

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2034**  
99TH GENERAL ASSEMBLY

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Reported from the Committee on Agriculture, Food Production and Outdoor Resources, April 12, 2018, with recommendation that the Senate Committee Substitute do pass.

5739S.06C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal sections 195.010, 195.017, and 196.070, RSMo, and to enact in lieu thereof sixteen new sections relating to industrial hemp, with penalty provisions.

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

Section A. Sections 195.010, 195.017, and 196.070, RSMo, are repealed  
2 and sixteen new sections enacted in lieu thereof, to be known as sections 195.010,  
3 195.017, 195.203, 195.740, 195.743, 195.746, 195.749, 195.752, 195.755, 195.756,  
4 195.758, 195.764, 195.767, 195.770, 195.773, and 196.070, to read as follows:

195.010. The following words and phrases as used in this chapter and  
2 chapter 579, unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled  
4 substances to such an extent as to create a tolerance for such drugs, and who does  
5 not have a medical need for such drugs, or who is so far addicted to the use of  
6 such drugs as to have lost the power of self-control with reference to his or her  
7 addiction;

8 (2) "Administer", to apply a controlled substance, whether by injection,  
9 inhalation, ingestion, or any other means, directly to the body of a patient or  
10 research subject by:

11 (a) A practitioner (or, in his or her presence, by his or her authorized  
12 agent); or

13 (b) The patient or research subject at the direction and in the presence of  
14 the practitioner;

15 (3) "Agent", an authorized person who acts on behalf of or at the direction  
16 of a manufacturer, distributor, or dispenser. The term does not include a common

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

17 or contract carrier, public warehouseman, or employee of the carrier or  
18 warehouseman while acting in the usual and lawful course of the carrier's or  
19 warehouseman's business;

20 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or  
21 attorney general authorized to investigate, commence and prosecute an action  
22 under this chapter;

23 (5) "Controlled substance", a drug, substance, or immediate precursor in  
24 Schedules I through V listed in this chapter;

25 (6) "Controlled substance analogue", a substance the chemical structure  
26 of which is substantially similar to the chemical structure of a controlled  
27 substance in Schedule I or II and:

28 (a) Which has a stimulant, depressant, or hallucinogenic effect on the  
29 central nervous system substantially similar to the stimulant, depressant, or  
30 hallucinogenic effect on the central nervous system of a controlled substance  
31 included in Schedule I or II; or

32 (b) With respect to a particular individual, which that individual  
33 represents or intends to have a stimulant, depressant, or hallucinogenic effect on  
34 the central nervous system substantially similar to the stimulant, depressant, or  
35 hallucinogenic effect on the central nervous system of a controlled substance  
36 included in Schedule I or II. The term does not include a controlled substance;  
37 any substance for which there is an approved new drug application; any  
38 substance for which an exemption is in effect for investigational use, for a  
39 particular person, under Section 505 of the federal Food, Drug and Cosmetic Act  
40 (21 U.S.C. Section 355) to the extent conduct with respect to the substance is  
41 pursuant to the exemption; or any substance to the extent not intended for  
42 human consumption before such an exemption takes effect with respect to the  
43 substance;

44 (7) "Counterfeit substance", a controlled substance which, or the container  
45 or labeling of which, without authorization, bears the trademark, trade name, or  
46 other identifying mark, imprint, number or device, or any likeness thereof, of a  
47 manufacturer, distributor, or dispenser other than the person who in fact  
48 manufactured, distributed, or dispensed the substance;

49 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer  
50 from one person to another of drug paraphernalia or of a controlled substance, or  
51 an imitation controlled substance, whether or not there is an agency relationship,  
52 and includes a sale;

53 (9) "Dentist", a person authorized by law to practice dentistry in this  
54 state;

55 (10) "Depressant or stimulant substance":

56 (a) A drug containing any quantity of barbituric acid or any of the salts  
57 of barbituric acid or any derivative of barbituric acid which has been designated  
58 by the United States Secretary of Health and Human Services as habit forming  
59 under 21 U.S.C. Section 352(d);

60 (b) A drug containing any quantity of:

61 a. Amphetamine or any of its isomers;

62 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

63 c. Any substance the United States Attorney General, after investigation,  
64 has found to be, and by regulation designated as, habit forming because of its  
65 stimulant effect on the central nervous system;

66 (c) Lysergic acid diethylamide; or

67 (d) Any drug containing any quantity of a substance that the United  
68 States Attorney General, after investigation, has found to have, and by regulation  
69 designated as having, a potential for abuse because of its depressant or stimulant  
70 effect on the central nervous system or its hallucinogenic effect;

71 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an  
72 ultimate user or research subject by or pursuant to the lawful order of a  
73 practitioner including the prescribing, administering, packaging, labeling, or  
74 compounding necessary to prepare the substance for such delivery. "Dispenser"  
75 means a practitioner who dispenses;

76 (12) "Distribute", to deliver other than by administering or dispensing a  
77 controlled substance;

78 (13) "Distributor", a person who distributes;

79 (14) "Drug":

80 (a) Substances recognized as drugs in the official United States  
81 Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or  
82 Official National Formulary, or any supplement to any of them;

83 (b) Substances intended for use in the diagnosis, cure, mitigation,  
84 treatment or prevention of disease in humans or animals;

85 (c) Substances, other than food, intended to affect the structure or any  
86 function of the body of humans or animals; and

87 (d) Substances intended for use as a component of any article specified in  
88 this subdivision. It does not include devices or their components, parts or

89 accessories;

90 (15) "Drug-dependent person", a person who is using a controlled  
91 substance and who is in a state of psychic or physical dependence, or both, arising  
92 from the use of such substance on a continuous basis. Drug dependence is  
93 characterized by behavioral and other responses which include a strong  
94 compulsion to take the substance on a continuous basis in order to experience its  
95 psychic effects or to avoid the discomfort caused by its absence;

96 (16) "Drug enforcement agency", the Drug Enforcement Administration in  
97 the United States Department of Justice, or its successor agency;

98 (17) "Drug paraphernalia", all equipment, products, substances and  
99 materials of any kind which are used, intended for use, or designed for use, in  
100 planting, propagating, cultivating, growing, harvesting, manufacturing,  
101 compounding, converting, producing, processing, preparing, storing, containing,  
102 concealing, injecting, ingesting, inhaling, or otherwise introducing into the human  
103 body a controlled substance or an imitation controlled substance in violation of  
104 this chapter or chapter 579. It includes, but is not limited to:

105 (a) Kits used, intended for use, or designed for use in planting,  
106 propagating, cultivating, growing or harvesting of any species of plant which is  
107 a controlled substance or from which a controlled substance can be derived;

108 (b) Kits used, intended for use, or designed for use in manufacturing,  
109 compounding, converting, producing, processing, or preparing controlled  
110 substances or imitation controlled substances;

111 (c) Isomerization devices used, intended for use, or designed for use in  
112 increasing the potency of any species of plant which is a controlled substance or  
113 an imitation controlled substance;

114 (d) Testing equipment used, intended for use, or designed for use in  
115 identifying, or in analyzing the strength, effectiveness or purity of controlled  
116 substances or imitation controlled substances;

117 (e) Scales and balances used, intended for use, or designed for use in  
118 weighing or measuring controlled substances or imitation controlled substances;

119 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol,  
120 mannite, dextrose and lactose, used, intended for use, or designed for use in  
121 cutting controlled substances or imitation controlled substances;

122 (g) Separation gins and sifters used, intended for use, or designed for use  
123 in removing twigs and seeds from, or in otherwise cleaning or refining,  
124 marijuana;

125 (h) Blenders, bowls, containers, spoons and mixing devices used, intended  
126 for use, or designed for use in compounding controlled substances or imitation  
127 controlled substances;

128 (i) Capsules, balloons, envelopes and other containers used, intended for  
129 use, or designed for use in packaging small quantities of controlled substances or  
130 imitation controlled substances;

131 (j) Containers and other objects used, intended for use, or designed for use  
132 in storing or concealing controlled substances or imitation controlled substances;

133 (k) Hypodermic syringes, needles and other objects used, intended for use,  
134 or designed for use in parenterally injecting controlled substances or imitation  
135 controlled substances into the human body;

136 (l) Objects used, intended for use, or designed for use in ingesting,  
137 inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into  
138 the human body, such as:

139 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or  
140 without screens, permanent screens, hashish heads, or punctured metal bowls;

141 b. Water pipes;

142 c. Carburetion tubes and devices;

143 d. Smoking and carburetion masks;

144 e. Roach clips meaning objects used to hold burning material, such as a  
145 marijuana cigarette, that has become too small or too short to be held in the  
146 hand;

147 f. Miniature cocaine spoons and cocaine vials;

148 g. Chamber pipes;

149 h. Carburetor pipes;

150 i. Electric pipes;

151 j. Air-driven pipes;

152 k. Chillums;

153 l. Bongos;

154 m. Ice pipes or chillers;

155 (m) Substances used, intended for use, or designed for use in the  
156 manufacture of a controlled substance;

157 In determining whether an object, product, substance or material is drug  
158 paraphernalia, a court or other authority should consider, in addition to all other  
159 logically relevant factors, the following:

160 a. Statements by an owner or by anyone in control of the object concerning

161 its use;

162           b. Prior convictions, if any, of an owner, or of anyone in control of the  
163 object, under any state or federal law relating to any controlled substance or  
164 imitation controlled substance;

165           c. The proximity of the object, in time and space, to a direct violation of  
166 this chapter or chapter 579;

167           d. The proximity of the object to controlled substances or imitation  
168 controlled substances;

169           e. The existence of any residue of controlled substances or imitation  
170 controlled substances on the object;

171           f. Direct or circumstantial evidence of the intent of an owner, or of anyone  
172 in control of the object, to deliver it to persons who he or she knows, or should  
173 reasonably know, intend to use the object to facilitate a violation of this chapter  
174 or chapter 579; the innocence of an owner, or of anyone in control of the object,  
175 as to direct violation of this chapter or chapter 579 shall not prevent a finding  
176 that the object is intended for use, or designed for use as drug paraphernalia;

177           g. Instructions, oral or written, provided with the object concerning its  
178 use;

179           h. Descriptive materials accompanying the object which explain or depict  
180 its use;

181           i. National or local advertising concerning its use;

182           j. The manner in which the object is displayed for sale;

183           k. Whether the owner, or anyone in control of the object, is a legitimate  
184 supplier of like or related items to the community, such as a licensed distributor  
185 or dealer of tobacco products;

186           l. Direct or circumstantial evidence of the ratio of sales of the object to the  
187 total sales of the business enterprise;

188           m. The existence and scope of legitimate uses for the object in the  
189 community;

190           n. Expert testimony concerning its use;

191           o. The quantity, form or packaging of the product, substance or material  
192 in relation to the quantity, form or packaging associated with any legitimate use  
193 for the product, substance or material;

194           (18) "Federal narcotic laws", the laws of the United States relating to  
195 controlled substances;

196           (19) "Hospital", a place devoted primarily to the maintenance and

197 operation of facilities for the diagnosis, treatment or care, for not less than  
198 twenty-four hours in any week, of three or more nonrelated individuals suffering  
199 from illness, disease, injury, deformity or other abnormal physical conditions; or  
200 a place devoted primarily to provide, for not less than twenty-four consecutive  
201 hours in any week, medical or nursing care for three or more nonrelated  
202 individuals. The term "hospital" does not include convalescent, nursing, shelter  
203 or boarding homes as defined in chapter 198;

204 (20) "Immediate precursor", a substance which:

205 (a) The state department of health and senior services has found to be and  
206 by rule designates as being the principal compound commonly used or produced  
207 primarily for use in the manufacture of a controlled substance;

208 (b) Is an immediate chemical intermediary used or likely to be used in the  
209 manufacture of a controlled substance; and

210 (c) The control of which is necessary to prevent, curtail or limit the  
211 manufacture of the controlled substance;

212 (21) "Imitation controlled substance", a substance that is not a controlled  
213 substance, which by dosage unit appearance (including color, shape, size and  
214 markings), or by representations made, would lead a reasonable person to believe  
215 that the substance is a controlled substance. In determining whether the  
216 substance is an imitation controlled substance the court or authority concerned  
217 should consider, in addition to all other logically relevant factors, the following:

218 (a) Whether the substance was approved by the federal Food and Drug  
219 Administration for over-the-counter (nonprescription or nonlegend) sales and was  
220 sold in the federal Food and Drug Administration approved package, with the  
221 federal Food and Drug Administration approved labeling information;

222 (b) Statements made by an owner or by anyone else in control of the  
223 substance concerning the nature of the substance, or its use or effect;

224 (c) Whether the substance is packaged in a manner normally used for  
225 illicit controlled substances;

226 (d) Prior convictions, if any, of an owner, or anyone in control of the  
227 object, under state or federal law related to controlled substances or fraud;

228 (e) The proximity of the substances to controlled substances;

229 (f) Whether the consideration tendered in exchange for the noncontrolled  
230 substance substantially exceeds the reasonable value of the substance considering  
231 the actual chemical composition of the substance and, where applicable, the price  
232 at which over-the-counter substances of like chemical composition sell. An

233 imitation controlled substance does not include a placebo or registered  
234 investigational drug either of which was manufactured, distributed, possessed or  
235 delivered in the ordinary course of professional practice or research;

236 (22) **"Illegal industrial hemp":**

237 (a) **All nonseed parts and varieties of the Cannabis sativa plant,**  
238 **growing or not, that contain an average delta-9 tetrahydrocannabinol**  
239 **(THC) concentration exceeding three-tenths of one percent on a dry**  
240 **weight basis;**

241 (b) **"Illegal industrial hemp" shall be destroyed by appropriate**  
242 **means carried out under the supervision of the Missouri state highway**  
243 **patrol in coordination with local law enforcement agencies;**

244 (23) **"Industrial hemp":**

245 (a) **All nonseed parts and varieties of the Cannabis sativa plant,**  
246 **growing or not, that contain an average delta-9 tetrahydrocannabinol**  
247 **(THC) concentration that does not exceed three-tenths of one percent**  
248 **on a dry weight basis or the maximum concentration allowed under**  
249 **federal law, whichever is greater;**

250 (b) **Any Cannabis sativa seed that is part of a growing crop,**  
251 **retained by a grower for future planting, or used for processing into or**  
252 **use as agricultural hemp seed;**

253 (c) **"Industrial hemp" includes industrial hemp commodities and**  
254 **products and topical or ingestible animal and consumer products**  
255 **derived from industrial hemp with a delta-9 tetrahydrocannabinol**  
256 **concentration of not more than three-tenths of one percent on a dry**  
257 **weight basis;**

258 (24) **"Laboratory", a laboratory approved by the department of health and**  
259 **senior services as proper to be entrusted with the custody of controlled substances**  
260 **but does not include a pharmacist who compounds controlled substances to be**  
261 **sold or dispensed on prescriptions;**

262 [(23)] (25) **"Manufacture", the production, preparation, propagation,**  
263 **compounding or processing of drug paraphernalia or of a controlled substance, or**  
264 **an imitation controlled substance, either directly or by extraction from substances**  
265 **of natural origin, or independently by means of chemical synthesis, or by a**  
266 **combination of extraction and chemical synthesis, and includes any packaging or**  
267 **repackaging of the substance or labeling or relabeling of its container. This term**  
268 **does not include the preparation or compounding of a controlled substance or an**



269 imitation controlled substance or the preparation, compounding, packaging or  
270 labeling of a narcotic or dangerous drug:

271 (a) By a practitioner as an incident to his or her administering or  
272 dispensing of a controlled substance or an imitation controlled substance in the  
273 course of his or her professional practice, or

274 (b) By a practitioner or his or her authorized agent under his or her  
275 supervision, for the purpose of, or as an incident to, research, teaching or  
276 chemical analysis and not for sale;

277 [(24)] **(26)** "Marijuana", all parts of the plant genus Cannabis in any  
278 species or form thereof, including, but not limited to Cannabis Sativa L., **except**  
279 **industrial hemp**, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis,  
280 and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin  
281 extracted from any part of the plant; and every compound, manufacture, salt,  
282 derivative, mixture, or preparation of the plant, its seeds or resin. It does not  
283 include the mature stalks of the plant, fiber produced from the stalks, oil or cake  
284 made from the seeds of the plant, any other compound, manufacture, salt,  
285 derivative, mixture or preparation of the mature stalks (except the resin extracted  
286 therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable  
287 of germination;

288 [(25)] **(27)** "Methamphetamine precursor drug", any drug containing  
289 ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical  
290 isomers, or salts of optical isomers;

291 [(26)] **(28)** "Narcotic drug", any of the following, whether produced  
292 directly or indirectly by extraction from substances of vegetable origin, or  
293 independently by means of chemical synthesis, or by a combination of extraction  
294 and chemical analysis:

295 (a) Opium, opiate, and any derivative, of opium or opiate, including their  
296 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever  
297 the existence of the isomers, esters, ethers, and salts is possible within the  
298 specific chemical designation. The term does not include the isoquinoline  
299 alkaloids of opium;

300 (b) Coca leaves, but not including extracts of coca leaves from which  
301 cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

302 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

303 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

304 (e) Any compound, mixture, or preparation containing any quantity of any

305 substance referred to in paragraphs (a) to (d) of this subdivision;

306 [(27)] (29) "Official written order", an order written on a form provided  
307 for that purpose by the United States Commissioner of Narcotics, under any laws  
308 of the United States making provision therefor, if such order forms are authorized  
309 and required by federal law, and if no such order form is provided, then on an  
310 official form provided for that purpose by the department of health and senior  
311 services;

312 [(28)] (30) "Opiate", any substance having an addiction-forming or  
313 addiction-sustaining liability similar to morphine or being capable of conversion  
314 into a drug having addiction-forming or addiction-sustaining liability. The term  
315 includes its racemic and levorotatory forms. It does not include, unless  
316 specifically controlled under section 195.017, the dextrorotatory isomer of  
317 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

318 [(29)] (31) "Opium poppy", the plant of the species *Papaver somniferum*  
319 L., except its seeds;

320 [(30)] (32) "Over-the-counter sale", a retail sale licensed pursuant to  
321 chapter 144 of a drug other than a controlled substance;

322 [(31)] (33) "Person", an individual, corporation, government or  
323 governmental subdivision or agency, business trust, estate, trust, partnership,  
324 joint venture, association, or any other legal or commercial entity;

325 [(32)] (34) "Pharmacist", a licensed pharmacist as defined by the laws of  
326 this state, and where the context so requires, the owner of a store or other place  
327 of business where controlled substances are compounded or dispensed by a  
328 licensed pharmacist; but nothing in this chapter shall be construed as conferring  
329 on a person who is not registered nor licensed as a pharmacist any authority,  
330 right or privilege that is not granted to him by the pharmacy laws of this state;

331 [(33)] (35) "Poppy straw", all parts, except the seeds, of the opium poppy,  
332 after mowing;

333 [(34)] (36) "Possessed" or "possessing a controlled substance", a person,  
334 with the knowledge of the presence and nature of a substance, has actual or  
335 constructive possession of the substance. A person has actual possession if he has  
336 the substance on his or her person or within easy reach and convenient control.  
337 A person who, although not in actual possession, has the power and the intention  
338 at a given time to exercise dominion or control over the substance either directly  
339 or through another person or persons is in constructive possession of  
340 it. Possession may also be sole or joint. If one person alone has possession of a

341 substance possession is sole. If two or more persons share possession of a  
342 substance, possession is joint;

343 [(35)] (37) "Practitioner", a physician, dentist, optometrist, podiatrist,  
344 veterinarian, scientific investigator, pharmacy, hospital or other person licensed,  
345 registered or otherwise permitted by this state to distribute, dispense, conduct  
346 research with respect to or administer or to use in teaching or chemical analysis,  
347 a controlled substance in the course of professional practice or research in this  
348 state, or a pharmacy, hospital or other institution licensed, registered, or  
349 otherwise permitted to distribute, dispense, conduct research with respect to or  
350 administer a controlled substance in the course of professional practice or  
351 research;

352 [(36)] (38) "Production", includes the manufacture, planting, cultivation,  
353 growing, or harvesting of drug paraphernalia or of a controlled substance or an  
354 imitation controlled substance;

355 [(37)] (39) "Registry number", the number assigned to each person  
356 registered under the federal controlled substances laws;

357 [(38)] (40) "Sale", includes barter, exchange, or gift, or offer therefor, and  
358 each such transaction made by any person, whether as principal, proprietor,  
359 agent, servant or employee;

360 [(39)] (41) "State" when applied to a part of the United States, includes  
361 any state, district, commonwealth, territory, insular possession thereof, and any  
362 area subject to the legal authority of the United States of America;

363 [(40)] (42) "Synthetic cannabinoid", includes unless specifically excepted  
364 or unless listed in another schedule, any natural or synthetic material, compound,  
365 mixture, or preparation that contains any quantity of a substance that is a  
366 cannabinoid receptor agonist, including but not limited to any substance listed  
367 in paragraph (ll) of subdivision (4) of subsection 2 of section 195.017 and any  
368 analogues; homologues; isomers, whether optical, positional, or geometric; esters;  
369 ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of  
370 the isomers, esters, ethers, or salts is possible within the specific chemical  
371 designation, however, it shall not include any approved pharmaceutical  
372 authorized by the United States Food and Drug Administration;

373 [(41)] (43) "Ultimate user", a person who lawfully possesses a controlled  
374 substance or an imitation controlled substance for his or her own use or for the  
375 use of a member of his or her household or immediate family, regardless of  
376 whether they live in the same household, or for administering to an animal owned

377 by him or by a member of his or her household. For purposes of this section, the  
378 phrase "immediate family" means a husband, wife, parent, child, sibling,  
379 stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

380 [(42)] (44) "Wholesaler", a person who supplies drug paraphernalia or  
381 controlled substances or imitation controlled substances that he himself has not  
382 produced or prepared, on official written orders, but not on prescriptions.

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;

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) Etoxeridine;  
41 (cc) Furethidine;  
42 (dd) Hydroxypethidine;  
43 (ee) Ketobemidone;  
44 (ff) Levomoramide;  
45 (gg) Levophenacymorphan;  
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) Hydromorphenol;

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) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts,  
112 and salts of isomers;
- 113 (o) Alpha-ethyltryptamine;
- 114 (p) Alpha-methyltryptamine;
- 115 (q) Bufotenine;
- 116 (r) Diethyltryptamine;
- 117 (s) Dimethyltryptamine;
- 118 (t) 5-methoxy-N,N-diisopropyltryptamine;
- 119 (u) Ibogaine;
- 120 (v) Lysergic acid diethylamide;
- 121 (w) Marijuana or marihuana, **except industrial hemp**;
- 122 (x) Mescaline;
- 123 (y) Parahehexyl;
- 124 (z) Peyote, to include all parts of the plant presently classified botanically  
125 as Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any  
126 extract from any part of such plant; and every compound, manufacture, salt,  
127 derivative, mixture or preparation of the plant, its seed or extracts;
- 128 (aa) N-ethyl-3-piperidyl benzilate;
- 129 (bb) N-methyl-3-piperidyl benzilate;
- 130 (cc) Psilocybin;
- 131 (dd) Psilocyn;
- 132 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus  
133 Cannabis (cannabis plant), **except industrial hemp**, as well as synthetic  
134 equivalents of the substances contained in the cannabis plant, or in the resinous  
135 extractives of such plant, or synthetic substances, derivatives, and their isomers  
136 with similar chemical structure and pharmacological activity to those substances  
137 contained in the plant, such as the following:
- 138 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;

- 139           b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;  
140           c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;  
141           d. Any compounds of these structures, regardless of numerical designation  
142 of atomic positions covered;
- 143           (ff) Ethylamine analog of phencyclidine;  
144           (gg) Pyrrolidine analog of phencyclidine;  
145           (hh) Thiophene analog of phencyclidine;  
146           (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;  
147           (jj) *Salvia divinorum*;  
148           (kk) Salvinorin A;  
149           (ll) Synthetic cannabinoids:
- 150           a. Any compound structurally derived from 3-(1-naphthoyl)indole or  
151 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the  
152 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
153 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not  
154 further substituted in the indole ring to any extent, whether or not substituted  
155 in the naphthyl ring to any extent. Including, but not limited to:
- 156           (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;  
157           (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;  
158           (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;  
159           (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;  
160           (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;  
161           (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;  
162           (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;  
163           (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;  
164           (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;  
165           (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;  
166           (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;  
167           (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
- 168           b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by  
169 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,  
170 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
171 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole  
172 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
- 173           c. Any compound structurally derived from 1-(1-naphthylmethyl)indene  
174 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,



175 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
176 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene  
177 ring to any extent, whether or not substituted in the naphthyl ring to any extent;

178 d. Any compound structurally derived from 3-phenylacetylindole by  
179 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,  
180 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
181 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole  
182 ring to any extent, whether or not substituted in the phenyl ring to any  
183 extent. Including, but not limited to:

184 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

185 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;

186 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;

187 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

188 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

189 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol  
190 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,  
191 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
192 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring  
193 to any extent. Including, but not limited to:

194 (i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]

195 -5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side  
196 chain n=4,6, or 7;

197 f. Any compound containing a 3-(benzoyl)indole structure with  
198 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,  
199 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
200 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole  
201 ring to any extent and whether or not substituted in the phenyl ring to any  
202 extent. Including, but not limited to:

203 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

204 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

205 g. CP 50, 556-1, or

206 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]  
207 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

208 h. HU-210, or

209 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10  
210 a-tetrahydrobenzo[c]chromen-1-ol;

- 211 i. HU-211, or  
212 Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl  
213 )-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 214 j. CP 50,556-1, or  
215 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]  
216 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 217 k. Dimethylheptylpyran, or DMHP;
- 218 (5) Any material, compound, mixture or preparation containing any  
219 quantity of the following substances having a depressant effect on the central  
220 nervous system, including their salts, isomers and salts of isomers whenever the  
221 existence of these salts, isomers and salts of isomers is possible within the  
222 specific chemical designation:
- 223 (a) Gamma-hydroxybutyric acid;  
224 (b) Mecloqualone;  
225 (c) Methaqualone;
- 226 (6) Any material, compound, mixture or preparation containing any  
227 quantity of the following substances having a stimulant effect on the central  
228 nervous system, including their salts, isomers and salts of isomers:
- 229 (a) Aminorex;  
230 (b) N-benzylpiperazine;  
231 (c) Cathinone;  
232 (d) Fenethylamine;  
233 (e) 3-Fluoromethcathinone;  
234 (f) 4-Fluoromethcathinone;  
235 (g) Mephedrone, or 4-methylmethcathinone;  
236 (h) Methcathinone;  
237 (i) 4-methoxymethcathinone;  
238 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-  
239 oxazolamine);
- 240 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-  
241 (1-pyrrolidinyl)-1-pentanone);
- 242 (l) Methylone, or 3,4-Methylenedioxyamphetamine;  
243 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;  
244 (n) N-ethylamphetamine;  
245 (o) N,N-dimethylamphetamine;
- 246 (7) A temporary listing of substances subject to emergency scheduling

247 under federal law shall include any material, compound, mixture or preparation  
248 which contains any quantity of the following substances:

249 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its  
250 optical isomers, salts and salts of isomers;

251 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide  
252 (thenylfentanyl), its optical isomers, salts and salts of isomers;

253 (8) Khat, to include all parts of the plant presently classified botanically  
254 as catha edulis, whether growing or not; the seeds thereof; any extract from any  
255 part of such plant; and every compound, manufacture, salt, derivative, mixture,  
256 or preparation of the plant, its seed or extracts.

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

259 (1) The substance has high potential for abuse;

260 (2) The substance has currently accepted medical use in treatment in the  
261 United States, or currently accepted medical use with severe restrictions; and

262 (3) The abuse of the substance may lead to severe psychic or physical  
263 dependence.

264 4. The controlled substances listed in this subsection are included in  
265 Schedule II:

266 (1) Any of the following substances whether produced directly or indirectly  
267 by extraction from substances of vegetable origin, or independently by means of  
268 chemical synthesis, or by combination of extraction and chemical synthesis:

269 (a) Opium and opiate and any salt, compound, derivative or preparation  
270 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,  
271 dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their  
272 respective salts but including the following:

273 a. Raw opium;

274 b. Opium extracts;

275 c. Opium fluid;

276 d. Powdered opium;

277 e. Granulated opium;

278 f. Tincture of opium;

279 g. Codeine;

280 h. Ethylmorphine;

281 i. Etorphine hydrochloride;

282 j. Hydrocodone;

- 283 k. Hydromorphone;
- 284 l. Metopon;
- 285 m. Morphine;
- 286 n. Oxycodone;
- 287 o. Oxymorphone;
- 288 p. Thebaine;
- 289 (b) Any salt, compound, derivative, or preparation thereof which is
- 290 chemically equivalent or identical with any of the substances referred to in this
- 291 subdivision, but not including the isoquinoline alkaloids of opium;
- 292 (c) Opium poppy and poppy straw;
- 293 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
- 294 leaves, and any salt, compound, derivative, or preparation thereof which is
- 295 chemically equivalent or identical with any of these substances, but not including
- 296 decocainized coca leaves or extractions which do not contain cocaine or ecgonine;
- 297 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
- 298 liquid, solid or powder form which contains the phenanthrene alkaloids of the
- 299 opium poppy);
- 300 (2) Any of the following opiates, including their isomers, esters, ethers,
- 301 salts, and salts of isomers, whenever the existence of these isomers, esters, ethers
- 302 and salts is possible within the specific chemical designation, dextrorphan and
- 303 levopropoxyphene excepted:
- 304 (a) Alfentanil;
- 305 (b) Alphaprodine;
- 306 (c) Anileridine;
- 307 (d) Bezitramide;
- 308 (e) Bulk dextropropoxyphene;
- 309 (f) Carfentanil;
- 310 (g) Dihydrocodeine;
- 311 (h) Diphenoxylate;
- 312 (i) Fentanyl;
- 313 (j) Isomethadone;
- 314 (k) Levo-alphaacetylmethadol;
- 315 (l) Levomethorphan;
- 316 (m) Levorphanol;
- 317 (n) Metazocine;
- 318 (o) Methadone;

- 319 (p) Meperidine;
- 320 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,  
321 4-diphenylbutane;
- 322 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-  
323 carboxylic acid;
- 324 (s) Pethidine (meperidine);
- 325 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 326 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 327 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic  
328 acid;
- 329 (w) Phenazocine;
- 330 (x) Piminodine;
- 331 (y) Racemethorphan;
- 332 (z) Racemorphan;
- 333 (aa) Remifentanil;
- 334 (bb) Sufentanil;
- 335 (cc) Tapentadol;
- 336 (3) Any material, compound, mixture, or preparation which contains any  
337 quantity of the following substances having a stimulant effect on the central  
338 nervous system:
- 339 (a) Amphetamine, its salts, optical isomers, and salts of its optical  
340 isomers;
- 341 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 342 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 343 (d) Phenmetrazine and its salts;
- 344 (e) Methylphenidate;
- 345 (4) Any material, compound, mixture, or preparation which contains any  
346 quantity of the following substances having a depressant effect on the central  
347 nervous system, including its salts, isomers, and salts of isomers whenever the  
348 existence of those salts, isomers, and salts of isomers is possible within the  
349 specific chemical designation:
- 350 (a) Amobarbital;
- 351 (b) Glutethimide;
- 352 (c) Pentobarbital;
- 353 (d) Phencyclidine;
- 354 (e) Secobarbital;

- 355 (5) Any material or compound which contains any quantity of nabilone;
- 356 (6) Any material, compound, mixture, or preparation which contains any
- 357 quantity of the following substances:
- 358 (a) Immediate precursor to amphetamine and methamphetamine:
- 359 Phenylacetone;
- 360 (b) Immediate precursors to phencyclidine (PCP):
- 361 a. 1-phenylcyclohexylamine;
- 362 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 363 (7) Any material, compound, mixture, or preparation which contains any
- 364 quantity of the following alkyl nitrites:
- 365 (a) Amyl nitrite;
- 366 (b) Butyl nitrite.
- 367 5. The department of health and senior services shall place a substance
- 368 in Schedule III if it finds that:
- 369 (1) The substance has a potential for abuse less than the substances listed
- 370 in Schedules I and II;
- 371 (2) The substance has currently accepted medical use in treatment in the
- 372 United States; and
- 373 (3) Abuse of the substance may lead to moderate or low physical
- 374 dependence or high psychological dependence.
- 375 6. The controlled substances listed in this subsection are included in
- 376 Schedule III:
- 377 (1) Any material, compound, mixture, or preparation which contains any
- 378 quantity of the following substances having a potential for abuse associated with
- 379 a stimulant effect on the central nervous system:
- 380 (a) Benzphetamine;
- 381 (b) Chlorphentermine;
- 382 (c) Clortermine;
- 383 (d) Phendimetrazine;
- 384 (2) Any material, compound, mixture or preparation which contains any
- 385 quantity or salt of the following substances or salts having a depressant effect on
- 386 the central nervous system:
- 387 (a) Any material, compound, mixture or preparation which contains any
- 388 quantity or salt of the following substances combined with one or more active
- 389 medicinal ingredients:
- 390 a. Amobarbital;

- 391           b. Secobarbital;
- 392           c. Pentobarbital;
- 393           (b) Any suppository dosage form containing any quantity or salt of the
- 394 following:
- 395           a. Amobarbital;
- 396           b. Secobarbital;
- 397           c. Pentobarbital;
- 398           (c) Any substance which contains any quantity of a derivative of
- 399 barbituric acid or its salt;
- 400           (d) Chlorhexadol;
- 401           (e) Emбутрамиде;
- 402           (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 403 contained in a drug product for which an application has been approved under
- 404 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 405           (g) Ketamine, its salts, isomers, and salts of isomers;
- 406           (h) Lysergic acid;
- 407           (i) Lysergic acid amide;
- 408           (j) Methyprylon;
- 409           (k) Sulfondiethylmethane;
- 410           (l) Sulfonethylmethane;
- 411           (m) Sulfonmethane;
- 412           (n) Tiletamine and zolazepam or any salt thereof;
- 413           (3) Nalorphine;
- 414           (4) Any material, compound, mixture, or preparation containing limited
- 415 quantities of any of the following narcotic drugs or their salts:
- 416           (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 417 more than ninety milligrams per dosage unit, with an equal or greater quantity
- 418 of an isoquinoline alkaloid of opium;
- 419           (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 420 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
- 421 ingredients in recognized therapeutic amounts;
- 422           (c) Not more than three hundred milligrams of hydrocodone per one
- 423 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
- 424 fourfold or greater quantity of an isoquinoline alkaloid of opium;
- 425           (d) Not more than three hundred milligrams of hydrocodone per one
- 426 hundred milliliters or not more than fifteen milligrams per dosage unit, with one

427 or more active nonnarcotic ingredients in recognized therapeutic amounts;

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

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

434 (g) Not more than five hundred milligrams of opium per one hundred  
435 milliliters or per one hundred grams or not more than twenty-five milligrams per  
436 dosage unit, with one or more active nonnarcotic ingredients in recognized  
437 therapeutic amounts;

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

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

444 (6) Anabolic steroids. Any drug or hormonal substance, chemically and  
445 pharmacologically related to testosterone (other than estrogens, progestins,  
446 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except  
447 an anabolic steroid which is expressly intended for administration through  
448 implants to cattle or other nonhuman species and which has been approved by  
449 the Secretary of Health and Human Services for that administration. If any  
450 person prescribes, dispenses, or distributes such steroid for human use, such  
451 person shall be considered to have prescribed, dispensed, or distributed an  
452 anabolic steroid within the meaning of this subdivision. Unless specifically  
453 excepted or unless listed in another schedule, any material, compound, mixture  
454 or preparation containing any quantity of the following substances, including its  
455 salts, esters and ethers:

456 (a)  $3\beta,17$ -dihydroxy-5 $\alpha$ -androstane;

457 (b) 3 $\alpha,17\beta$ -dihydroxy-5 $\alpha$ -androstane;

458 (c) 5 $\alpha$ -androstane-3,17-dione;

459 (d) 1-androstenediol (3 $\beta,17\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);

460 (e) 1-androstenediol (3 $\alpha,17\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);

461 (f) 4-androstenediol (3 $\beta,17\beta$ -dihydroxy-androst-4-ene);

462 (g) 5-androstenediol (3 $\beta,17\beta$ -dihydroxy-androst-5-ene);



- 463 (h) 1-androstenedione ([5 $\alpha$ ]-androst-1-en-3,17-dione);
- 464 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 465 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 466 (k) Bolasterone (7 $\alpha$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 467 (l) Boldenone (17 $\beta$ -hydroxyandrost-1,4,-diene-3-one);
- 468 (m) Boldione;
- 469 (n) Calusterone (7 $\beta$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 470 (o) Clostebol (4-chloro-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 471 ( p ) D e h y d r o c h l o r o m e t h y l t e s t o s t e r o n e
- 472 (4-chloro-17 $\beta$ -hydroxy-17 $\alpha$ -methyl-androst-1,4-dien-3-one);
- 473 (q) Desoxymethyltestosterone;
- 474 ( r )  $\Delta$  1 - d i h y d r o t e s t o s t e r o n e ( a . k . a .
- 475 '1-testosterone')(17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- 476 (s) 4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);
- 477 (t) Drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -androstan-3-one);
- 478 (u) Ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-ene);
- 479 ( v ) F l u o x y m e s t e r o n e
- 480 (9-fluoro-17 $\alpha$ -methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 481 ( w ) F o r m e b o l o n e
- 482 (2-formyl-17 $\alpha$ -methyl-11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 483 (x) Furazabol (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrostan[2,3-c]-furazan);
- 484 (y) 13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;
- 485 (z) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);
- 486 (aa) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);
- 487 (bb) Mestanolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one);
- 488 (cc) Mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);
- 489 (dd) Methandienone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-one);
- 490 (ee) Methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);
- 491 (ff) Methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- 492 (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstan-3-one);
- 493 (hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstan-3-one);
- 494 (ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;
- 495 ( j j ) 1 7  $\alpha$  - m e t h y l - 4 - h y d r o x y n a n d r o l o n e
- 496 (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-3-one);
- 497 (kk) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);
- 498 (ll) Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one);

- 499 (mm) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
500 (nn) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
501 (oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$  $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$  -  
502 androst-1-en-3-one)(a.k.a. '17-a-methyl-1-testosterone');  
503 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);  
504 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);  
505 (rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);  
506 (ss) 19-nor-4,9(10)-androstadienedione;  
507 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);  
508 (uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-5-ene);  
509 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);  
510 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);  
511 (xx) Norbolethone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);  
512 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);  
513 (zz) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
514 (aaa) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
515 (bbb) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);  
516 (ccc) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);  
517 (ddd) Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-  
518 androstan-3-one);  
519 (eee) Stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-  
520 pyrazole);  
521 (fff) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);  
522 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic  
523 acid lactone);  
524 (hhh) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);  
525 (iii) Tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4,9,11-  
526 trien-3-one);  
527 (jjj) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);  
528 (kkk) Any salt, ester, or ether of a drug or substance described or listed  
529 in this subdivision, except an anabolic steroid which is expressly intended for  
530 administration through implants to cattle or other nonhuman species and which  
531 has been approved by the Secretary of Health and Human Services for that  
532 administration;  
533 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin  
534 capsule in a United States Food and Drug Administration approved drug product;

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

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

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

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

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

552 8. The controlled substances listed in this subsection are included in  
553 Schedule IV:

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

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

559 (b) Dextropropoxyphene ( $\alpha$ -(+)-4-dimethylamino-1,  
560 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

568 b. Not more than one hundred milligrams of dihydrocodeine per one  
569 hundred milliliters or per one hundred grams;

570 c. Not more than one hundred milligrams of ethylmorphine per one

571 hundred milliliters or per one hundred grams;

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

- 576 (a) Alprazolam;
- 577 (b) Barbital;
- 578 (c) Bromazepam;
- 579 (d) Camazepam;
- 580 (e) Chloral betaine;
- 581 (f) Chloral hydrate;
- 582 (g) Chlordiazepoxide;
- 583 (h) Clobazam;
- 584 (i) Clonazepam;
- 585 (j) Clorazepate;
- 586 (k) Clotiazepam;
- 587 (l) Cloxazolam;
- 588 (m) Delorazepam;
- 589 (n) Diazepam;
- 590 (o) Dichloralphenazone;
- 591 (p) Estazolam;
- 592 (q) Ethchlorvynol;
- 593 (r) Ethinamate;
- 594 (s) Ethyl loflazepate;
- 595 (t) Fludiazepam;
- 596 (u) Flunitrazepam;
- 597 (v) Flurazepam;
- 598 (w) Fospropofol;
- 599 (x) Halazepam;
- 600 (y) Haloxazolam;
- 601 (z) Ketazolam;
- 602 (aa) Loprazolam;
- 603 (bb) Lorazepam;
- 604 (cc) Lormetazepam;
- 605 (dd) Mebutamate;
- 606 (ee) Medazepam;

- 607 (ff) Meprobamate;
- 608 (gg) Methohexital;
- 609 (hh) Methylphenobarbital (mephobarbital);
- 610 (ii) Midazolam;
- 611 (jj) Nimetazepam;
- 612 (kk) Nitrazepam;
- 613 (ll) Nordiazepam;
- 614 (mm) Oxazepam;
- 615 (nn) Oxazolam;
- 616 (oo) Paraldehyde;
- 617 (pp) Petrichloral;
- 618 (qq) Phenobarbital;
- 619 (rr) Pinazepam;
- 620 (ss) Prazepam;
- 621 (tt) Quazepam;
- 622 (uu) Temazepam;
- 623 (vv) Tetrazepam;
- 624 (ww) Triazolam;
- 625 (xx) Zaleplon;
- 626 (yy) Zolpidem;
- 627 (zz) Zopiclone;
- 628 (3) Any material, compound, mixture, or preparation which contains any
- 629 quantity of the following substance including its salts, isomers and salts of
- 630 isomers whenever the existence of such salts, isomers and salts of isomers is
- 631 possible: fenfluramine;
- 632 (4) Any material, compound, mixture or preparation containing any
- 633 quantity of the following substances having a stimulant effect on the central
- 634 nervous system, including their salts, isomers and salts of isomers:
- 635 (a) Cathine ((+)-norpseudoephedrine);
- 636 (b) Diethylpropion;
- 637 (c) Fencamfamin;
- 638 (d) Fenproporex;
- 639 (e) Mazindol;
- 640 (f) Mefenorex;
- 641 (g) Modafinil;
- 642 (h) Pemoline, including organometallic complexes and chelates thereof;

- 643 (i) Phentermine;
- 644 (j) Pipradrol;
- 645 (k) Sibutramine;
- 646 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 647 (5) Any material, compound, mixture or preparation containing any  
648 quantity of the following substance, including its salts:
- 649 (a) butorphanol;
- 650 (b) pentazocine;
- 651 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when  
652 the substance is the only active medicinal ingredient;
- 653 (7) The department of health and senior services may except by rule any  
654 compound, mixture, or preparation containing any depressant substance listed in  
655 subdivision (1) of this subsection from the application of all or any part of sections  
656 195.010 to 195.320 and sections 579.015 to 579.086 if the compound, mixture, or  
657 preparation contains one or more active medicinal ingredients not having a  
658 depressant effect on the central nervous system, and if the admixtures are  
659 included therein in combinations, quantity, proportion, or concentration that  
660 vitiate the potential for abuse of the substances which have a depressant effect  
661 on the central nervous system.
- 662 9. The department of health and senior services shall place a substance  
663 in Schedule V if it finds that:
- 664 (1) The substance has low potential for abuse relative to the controlled  
665 substances listed in Schedule IV;
- 666 (2) The substance has currently accepted medical use in treatment in the  
667 United States; and
- 668 (3) The substance has limited physical dependence or psychological  
669 dependence liability relative to the controlled substances listed in Schedule IV.
- 670 10. The controlled substances listed in this subsection are included in  
671 Schedule V:
- 672 (1) Any compound, mixture or preparation containing any of the following  
673 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in  
674 limited quantities as set forth below, which also contains one or more nonnarcotic  
675 active medicinal ingredients in sufficient proportion to confer upon the compound,  
676 mixture or preparation valuable medicinal qualities other than those possessed  
677 by the narcotic drug alone:
- 678 (a) Not more than two and five-tenths milligrams of diphenoxylate and not

679 less than twenty-five micrograms of atropine sulfate per dosage unit;

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

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

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

687 (3) Any compound, mixture, or preparation containing any detectable  
688 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical  
689 isomers or any compound, mixture, or preparation containing any detectable  
690 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

691 (4) Unless specifically exempted or excluded or unless listed in another  
692 schedule, any material, compound, mixture, or preparation which contains any  
693 quantity of the following substances having a depressant effect on the central  
694 nervous system, including its salts:

695 (a) Lacosamide;

696 (b) Pregabalin.

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

700 (1) All packages of any compound, mixture, or preparation containing any  
701 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of  
702 optical isomers or ephedrine, its salts or optical isomers, or salts of optical  
703 isomers, shall be offered for sale only from behind a pharmacy counter where the  
704 public is not permitted, and only by a registered pharmacist or registered  
705 pharmacy technician; and

706 (2) Any person purchasing, receiving or otherwise acquiring any  
707 compound, mixture, or preparation containing any detectable quantity of  
708 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or  
709 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least  
710 eighteen years of age; and

711 (3) The pharmacist, intern pharmacist, or registered pharmacy technician  
712 shall require any person, prior to such person's purchasing, receiving or otherwise  
713 acquiring such compound, mixture, or preparation to furnish suitable photo  
714 identification that is issued by a state or the federal government or a document

715 that, with respect to identification, is considered acceptable and showing the date  
716 of birth of the person;

717 (4) The seller shall deliver the product directly into the custody of the  
718 purchaser.

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

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

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

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

725 (4) The name or initials of the pharmacist, intern pharmacist, or  
726 registered pharmacy technician who dispensed the compound, mixture, or  
727 preparation to the purchaser.

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

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

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

737 16. The penalties for a knowing or reckless violation of the provisions of  
738 subsections 11 to 15 of this section are found in section 579.060.

739 17. The scheduling of substances specified in subdivision (3) of subsection  
740 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply  
741 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel  
742 capsule form or to any compound, mixture, or preparation specified in subdivision  
743 (3) of subsection 10 of this section which must be dispensed, sold, or distributed  
744 in a pharmacy pursuant to a prescription.

745 18. The manufacturer of a drug product or another interested party may  
746 apply with the department of health and senior services for an exemption from  
747 this section. The department of health and senior services may grant an  
748 exemption by rule from this section if the department finds the drug product is  
749 not used in the illegal manufacture of methamphetamine or other controlled or  
750 dangerous substances. The department of health and senior services shall rely



751 on reports from law enforcement and law enforcement evidentiary laboratories in  
752 determining if the proposed product can be used to manufacture illicit controlled  
753 substances.

754 19. The department of health and senior services shall revise and  
755 republish the schedules annually.

756 20. The department of health and senior services shall promulgate rules  
757 under chapter 536 regarding the security and storage of Schedule V controlled  
758 substances, as described in subdivision (3) of subsection 10 of this section, for  
759 distributors as registered by the department of health and senior services.

760 21. Logs of transactions required to be kept and maintained by this  
761 section and section 195.417 shall create a rebuttable presumption that the person  
762 whose name appears in the logs is the person whose transactions are recorded in  
763 the logs.

**195.203. Notwithstanding any other provision of this chapter,  
2 section 261.265, or chapter 579 to the contrary, any person who has a  
3 valid industrial hemp registration as provided under section 195.746  
4 may grow, harvest, cultivate, and process industrial hemp, as defined  
5 in section 195.010, in accordance with the requirements of such  
6 sections.**

**195.740. For the purposes of sections 195.740 to 195.773, the  
2 following terms shall mean:**

3 (1) "Agricultural hemp seed", *Cannabis sativa* L. seed that meets  
4 any labeling, quality, or other standards set by the department of  
5 agriculture and that is intended for sale, is sold to, or is purchased by  
6 registered growers for planting;

7 (2) "Crop", industrial hemp grown under a single registration;

8 (3) "Department", the Missouri department of agriculture;

9 (4) "Grain", *Cannabis sativa* L. seed used to make an industrial  
10 hemp commodity or product;

11 (5) "Grower", a person, joint venture, or cooperative who is a  
12 Missouri resident or an entity that is domiciled in this state that  
13 produces industrial hemp;

14 (6) "Handler", a person, joint venture, or cooperative who is a  
15 Missouri resident or an entity that is domiciled in this state that  
16 receives industrial hemp for processing into commodities, products,  
17 feed, or agricultural hemp seed;

18           **(7) "Industrial hemp plant monitoring system", a reporting**  
19 **system that includes, but is not limited to, testing, transfer reports, and**  
20 **data collection maintained by a grower or handler and available to the**  
21 **department for purposes of monitoring agricultural hemp seed and**  
22 **industrial hemp cultivated as an agricultural product from planting to**  
23 **final packaging.**

**195.743. 1. There is hereby created an industrial hemp**  
2 **agricultural pilot program, in accordance with federal law, to be**  
3 **implemented by the department to study the growth, cultivation,**  
4 **processing, feeding, and marketing of industrial hemp.**

5           **2. Industrial hemp shall be an agricultural product that is**  
6 **subject to regulation by the department, including compliance with an**  
7 **industrial hemp plant monitoring system.**

**195.746. 1. Any grower or handler of industrial hemp shall**  
2 **obtain a registration from the department. Growers and handlers**  
3 **engaged in the production of agricultural hemp seed shall obtain an**  
4 **agricultural hemp seed production permit. An agricultural hemp seed**  
5 **production permit shall authorize a grower or handler to produce and**  
6 **handle agricultural hemp seed for sale to registered industrial hemp**  
7 **growers and handlers. The department shall make information that**  
8 **identifies sellers of agricultural hemp seed available to growers, and**  
9 **any seller of agricultural hemp seed shall ensure that the seed complies**  
10 **with any standards established by the department.**

11           **2. An application for an industrial hemp registration or**  
12 **agricultural hemp seed production permit shall include:**

13           **(1) The name and address of the applicant;**

14           **(2) The name and address of the industrial hemp or agricultural**  
15 **hemp seed operation;**

16           **(3) The global positioning system coordinates and legal**  
17 **description for the property used for the industrial hemp or**  
18 **agricultural hemp seed operation;**

19           **(4) The application fee, as determined by the department, in an**  
20 **amount sufficient to cover the administrative costs of processing**  
21 **registration and permit applications; and**

22           **(5) Any other information the department deems necessary.**

23           **3. The department shall issue a registration or permit under this**  
24 **section to an applicant who meets the requirements of this section and**

25 section 195.749, who satisfactorily completes a state and federal  
26 fingerprint criminal history background check under section 43.543,  
27 who signs an acknowledgment that industrial hemp is an experimental  
28 crop, and who signs a waiver that holds the department harmless in the  
29 event a lawsuit occurs or if the growth, cultivation, processing, feeding,  
30 or marketing of industrial hemp or seed is later declared illegal under  
31 federal law. The department may charge an applicant an additional fee  
32 for the cost of the fingerprint criminal history background check in  
33 addition to the registration or permit fee.

34 4. Upon issuance of a registration or permit, information  
35 regarding all registration and permit holders shall be forwarded to the  
36 Missouri state highway patrol.

37 5. An industrial hemp registration or agricultural hemp seed  
38 production permit is:

39 (1) Nontransferable, except such registration or permit may be  
40 transferred to a spouse or child who otherwise meets the requirements  
41 of a registrant or permittee, and the spouse or child may operate under  
42 the existing registration or permit until the registration or permit  
43 expires, at which time the renewal shall reflect the change of the  
44 registrant or permittee;

45 (2) Valid for a three-year term unless revoked by the department;  
46 and

47 (3) Renewable as determined by the department.

195.749. 1. The department may revoke, refuse to issue, or refuse  
2 to renew an industrial hemp registration or agricultural hemp seed  
3 production permit and may impose a civil penalty of not less than two  
4 thousand five hundred dollars or more than fifty thousand dollars for  
5 violation of:

6 (1) A registration or permit requirement, term, or condition;

7 (2) Department rules relating to growing or handling industrial  
8 hemp;

9 (3) Any industrial hemp plant monitoring system requirement;  
10 or

11 (4) A final order of the department that is specifically directed  
12 to the grower's or handler's industrial hemp operations or activities.

13 2. A registration or permit shall not be issued to a person who in  
14 the five years immediately preceding the application date has been

15 found guilty of, or pled guilty to, a felony offense under any state or  
16 federal law regarding the possession, distribution, manufacturing,  
17 cultivation, or use of a controlled substance.

18 3. The department may revoke, refuse to issue, or refuse to  
19 renew an industrial hemp registration or an agricultural hemp seed  
20 production permit for failing to comply with any provision of this  
21 chapter, or for a violation of any department rule relating to  
22 agricultural operations or activities other than industrial hemp  
23 growing or handling.

24 4. The department shall refuse to issue an industrial hemp  
25 registration or agricultural hemp seed permit to any applicant if  
26 approving such registration or permit would authorize the growth or  
27 cultivation of industrial hemp or agricultural hemp seed on a plot of  
28 land that is less than ten acres or more than forty acres by any single  
29 registrant or permittee, or over two thousand acres of land statewide  
30 among all registrants or permittees, notwithstanding the twenty acre  
31 limitation for institutions of higher education set forth in section  
32 195.767. This subsection shall expire upon the expiration of the federal  
33 Agricultural Act of 2014.

195.752. Any person growing industrial hemp who does not have  
2 a valid industrial hemp registration issued under section 195.746 shall  
3 be subject to an administrative fine of five hundred dollars and shall  
4 obtain a valid registration to grow industrial hemp within thirty days.  
5 If, during the thirty-day period, such person applies for and receives  
6 an industrial hemp registration, the amount of the fine imposed under  
7 this section shall be refunded in full. If, during the thirty-day period  
8 described in this section, such person fails to obtain an industrial hemp  
9 registration, the person shall be fined one thousand dollars per day  
10 until such person obtains a registration. After thirty days of failing to  
11 obtain an industrial hemp registration and an accumulation of  
12 administrative fines exceeding thirty days, the industrial hemp crop  
13 shall be destroyed by the department.

195.755. A grower may retain seed from each industrial hemp  
2 crop to ensure a sufficient supply of seed for that grower for the  
3 following year. A grower shall not be required to obtain an  
4 agricultural hemp seed production permit in order to retain seed for  
5 future planting. Any seed retained by a grower for future planting

6 shall not be sold or transferred and does not have to meet agricultural  
7 hemp seed standards established by the department.

195.756. Notwithstanding sections 281.050 and 281.101 to the  
2 contrary, in the growing and handling of industrial hemp consistent  
3 with sections 195.740 to 195.773, no retailer of pesticides as defined at  
4 7 U.S.C. Section 136, or agricultural chemicals shall be liable for the  
5 sale, application, or handling of such products by a producer or  
6 applicator in any manner or for any purpose not approved by  
7 applicable state and federal agencies. No producer or applicator may  
8 use or apply pesticides or agricultural chemicals in the growing or  
9 handling of industrial hemp except as approved by state and federal  
10 law.

195.758. 1. Every grower or handler shall be subject to an  
2 industrial hemp plant monitoring system and shall keep industrial  
3 hemp crop and agricultural hemp seed records as required by the  
4 department. Upon three days' notice, the department may require an  
5 inspection or audit during any normal business hours for the purpose  
6 of ensuring compliance with:

- 7 (1) Any provision of sections 195.740 to 195.761;
- 8 (2) Department rules and regulations;
- 9 (3) Industrial hemp registration or agricultural hemp seed  
10 production permit requirements, terms, or conditions;
- 11 (4) Any industrial hemp plant monitoring system requirement;
- 12 or
- 13 (5) A final department order directed to the grower's or handler's  
14 industrial hemp or agricultural hemp seed operations or activities.

15 2. In addition to any inspection conducted under subsection 1 of  
16 this section, the department may inspect any industrial hemp crop  
17 during the crop's growth phase and take a representative sample for  
18 field analysis. If a crop contains an average delta-9  
19 tetrahydrocannabinol concentration exceeding three-tenths of one  
20 percent or the maximum concentration allowed under federal law,  
21 whichever is greater, on a dry weight basis, the department may detain,  
22 seize, or embargo the crop.

23 3. The Missouri state highway patrol may perform aerial  
24 surveillance to ensure illegal industrial hemp or marijuana plants are  
25 not being cultivated on or near legal, registered industrial hemp

26 plantings.

27 4. The Missouri state highway patrol may coordinate with local  
28 law enforcement agencies to destroy illegal industrial hemp and  
29 marijuana plants.

30 5. The department shall notify the Missouri state highway patrol  
31 and local law enforcement agencies of the need to destroy a crop of  
32 industrial hemp deemed illegal through field analysis.

195.764. 1. The department may charge growers and handlers  
2 reasonable fees as determined by the department for the purposes of  
3 administering sections 195.740 to 195.761. All fees collected under  
4 sections 195.740 to 195.761 shall be deposited in the industrial hemp  
5 fund created under this section for use by the department to administer  
6 sections 195.740 to 195.761.

7 2. There is hereby created in the state treasury the "Industrial  
8 Hemp Fund", which shall consist of money collected under sections  
9 195.746 to 195.761. The state treasurer shall be custodian of the fund.  
10 In accordance with sections 30.170 and 30.180, the state treasurer may  
11 approve disbursements. The fund shall be a dedicated fund and money  
12 in the fund shall be used solely by the department of agriculture for the  
13 purpose of administering such sections. Notwithstanding the  
14 provisions of section 33.080 to the contrary, any moneys remaining in  
15 the fund at the end of the biennium shall not revert to the credit of the  
16 general revenue fund. The state treasurer shall invest moneys in the  
17 fund in the same manner as other funds are invested. Any interest and  
18 moneys earned on such investments shall be credited to the fund.

195.767. 1. An institution of higher education may, in  
2 collaboration with the department, engage in the study of the growth,  
3 cultivation, or marketing of industrial hemp and agricultural hemp  
4 seed. Institutions for higher education shall obtain a registration for  
5 the growth of industrial hemp, or a permit for the growth and handling  
6 of agricultural hemp seed, from the department as set forth in sections  
7 195.746 and 195.749.

8 2. The department shall refuse to issue an industrial hemp  
9 registration or agricultural hemp seed permit to any institution of  
10 higher education if approving such registration or permit would  
11 authorize the growth or cultivation of industrial hemp or agricultural  
12 hemp seed by institutions of higher education on over twenty acres of

13 land statewide, notwithstanding the two thousand acre limitation set  
14 forth in section 195.749. Notwithstanding subsection 4 of section  
15 195.749 to contrary, the department may issue a registration or permit  
16 to an institution of higher education for the growth or cultivation of  
17 industrial hemp or agricultural hemp seed on a plot of land that is less  
18 than ten acres. This subsection shall expire upon the expiration of the  
19 federal Agricultural Act of 2014.

195.770. 1. The Missouri Crop Improvement Association, in  
2 collaboration with the department, may establish and administer a  
3 certification program for agricultural hemp seed in this  
4 state. Participation in the certification program shall be voluntary for  
5 growers and cultivators of industrial hemp.

6 2. The Missouri Crop Improvement Association, in collaboration  
7 with the department, may develop a Missouri heritage seed for  
8 industrial hemp. In developing a Missouri heritage seed, the  
9 department may:

- 10 (1) Breed, plant, grow, cultivate, and harvest the plant cannabis;  
11 and  
12 (2) Collect seeds from wild cannabis plants.

195.773. 1. The department of agriculture shall execute its  
2 responsibilities relating to the cultivation of industrial hemp in the  
3 most cost-efficient manner possible, including in establishing permit  
4 and registration fees. For the purpose of testing industrial hemp for  
5 pesticides, the department shall explore the option of transporting  
6 samples from Missouri to departments of agriculture or testing  
7 laboratories in contiguous states, which participate in an agricultural  
8 pilot program authorized by the federal Agricultural Act of 2014, or any  
9 state program authorized by successor federal law. All transport  
10 between states shall be in compliance with the federal Agricultural Act  
11 of 2014, or any successor federal law, as well as any other applicable  
12 state and federal law.

13 2. The department shall promulgate rules necessary to  
14 administer the provisions of sections 195.740 to 195.770. Any rule or  
15 portion of a rule, as that term is defined in section 536.010, that is  
16 created under the authority delegated in this section shall become  
17 effective only if it complies with and is subject to all of the provisions  
18 of chapter 536, and, if applicable, section 536.028. This section and

19 **chapter 536 are nonseverable, and if any of the powers vested with the**  
20 **general assembly pursuant to chapter 536 to review, to delay the**  
21 **effective date, or to disapprove and annul a rule are subsequently held**  
22 **unconstitutional, then the grant of rulemaking authority and any rule**  
23 **proposed or adopted after August 28, 2018, shall be invalid and void.**

196.070. 1. A food shall be deemed to be adulterated:

2 (1) If it bears or contains any poisonous or deleterious substance which  
3 may render it injurious to health; but in case the substance is not an added  
4 substance such food shall not be considered adulterated under this subdivision  
5 if the quantity of such substance in such food does not ordinarily render it  
6 injurious to health; or

7 (2) If it bears or contains any added poisonous or added deleterious  
8 substance which is unsafe within the meaning of section 196.085; or

9 (3) If it consists, in whole or in part, of any diseased, contaminated, filthy,  
10 putrid, or decomposed substance, or if it is otherwise unfit for food; or

11 (4) If it has been produced, prepared, packed, or held under insanitary  
12 conditions whereby it may have become contaminated with filth or whereby it  
13 may have been rendered diseased, unwholesome, or injurious to health; or

14 (5) If it is, in whole or in part, the product of a diseased animal or of an  
15 animal which has died otherwise than by slaughter, or that has been fed upon the  
16 uncooked offal from a slaughterhouse; or

17 (6) If its container is composed, in whole or in part, of any poisonous or  
18 deleterious substance which may render the contents injurious to health; or

19 (7) If any valuable constituent has been in whole or in part omitted or  
20 abstracted therefrom; or

21 (8) If any substance has been substituted wholly or in part therefor; or

22 (9) If damage or inferiority has been concealed in any manner; or

23 (10) If any substance has been added thereto or mixed or packed  
24 therewith so as to increase its bulk or weight, or reduce its quality or strength or  
25 make it appear better or of greater value than it is; or

26 (11) If it is confectionery and it bears or contains any alcohol or  
27 nonnutritive article or substance except harmless coloring, harmless flavoring,  
28 harmless resinous glaze not in excess of four-tenths of one percent, harmless  
29 natural wax not in excess of four-tenths of one percent, harmless natural gum,  
30 and pectin; provided, that this subdivision shall not apply to any confectionery,  
31 by reason of its containing less than five percent by weight of alcohol, or to any



32 chewing gum by reason of its containing harmless nonnutritive masticatory  
33 substances; or

34 (12) If it bears or contains a coal tar color other than one from a batch  
35 which has been certified under authority of the federal act.

36 **2. A food shall not be considered adulterated if it contains**  
37 **industrial hemp, or an industrial hemp commodity or product.**

✓

Unofficial

Bill

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