts,
482 which shall include one or more nonnarcotic active medicinal ingredients in
483 sufficient proportion to confer upon the compound, mixture or preparation
484 valuable medicinal qualities other than those possessed by the narcotic drug
485 alone:

486 a. Not more than two hundred milligrams of codeine per one hundred
487 milliliters or per one hundred grams;

488 b. Not more than one hundred milligrams of dihydrocodeine per one
489 hundred milliliters or per one hundred grams;

490 c. Not more than one hundred milligrams of ethylmorphine per one
491 hundred milliliters or per one hundred grams;

492 (2) Any material, compound, mixture or preparation containing any
493 quantity of the following substances, including their salts, isomers, and salts of
494 isomers whenever the existence of those salts, isomers, and salts of isomers is
495 possible within the specific chemical designation:

496 (a) Alprazolam;

497 (b) Barbitol;

498 (c) Bromazepam;

499 (d) Camazepam;

500 (e) Chloral betaine;

501 (f) Chloral hydrate;

502 (g) Chlordiazepoxide;

503 (h) Clobazam;

504 (i) Clonazepam;

505 (j) Clorazepate;

506 (k) Clotiazepam;

507 (l) Cloxazolam;

508 (m) Delorazepam;

509 (n) Diazepam;

510 (o) Dichloralphenazone;

511 (p) Estazolam;

512 (q) Ethchlorvynol;

513 (r) Ethinamate;

514 (s) Ethyl loflazepate;

515 (t) Fludiazepam;

516 (u) Flunitrazepam;

517 (v) Flurazepam;

518 (w) Halazepam;

519 (x) Haloxazolam;

520 (y) Ketazolam;

521 (z) Loprazolam;

- 522 (aa) Lorazepam;
- 523 (bb) Lormetazepam;
- 524 (cc) Mebutamate;
- 525 (dd) Medazepam;
- 526 (ee) Meprobamate;
- 527 (ff) Methohexital;
- 528 (gg) Methylphenobarbital (mephobarbital);
- 529 (hh) Midazolam;
- 530 (ii) Nimetazepam;
- 531 (jj) Nitrazepam;
- 532 (kk) Nordiazepam;
- 533 (ll) Oxazepam;
- 534 (mm) Oxazolam;
- 535 (nn) Paraldehyde;
- 536 (oo) Petrichloral;
- 537 (pp) Phenobarbital;
- 538 (qq) Pinazepam;
- 539 (rr) Prazepam;
- 540 (ss) Quazepam;
- 541 (tt) Temazepam;
- 542 (uu) Tetrazepam;
- 543 (vv) Triazolam;
- 544 (ww) Zaleplon;
- 545 (xx) Zolpidem;
- 546 (yy) Zopiclone;
- 547 (3) Any material, compound, mixture, or preparation which contains any
- 548 quantity of the following substance including its salts, isomers and salts of
- 549 isomers whenever the existence of such salts, isomers and salts of isomers is
- 550 possible: fenfluramine;
- 551 (4) Any material, compound, mixture or preparation containing any
- 552 quantity of the following substances having a stimulant effect on the central
- 553 nervous system, including their salts, isomers and salts of isomers:
- 554 (a) Cathine ((+)-norpseudoephedrine);
- 555 (b) Diethylpropion;
- 556 (c) Fencamfamin;
- 557 (d) Fenproporex;

- 558 (e) Mazindol;
- 559 (f) Mefenorex;
- 560 (g) Modafinil;
- 561 (h) Pemoline, including organometallic complexes and chelates thereof;
- 562 (i) Phentermine;
- 563 (j) Pipradrol;
- 564 (k) Sibutramine;
- 565 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 566 (5) Any material, compound, mixture or preparation containing any
- 567 quantity of the following substance, including its salts:
- 568 (a) butorphanol;
- 569 (b) pentazocine;
- 570 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when
- 571 the substance is the only active medicinal ingredient;
- 572 (7) The department of health and senior services may except by rule any
- 573 compound, mixture, or preparation containing any depressant substance listed in
- 574 subdivision (1) of this subsection from the application of all or any part of sections
- 575 195.010 to 195.320 if the compound, mixture, or preparation contains one or more
- 576 active medicinal ingredients not having a depressant effect on the central nervous
- 577 system, and if the admixtures are included therein in combinations, quantity,
- 578 proportion, or concentration that vitiate the potential for abuse of the substances
- 579 which have a depressant effect on the central nervous system.
- 580 9. The department of health and senior services shall place a substance
- 581 in Schedule V if it finds that:
- 582 (1) The substance has low potential for abuse relative to the controlled
- 583 substances listed in Schedule IV;
- 584 (2) The substance has currently accepted medical use in treatment in the
- 585 United States; and
- 586 (3) The substance has limited physical dependence or psychological
- 587 dependence liability relative to the controlled substances listed in Schedule IV.
- 588 10. The controlled substances listed in this subsection are included in
- 589 Schedule V:
- 590 (1) Any compound, mixture or preparation containing any of the following
- 591 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in
- 592 limited quantities as set forth below, which also contains one or more nonnarcotic
- 593 active medicinal ingredients in sufficient proportion to confer upon the compound,

594 mixture or preparation valuable medicinal qualities other than those possessed
595 by the narcotic drug alone:

596 (a) Not more than two and five-tenths milligrams of diphenoxylate and not
597 less than twenty-five micrograms of atropine sulfate per dosage unit;

598 (b) Not more than one hundred milligrams of opium per one hundred
599 milliliters or per one hundred grams;

600 (c) Not more than five-tenths milligram of difenoxin and not less than
601 twenty-five micrograms of atropine sulfate per dosage unit;

602 (2) Any material, compound, mixture or preparation which contains any
603 quantity of the following substance having a stimulant effect on the central
604 nervous system including its salts, isomers and salts of isomers: pyrovalerone;

605 (3) Any compound, mixture, or preparation containing any detectable
606 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
607 isomers or any compound, mixture, or preparation containing any detectable
608 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

609 (4) Unless specifically exempted or excluded or unless listed in another
610 schedule, any material, compound, mixture, or preparation which contains any
611 quantity of the following substances having a depressant effect on the central
612 nervous system, including its salts: pregabalin [(S)-3-(aminomethyl)-5-
613 methylhexanoic acid].

614 11. If any compound, mixture, or preparation as specified in subdivision
615 (3) of subsection 10 of this section is dispensed, sold, or distributed in a pharmacy
616 without a prescription:

617 (1) All packages of any compound, mixture, or preparation containing any
618 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of
619 optical isomers or ephedrine, its salts or optical isomers, or salts of optical
620 isomers, shall be offered for sale only from behind a pharmacy counter where the
621 public is not permitted, and only by a registered pharmacist or registered
622 pharmacy technician; and

623 (2) Any person purchasing, receiving or otherwise acquiring any
624 compound, mixture, or preparation containing any detectable quantity of
625 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
626 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least
627 eighteen years of age; and

628 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
629 shall require any person, prior to their purchasing, receiving or otherwise

630 acquiring such compound, mixture, or preparation to furnish suitable photo
631 identification that is issued by a state or the federal government or a document
632 that, with respect to identification, is considered acceptable and showing the date
633 of birth of the person;

634 (4) The seller shall deliver the product directly into the custody of the
635 purchaser.

636 12. Pharmacists, intern pharmacists, and registered pharmacy technicians
637 shall implement and maintain an electronic log of each transaction. Such log
638 shall include the following information:

639 (1) The name, address, and signature of the purchaser;

640 (2) The amount of the compound, mixture, or preparation purchased;

641 (3) The date and time of each purchase; and

642 (4) The name or initials of the pharmacist, intern pharmacist, or
643 registered pharmacy technician who dispensed the compound, mixture, or
644 preparation to the purchaser.

645 13. Each pharmacy shall submit information regarding sales of any
646 compound, mixture, or preparation as specified in subdivision (3) of subsection 10
647 of this section in accordance with transmission methods and frequency
648 established by the department by regulation;

649 14. No person shall dispense, sell, purchase, receive, or otherwise acquire
650 quantities greater than those specified in this chapter.

651 15. All persons who dispense or offer for sale pseudoephedrine and
652 ephedrine products in a pharmacy shall ensure that all such products are located
653 only behind a pharmacy counter where the public is not permitted.

654 16. Any person who knowingly or recklessly violates the provisions of
655 subsections 11 to 15 of this section is guilty of a class A misdemeanor.

656 17. The scheduling of substances specified in subdivision (3) of subsection
657 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
658 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
659 capsule form or to any compound, mixture, or preparation specified in subdivision
660 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
661 in a pharmacy pursuant to a prescription.

662 18. The manufacturer of a drug product or another interested party may
663 apply with the department of health and senior services for an exemption from
664 this section. The department of health and senior services may grant an
665 exemption by rule from this section if the department finds the drug product is

666 not used in the illegal manufacture of methamphetamine or other controlled or
667 dangerous substances. The department of health and senior services shall rely
668 on reports from law enforcement and law enforcement evidentiary laboratories in
669 determining if the proposed product can be used to manufacture illicit controlled
670 substances.

671 19. The department of health and senior services shall revise and
672 republish the schedules annually.

673 20. The department of health and senior services shall promulgate rules
674 under chapter 536, RSMo, regarding the security and storage of Schedule V
675 controlled substances, as described in subdivision (3) of subsection 10 of this
676 section, for distributors as registered by the department of health and senior
677 services.

678 21. Logs of transactions required to be kept and maintained by this
679 section and section 195.417 shall create a rebuttable presumption that the person
680 whose name appears in the logs is the person whose transactions are recorded in
681 the logs.

Section B. Because of the need to protect the citizens of this state from
2 harmful substances, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon its passage and
6 approval.

✓

Copy