

FIRST REGULAR SESSION

[CORRECTED]

SENATE BILL NO. 6

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2018, and ordered printed.

0363S.011

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 195.015, 195.017, 565.021, 579.015, 579.065, and 579.068, RSMo, and to enact in lieu thereof six new sections relating to controlled substances, with penalty provisions.

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

Section A. Sections 195.015, 195.017, 565.021, 579.015, 579.065, and
2 579.068, RSMo, are repealed and six new sections enacted in lieu thereof, to be
3 known as sections 195.015, 195.017, 565.021, 579.015, 579.065, and 579.068, to
4 read as follows:

195.015. 1. The department of health and senior services shall administer
2 this chapter and may add substances to the schedules after public notice and
3 hearing. In making a determination regarding a substance, the department of
4 health and senior services shall consider the following:

- 5 (1) The actual or relative potential for abuse;
- 6 (2) The scientific evidence of its pharmacological effect, if known;
- 7 (3) The state of current scientific knowledge regarding the substance;
- 8 (4) The history and current pattern of abuse;
- 9 (5) The scope, duration, and significance of abuse;
- 10 (6) The risk to the public health;
- 11 (7) The potential of the substance to produce psychic or physiological
12 dependence liability; and
- 13 (8) Whether the substance is an immediate precursor of a substance
14 already controlled under this chapter.

15 2. After considering the factors enumerated in subsection 1 of this section

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

16 the department of health and senior services shall make findings with respect
17 thereto and issue a rule controlling the substance if it finds the substance has a
18 potential for abuse.

19 3. If the department of health and senior services designates a substance
20 as an immediate precursor, substances which are precursors of the controlled
21 precursor shall not be subject to control solely because they are precursors of the
22 controlled precursor.

23 4. If any substance is designated, rescheduled, or deleted as a controlled
24 substance under federal law and notice thereof is given to the department of
25 health and senior services, the department of health and senior services shall
26 similarly control the substance under this chapter [after the expiration of] **and**
27 **shall submit emergency rules to the secretary of state under section**
28 **536.025 within** thirty days [from] of publication in the federal register of a final
29 order designating a substance as a controlled substance or rescheduling or
30 deleting a substance, unless within that thirty-day period, the department of
31 health and senior services objects to inclusion, rescheduling, or deletion. In that
32 case, the department of health and senior services shall publish the reasons for
33 objection and afford all interested parties an opportunity to be heard. At the
34 conclusion of the hearing, the department of health and senior services shall
35 publish its decision, which shall be final unless altered by statute. Upon
36 publication of objection to inclusion, rescheduling or deletion under this chapter
37 by the department of health and senior services, control under this chapter is
38 stayed as to the substance in question until the department of health and senior
39 services publishes its decision. **If the department promulgates emergency**
40 **rules under this subsection, such rules may, notwithstanding the**
41 **provisions of subsection 7 of section 536.025, remain in effect until the**
42 **general assembly concludes its next regular session following the**
43 **imposition of any such rules.**

44 5. The department of health and senior services shall exclude any
45 nonnarcotic substance from a schedule if such substance may, under the federal
46 Food, Drug, and Cosmetic Act and the law of this state, be lawfully sold over the
47 counter without a prescription.

48 6. The department of health and senior services shall prepare a list of all
49 drugs falling within the purview of controlled substances. Upon preparation, a
50 copy of the list shall be filed in the office of the secretary of state.

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 (**N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-**
14 **N-phenylacetamide**);

15 (b) Acetylmethadol;

16 (c) **Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)**;

17 **(d) AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]**
18 **benzamide)**;

19 (e) Allylprodine;

20 [(d)] **(f) Alphacetylmethadol (except levoalphacetylmethadol, also**
21 **known as levo-alpha-acetylmethadol levothadyl acetate or LAAM)**;

22 [(e)] **(g) Alphameprodine**;

23 [(f)] **(h) Alphamethadol**;

24 [(g)] **(i) Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-4-**
25 **piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido)**
26 **piperidine)**;

27 [(h)] **(j) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-**
28 **piperidinyl)-N-phenylpropanamide)**;

29 [(i)] **(k) Benzethidine**;

30 [(j)] **(l) Betacetylmethadol**;

31 [(k)] **(m) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)**
32 **-N-phenylpropanamide)**;

33 [(l)] **(n) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-**
34 **methyl-4-piperidinyl)-N-phenylpropanamide)**;

35 [(m)] **(o) Betameprodine**;

36 [(n)] **(p) Betamethadol**;

37 [(o)] **(q) Betaprodine**;

- 38 [(p)] (r) Clonitazene;
- 39 [(q)] (s) Dextromoramide;
- 40 [(r)] (t) Diampromide;
- 41 [(s)] (u) Diethylthiambutene;
- 42 [(t)] (v) Difenoxyin;
- 43 [(u)] (w) Dimenoxadol;
- 44 [(v)] (x) Dimepheptanol;
- 45 [(w)] (y) Dimethylthiambutene;
- 46 [(x)] (z) Dioxaphetyl butyrate;
- 47 [(y)] (aa) Dipipanone;
- 48 [(z)] (bb) Ethylmethylthiambutene;
- 49 [(aa)] (cc) Etonitazene;
- 50 [(bb)] (dd) Etozeridine;
- 51 [(cc)] (ee) Furethidine;
- 52 [(dd)] (ff) Hydroxypethidine;
- 53 [(ee)] (gg) Ketobemidone;
- 54 [(ff)] (hh) Levomoramide;
- 55 [(gg)] (ii) Levophenacetylmorphan;
- 56 [(hh)] (jj) 3-Methylfentanyl (**N-(3-methyl-1-(2-phenylethyl)-4-**
- 57 **piperidyl)-N-phenylpropanamide**), its optical and geometric isomers,
- 58 **salts, and salts of isomers;**
- 59 [(ii)] (kk) 3-Methylthiofentanyl (**N-((3-methyl-1-(2-thienyl)ethyl-4-**
- 60 **piperidinyl)-N-phenylpropanamide**);
- 61 [(jj)] (ll) Morpheridine;
- 62 [(kk)] (mm) MPPP (**1-methyl-4-phenyl-4-propionoxypiperidine**);
- 63 (**nn**) **MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine**);
- 64 [(ll)] (oo) Noracymethadol;
- 65 [(mm)] (pp) Norlevorphanol;
- 66 [(nn)] (qq) Normethadone;
- 67 [(oo)] (rr) Norpipanone;
- 68 [(pp)] (ss) Para-fluorofentanyl (**N-(4-fluorophenyl)-N-(1-(2-**
- 69 **phenethyl)-4-piperidinyl) propanamide**;
- 70 [(qq)] (tt) PEPAP (**1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine**);
- 71 [(rr)] (uu) Phenadoxone;
- 72 [(ss)] (vv) Phenampromide;
- 73 [(tt)] (ww) Phenomorphan;

- 74 [(uu)] **(xx)** Phenoperidine;
- 75 [(vv)] **(yy)** Piritramide;
- 76 [(ww)] **(zz)** Proheptazine;
- 77 [(xx)] **(aaa)** Properidine;
- 78 [(yy)] **(bbb)** Propiram;
- 79 [(zz)] **(ccc)** Racemoramide;
- 80 [(aaa)] **(ddd)** Thiofentanyl **(N-phenyl-N-(1-(2-thienyl)ethyl-4-**
- 81 **piperidinyl)-propanamide;**
- 82 [(bbb)] **(eee)** Tilidine;
- 83 [(ccc)] **(fff)** Trimeperidine;
- 84 (3) Any of the following opium derivatives, their salts, isomers and salts
- 85 of isomers unless specifically excepted, whenever the existence of these salts,
- 86 isomers and salts of isomers is possible within the specific chemical designation:
- 87 (a) Acetorphine;
- 88 (b) Acetyldihydrocodeine;
- 89 (c) Benzylmorphine;
- 90 (d) Codeine methylbromide;
- 91 (e) Codeine-N-Oxide;
- 92 (f) Cyprenorphine;
- 93 (g) Desomorphine;
- 94 (h) Dihydromorphine;
- 95 (i) Drotebanol;
- 96 (j) Etorphine (except hydrochloride salt);
- 97 (k) Heroin;
- 98 (l) Hydromorphanol;
- 99 (m) Methyldesorphine;
- 100 (n) Methyldihydromorphine;
- 101 (o) Morphine methylbromide;
- 102 (p) Morphine methylsulfonate;
- 103 (q) Morphine-N-Oxide;
- 104 (r) Myrophine;
- 105 (s) Nicocodeine;
- 106 (t) Nicomorphine;
- 107 (u) Normorphine;
- 108 (v) Pholcodine;
- 109 (w) Thebacon;

110 (4) Any of the following opiate similar synthetic substances
111 scheduled by the U.S. Drug Enforcement Administration as substances
112 that share a pharmacological profile similar to fentanyl, morphine, and
113 other synthetic opioids, unless specifically excepted or unless listed in
114 another schedule:

115 A. Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);

116 B. U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-N-methyl
117 benzamide).

118 (5) Any material, compound, mixture or preparation which contains any
119 quantity of the following hallucinogenic substances, their salts, isomers and salts
120 of isomers, unless specifically excepted, whenever the existence of these salts,
121 isomers, and salts of isomers is possible within the specific chemical designation:

122 (a) **Alpha-ethyltryptamine;**

123 (b) 4-bromo-2, 5-dimethoxyamphetamine;

124 [(b) 4-bromo-2, 5-dimethoxyphenethylamine;]

125 (c) **4-bromo-2,5-dimethoxyphenethylamine;**

126 (d) 2,5-dimethoxyamphetamine;

127 [(d)] (e) 2,5-dimethoxy-4-ethylamphetamine;

128 [(e)] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;

129 [(f)] (g) **2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**

130 (h) **2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**

131 (i) **2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**

132 (j) **2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**

133 (k) **2-(2,5-Dimethoxyphenyl) ethanamine;**

134 (l) **2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**

135 (m) **2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**

136 (n) **2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**

137 (o) **2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**

138 (p) 4-methoxyamphetamine;

139 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;

140 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;

141 [(i)] (s) 3,4-methylenedioxyamphetamine;

142 [(j)] (t) 3,4-methylenedioxymethamphetamine;

143 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;

144 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;

145 [(m)] (w) 3,4,5-trimethoxyamphetamine;

- 146 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[, its isomers,
147 salts, and salts of isomers];
- 148 [(o)] Alpha-ethyltryptamine;
- 149 [(p)] (y) Alpha-methyltryptamine;
- 150 [(q)] (z) Bufotenine;
- 151 [(r)] (aa) Diethyltryptamine;
- 152 [(s)] (bb) Dimethyltryptamine;
- 153 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 154 [(u)] (dd) Ibogaine;
- 155 [(v)] (ee) Lysergic acid diethylamide;
- 156 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 157 [(x)] (gg) Mescaline;
- 158 [(y)] (hh) Parahexyl;
- 159 [(z)] (ii) Peyote, to include all parts of the plant presently classified
160 botanically as *Lophophora* [Williamsii] **williamsii** Lemaire, whether growing or
161 not; the seeds thereof; any extract from any part of such plant; and every
162 compound, manufacture, salt, derivative, mixture or preparation of the plant, its
163 seed or extracts;
- 164 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;
- 165 [(bb)] (kk) N-methyl-3-piperidyl benzilate;
- 166 [(cc)] (ll) Psilocybin;
- 167 [(dd)] (mm) Psilocyn;
- 168 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a plant of the
169 genus *Cannabis* (cannabis plant), except industrial hemp, as well as synthetic
170 equivalents of the substances contained in the cannabis plant, or in the resinous
171 extractives of such plant, or synthetic substances, derivatives[,] and their
172 isomers, **or both**, with similar chemical structure and pharmacological activity
173 to those substances contained in the plant, such as the following:
- 174 a. 1 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 175 b. 6 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 176 c. 3,4 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 177 d. Any compounds of these structures, regardless of numerical designation
178 of atomic positions covered;
- 179 [(ff)] (oo) Ethylamine analog of phencyclidine;
- 180 [(gg)] (pp) Pyrrolidine analog of phencyclidine;
- 181 [(hh)] (qq) Thiophene analog of phencyclidine;

- 182 [(ii)] **(rr)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 183 [(jj)] **(ss)** *Salvia divinorum*;
- 184 [(kk)] **(tt)** Salvinorin A;
- 185 [(ll)] **(uu)** Synthetic cannabinoids:
- 186 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 187 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
- 188 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 189 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
- 190 further substituted in the indole ring to any extent, whether or not substituted
- 191 in the naphthyl ring to any extent. Including, but not limited to:
- 192 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**
- 193 (ii) **JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;**
- 194 [(ii)] (iii) **JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;**
- 195 [(iii)] (iv) **JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;**
- 196 [(iv)] (v) **JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;**
- 197 [(v)] (vi) **JWH-073, or 1-butyl-3-(1-naphthoyl)indole;**
- 198 [(vi)] (vii) **JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;**
- 199 [(vii)] (viii) **JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)**
- 200 **indole;**
- 201 [(viii)] (ix) **JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;**
- 202 [(ix)] (x) **JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;**
- 203 [(x)] (xi) **JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;**
- 204 [(xi)] (xii) **JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;**
- 205 [(xii)] (xiii) **JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;**
- 206 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
- 207 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
- 208 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 209 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
- 210 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
- 211 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
- 212 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
- 213 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 214 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
- 215 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
- 216 d. Any compound structurally derived from 3-phenylacetylindole by
- 217 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,

218 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
219 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
220 ring to any extent, whether or not substituted in the phenyl ring to any
221 extent. Including, but not limited to:

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

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

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

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

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

227 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
228 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
229 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
230 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring
231 to any extent. Including, but not limited to:

232 (i) CP 47, 497 [&] **and** homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-
233 5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side
234 chain n-4,6, or 7;

235 f. Any compound containing a 3-(benzoyl)indole structure with
236 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
237 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
238 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
239 ring to any extent and whether or not substituted in the phenyl ring to any
240 extent. Including, but not limited to:

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

242 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (**SR-19 and RCS-4**);

243 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
244 phenylpentan-2-yl] oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

245 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
246 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

247 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-
248 6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

249 j. [CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-
250 5-phenylpentan-2-yl] oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]
251 acetate;

252 k.] Dimethylheptylpyran, or DMHP;

253 [(5)] (6) Any material, compound, mixture or preparation containing any

254 quantity of the following substances having a depressant effect on the central
255 nervous system, including their salts, isomers and salts of isomers whenever the
256 existence of these salts, isomers and salts of isomers is possible within the
257 specific chemical designation:

258 (a) Gamma-hydroxybutyric acid;

259 (b) Mecloqualone;

260 (c) Methaqualone;

261 **[(6)] (7)** Any material, compound, mixture or preparation containing any
262 quantity of the following substances having a stimulant effect on the central
263 nervous system, including their salts, isomers and salts of isomers:

264 (a) Aminorex;

265 (b) N-benzylpiperazine;

266 (c) Cathinone;

267 (d) Fenethylamine;

268 (e) 3-Fluoromethcathinone;

269 (f) 4-Fluoromethcathinone;

270 (g) Mephedrone, or 4-methylmethcathinone;

271 (h) Methcathinone;

272 (i) 4-methoxymethcathinone;

273 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
274 oxazolamine);

275 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-
276 pyrrolidinyl)-1-pentanone);

277 (l) Methylenedioxypropylamphetamine;

278 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;

279 (n) N-ethylamphetamine;

280 (o) N,N-dimethylamphetamine;

281 **(p) Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate (PB-22; QUPIC);**

282 **(q) Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-
283 fluoro-PB-22; 5F-PB-22);**

284 **(r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-
285 indazole-3-carboxamide (AB-FUBINACA);**

286 **(s) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-
287 carboxamide (ADB-PINACA);**

288 **[(7)] (8)** A temporary listing of substances subject to emergency
289 scheduling under federal law shall include any material, compound, mixture or

290 preparation which contains any quantity of the following substances:

291 (a) [N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its
292 optical isomers, salts and salts of isomers;

293 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
294 (thenylfentanyl), its optical isomers, salts and salts of isomers;] **(1-pentyl-1H-**
295 **indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, its optical,**
296 **positional, and geometric isomers, salts, and salts of isomers;**

297 (b) **[1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-**
298 **tetramethylcyclopropyl)methanone, its optical, positional, and**
299 **geometric isomers, salts, and salts of isomers;**

300 (c) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its
301 optical, positional, and geometric isomers, salts, and salts of isomers;

302 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
303 methoxybenzyl)ethanamine, its optical, positional, and geometric
304 isomers, salts, and salts of isomers;

305 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
306 methoxybenzyl)ethanamine, its optical, positional, and geometric
307 isomers, salts, and salts of isomers;

308 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
309 methoxybenzyl)ethanamine, its optical, positional, and geometric
310 isomers, salts, and salts of isomers;

311 (g) 4-methyl-N-ethylcathinone, its optical, positional, and
312 geometric isomers, salts, and salts of isomers;

313 (h) 4-methyl-alpha-pyrrolidinopropiophenone, its optical,
314 positional, and geometric isomers, salts, and salts of isomers;

315 (i) Alpha-pyrrolidinopentiophenone, its optical, positional, and
316 geometric isomers, salts, and salts of isomers;

317 (j) Butylone, its optical, positional, and geometric isomers, salts,
318 and salts of isomers;

319 (k) Pentedrone, its optical, positional, and geometric isomers,
320 salts, and salts of isomers;

321 (l) Pentylone, its optical, positional, and geometric isomers, salts,
322 and salts of isomers;

323 (m) Naphyrone, its optical, positional, and geometric isomers,
324 salts, and salts of isomers;

325 (n) Alpha-pyrrolidinobutiophenone, its optical, positional, and
326 geometric isomers, salts, and salts of isomers;

327 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-
328 indazole-3-carboxamide, its optical, positional, and geometric isomers,
329 salts, and salts of isomers;

330 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-
331 carboxamide, its optical, positional, and geometric isomers, salts, and
332 salts of isomers;

333 (q) [1-(5-fluoropentyl)-1*H*-indazole-3-yl](naphthalen-1-
334 yl)methanone, its optical, positional, and geometric isomers, salts, and
335 salts of isomers;

336 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-yl]-N-
337 phenylpropionamide, its isomers, esters, ethers, salts, and salts of
338 isomers, esters, and ethers;

339 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical,
340 positional, and geometric isomers, salts, and salts of isomers;

341 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-
342 1*H*-indazole-3-carboxamide, its optical, positional, and geometric
343 isomers, salts, and salts of isomers;

344 (u) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;

345 (v) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-
346 dimethylbutanoate, its optical, positional, and geometric isomers, salts,
347 and salts of isomers;

348 (w) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-
349 methylbutanoate, its optical, positional, and geometric isomers, salts,
350 and salts of isomers;

351 (x) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-
352 carboxamide, its optical, positional, and geometric isomers, salts, and
353 salts of isomers;

354 (y) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-
355 1*H*-indazole-3-carboxamide, its optical, positional, and geometric
356 isomers, salts, and salts of isomers;

357 (z) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-
358 dimethylbutanoate, its optical, positional, and geometric isomers, salts,
359 and salts of isomers;

360 (aa) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-
361 dimethylbutanoate, its optical, positional, and geometric isomers, salts,
362 and salts of isomers;

363 (bb) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)

364 isobutyramide, its isomers, esters, ethers, salts, and salts of isomers,
365 esters, and ethers;

366 (cc) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its
367 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

368 (dd) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
369 yl)propionamide, its isomers, esters, ethers, salts, and salts of isomers,
370 esters, and ethers;

371 (ee) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-
372 carboxamide, its isomers, esters, ethers, salts, and salts of isomers,
373 esters, and ethers;

374 (ff) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide,
375 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

376 (gg) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-
377 methylbutanoate, its optical, positional, and geometric isomers, salts,
378 and salts of isomers;

379 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide,
380 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

381 (ii) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its
382 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

383 (jj) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide,
384 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

385 (kk) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
386 yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers,
387 esters, and ethers;

388 (ll) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its
389 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

390 (mm) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its
391 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

392 (nn) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide,
393 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

394 (oo) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-
395 yl)acetamide, its isomers, esters, ethers, salts, and salts of isomers,
396 esters, and ethers;

397 (pp) Fentanyl-related substances, their isomers, esters, ethers,
398 salts, and salts of isomers, esters, and ethers. Fentanyl-related
399 substance shall mean any substance not otherwise listed under another
400 Drug Enforcement Administration Controlled Substance Code Number,

401 and for which no exemption or approval is in effect under section 505
402 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that
403 is structurally related to fentanyl by one or more of the following
404 modifications:

405 a. Replacement of the phenyl portion of the phenethyl group by
406 any monocycle, whether or not further substituted in or on the
407 monocycle;

408 b. Substitution in or on the phenethyl group with alkyl, alkenyl,
409 alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;

410 c. Substitution in or on the piperidine ring with alkyl, alkenyl,
411 alkoxy, ester, ether, hydroxyl, amino or nitro groups;

412 d. Replacement of the aniline ring with any aromatic monocycle,
413 whether or not further substituted in or on the aromatic monocycle; or

414 e. Replacement of the N-propionyl group by another acyl group;

415 (qq) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate,
416 its optical, positional, and geometric isomers, salts, and salts of isomers
417 (NM2201; CBL2201);

418 (rr) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-
419 indazole-3-carboxamide, its optical, positional, and geometric isomers,
420 salts, and salts of isomers (5F-AB-PINACA);

421 (ss) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-
422 carboxamide, its optical, positional, and geometric isomers, salts, and
423 salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;
424 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

425 (tt) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-
426 methylbutanoate, its optical, positional, and geometric isomers, salts,
427 and salts of isomers (MMB-CHMICA, AMB-CHMICA);

428 (uu) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-
429 b]pyridine-3-carboxamide, its optical, positional, and geometric
430 isomers, salts, and salts of isomers (5F-CUMYL-P7AICA);

431 (vv) *N*-Ethylpentylone, its optical, positional, and geometric
432 isomers, salts, and salts of isomers (ephylone, 1-(1,3-benzodioxol-5-yl)-2-
433 (ethylamino)-pentan-1-one);

434 [(8)] (9) Khat, to include all parts of the plant presently classified
435 botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract
436 from any part of such plant; and every compound, manufacture, salt, derivative,
437 mixture, or preparation of the plant, its seed or extracts.

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

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

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

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

445 4. The controlled substances listed in this subsection are included in
446 Schedule II:

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

450 (a) Opium and opiate; and any salt, compound, derivative or preparation
451 of opium or opiate, excluding apomorphine, thebaine-derived butorphanol,
452 dextrorphan, nalbuphine, nalmefene, **naloxegol**, naloxone, and naltrexone, and
453 their respective salts, but including the following:

454 a. Raw opium;

455 b. Opium extracts;

456 c. Opium fluid;

457 d. Powdered opium;

458 e. Granulated opium;

459 f. Tincture of opium;

460 g. Codeine;

461 h. **Dihydroetorphine;**

462 i. Ethylmorphine;

463 [i.] j. Etorphine hydrochloride;

464 [j.] k. Hydrocodone;

465 [k.] l. Hydromorphone;

466 [l.] m. Metopon;

467 [m.] n. Morphine;

468 [n.] o. **Oripavine;**

469 p. Oxycodone;

470 [o.] q. Oxymorphone;

471 [p.] r. Thebaine;

472 (b) Any salt, compound, derivative, or preparation thereof which is
473 chemically equivalent or identical with any of the substances referred to in this

474 subdivision, but not including the isoquinoline alkaloids of opium;

475 (c) Opium poppy and poppy straw;

476 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
477 leaves, and any salt, compound, derivative, or preparation thereof which is
478 chemically equivalent or identical with any of these substances, but not including
479 **the following:**

480 a. Decocainized coca leaves or extractions **of coca leaves**, which
481 **extractions** do not contain cocaine or ecgonine; **or**

482 **b. Ioflupane;**

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

486 (2) Any of the following opiates, including their isomers, esters, ethers,
487 salts, and salts of isomers, whenever the existence of these isomers, esters,
488 ethers, and salts is possible within the specific chemical designation, dextrorphan
489 and levopropoxyphene excepted:

490 (a) Alfentanil;

491 (b) Alphaprodine;

492 (c) Anileridine;

493 (d) Bezitramide;

494 (e) Bulk dextropropoxyphene;

495 (f) Carfentanil;

496 (g) Dihydrocodeine;

497 (h) Diphenoxylate;

498 (i) Fentanyl;

499 (j) Isomethadone;

500 (k) Levo-alphaacetylmethadol;

501 (l) Levomethorphan;

502 (m) Levorphanol;

503 (n) Metazocine;

504 (o) Methadone;

505 (p) [Meperidine;

506 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

507 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
508 1-diphenylpropane-carboxylic acid;

509 [(s)] (r) Pethidine (meperidine);

510 [(t)] (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
511 [(u)] (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
512 [(v)] (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
513 acid;

514 [(w)] (v) Phenazocine;

515 [(x)] (w) Piminodine;

516 [(y)] (x) Racemethorphan;

517 [(z)] (y) Racemorphan;

518 [(aa)] (z) Remifentanyl;

519 [(bb)] (aa) Sufentanyl;

520 [(cc)] (bb) Tapentadol;

521 (cc) **Thiafentanyl;**

522 (3) Any material, compound, mixture, or preparation which contains any
523 quantity of the following substances having a stimulant effect on the central
524 nervous system:

525 (a) Amphetamine, its salts, optical isomers, and salts of its optical
526 isomers;

527 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;

528 (c) Methamphetamine, its salts, isomers, and salts of its isomers;

529 (d) Phenmetrazine and its salts;

530 (e) Methylphenidate;

531 (4) Any material, compound, mixture, or preparation which contains any
532 quantity of the following substances having a depressant effect on the central
533 nervous system, including its salts, isomers, and salts of isomers whenever the
534 existence of those salts, isomers, and salts of isomers is possible within the
535 specific chemical designation:

536 (a) Amobarbital;

537 (b) Glutethimide;

538 (c) Pentobarbital;

539 (d) Phencyclidine;

540 (e) Secobarbital;

541 (5) [Any material or compound which contains any quantity of nabilone]

542 **Hallucinogenic substances:**

543 (a) Any material or compound which contains any quantity of
544 nabilone;

545 (b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an oral

546 **solution in a drug product approved for marketing by the U.S. Food and**
547 **Drug Administration;**

548 (6) Any material, compound, mixture, or preparation which contains any
549 quantity of the following substances:

550 (a) Immediate precursor to amphetamine and methamphetamine:
551 Phenylacetone;

552 (b) Immediate precursors to phencyclidine (PCP):

553 a. 1-phenylcyclohexylamine;

554 b. 1-piperidinocyclohexanecarbonitrile (PCC);

555 **(c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-**
556 **piperidine (ANPP);**

557 (7) Any material, compound, mixture, or preparation which contains any
558 quantity of the following alkyl nitrites:

559 (a) Amyl nitrite;

560 (b) Butyl nitrite.

561 5. The department of health and senior services shall place a substance
562 in Schedule III if it finds that:

563 (1) The substance has a potential for abuse less than the substances listed
564 in Schedules I and II;

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

567 (3) Abuse of the substance may lead to moderate or low physical
568 dependence or high psychological dependence.

569 6. The controlled substances listed in this subsection are included in
570 Schedule III:

571 (1) Any material, compound, mixture, or preparation which contains any
572 quantity of the following substances having a potential for abuse associated with
573 a stimulant effect on the central nervous system:

574 (a) Benzphetamine;

575 (b) Chlorphentermine;

576 (c) Clortermine;

577 (d) Phendimetrazine;

578 (2) Any material, compound, mixture or preparation which contains any
579 quantity or salt of the following substances or salts having a depressant effect on
580 the central nervous system:

581 (a) Any material, compound, mixture or preparation which contains any

582 quantity or salt of the following substances combined with one or more active
583 medicinal ingredients:

584 a. Amobarbital;

585 b. Secobarbital;

586 c. Pentobarbital;

587 (b) Any suppository dosage form containing any quantity or salt of the
588 following:

589 a. Amobarbital;

590 b. Secobarbital;

591 c. Pentobarbital;

592 (c) Any substance which contains any quantity of a derivative of
593 barbituric acid or its salt;

594 (d) Chlorhexadol;

595 (e) Embutramide;

596 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
597 contained in a drug product for which an application has been approved under
598 Section 505 of the federal Food, Drug, and Cosmetic Act;

599 (g) Ketamine, its salts, isomers, and salts of isomers;

600 (h) Lysergic acid;

601 (i) Lysergic acid amide;

602 (j) Methyprylon;

603 (k) **Perampanel, and its salts, isomers, and salts of isomers;**

604 **(l) Sulfondiethylmethane;**

605 **[(l)] (m) Sulfonethylmethane;**

606 **[(m)] (n) Sulfonmethane;**

607 **[(n)] (o) Tiletamine and zolazepam or any salt thereof;**

608 (3) Nalorphine;

609 (4) Any material, compound, mixture, or preparation containing limited
610 quantities of any of the following narcotic drugs or their salts:

611 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
612 more than ninety milligrams per dosage unit, with an equal or greater quantity
613 of an isoquinoline alkaloid of opium;

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

617 (c) [Not more than three hundred milligrams of hydrocodone per one

618 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
619 fourfold or greater quantity of an isoquinoline alkaloid of opium;

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

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

626 [(f)] (d) Not more than three hundred milligrams of ethylmorphine per
627 one hundred milliliters or not more than fifteen milligrams per dosage unit, with
628 one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

629 [(g)] (e) Not more than five hundred milligrams of opium per one
630 hundred milliliters or per one hundred grams or not more than twenty-five
631 milligrams per dosage unit, with one or more active nonnarcotic ingredients in
632 recognized therapeutic amounts;

633 [(h)] (f) Not more than fifty milligrams of morphine per one hundred
634 milliliters or per one hundred grams, with one or more active, nonnarcotic
635 ingredients in recognized therapeutic amounts;

636 (5) Any material, compound, mixture, or preparation containing any of the
637 following narcotic drugs or their salts[, as set forth in subdivision (6) of this
638 subsection;]: Buprenorphine;

639 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
640 pharmacologically related to testosterone (other than estrogens, progestins,
641 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
642 an anabolic steroid which is expressly intended for administration through
643 implants to cattle or other nonhuman species and which has been approved by
644 the Secretary of Health and Human Services for that administration. If any
645 person prescribes, dispenses, or distributes such steroid for human use, such
646 person shall be considered to have prescribed, dispensed, or distributed an
647 anabolic steroid within the meaning of this subdivision. Unless specifically
648 excepted or unless listed in another schedule, any material, compound, mixture
649 or preparation containing any quantity of the following substances, including its
650 salts, esters and ethers:

651 (a) [3 β ,17-dihydroxy-5 α -androsterane] **3 β ,17 β -dihydroxy-5 α -androsterane**;

652 (b) 3 α ,17 β -dihydroxy-5 α -androsterane;

653 (c) 5 α -androsteran-3,17-dione;

- 654 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
- 655 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
- 656 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
- 657 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
- 658 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 659 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 660 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 661 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 662 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 663 (m) Boldione;
- 664 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 665 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 666 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-
- 667 1,4-dien-3-one);
- 668 (q) Desoxymethyltestosterone;
- 669 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-
- 670 3-one);
- 671 (s) [4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 672 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 673 [(u)] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 674 [(v)] (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-
- 675 3-one);
- 676 [(w)] (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-
- 677 1,4-dien-3-one);
- 678 [(x)] (w) Furazabol (17 α -methyl-17 β -hydroxyandrostan[2,3-c]-furazan);
- 679 [(y)] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 680 [(z)] (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 681 [(aa)] (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 682 [(bb)] (aa) Mestanolone [(17 α -methyl-17 β -hydroxy-5-androstan-3-one)]
- 683 (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
- 684 [(cc)] (bb) Mesterolone [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)]
- 685 (1 α - methyl-17 β -hydroxy-[5 α]-androstan-3-one);
- 686 [(dd)] (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-
- 687 one);
- 688 [(ee)] (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- 689 [(ff)] (ee) Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-

- 690 **one)**;
- 691 **(ff)** Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- 692 **(gg)** 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
- 693 **(hh)** 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
- 694 **(ii)** 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
- 695 **(jj)** 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-
- 696 4-en-3-one);
- 697 **(kk)** Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- 698 **(ll)** [Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one)]
- 699 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)**;
- 700 **(mm)** Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- 701 **(nn)** Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- 702 **(oo)** 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -
- 703 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- 704 **(pp)** Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- 705 **(qq)** 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
- 706 **(rr)** 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- 707 **(ss)** 19-nor-4,9(10)-androstadienedione (**estra-4,9(10)-diene-3,17-dione**);
- 708 **(tt)** 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- 709 **(uu)** 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- 710 **(vv)** 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 711 **(ww)** 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 712 **(xx)** Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- 713 **(yy)** Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- 714 **(zz)** Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
- 715 **(aaa)** Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
- 716 **(bbb)** Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
- 717 **(ccc)** Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
- 718 **(ddd)** Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-
- 719 androstan-3-one);
- 720 **(eee)** **Prostanozol (17 β -hydroxy-5 α -androstan[3,2-c]pyrazole)**;
- 721 **(fff)** **Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)**
- 722 **(17 β -hydroxy-5 α -androst-1-en-3-one))**;
- 723 **(ggg)** Stanazolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
- 724 **[(fff)] (hhh)** Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
- 725 **[(ggg)] (iii)** Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-

726 17-oic acid lactone);

727 [(hhh)] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);

728 [(iii)] (kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-
729 4,9,11-trien-3-one);

730 [(jjj)] (lll) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

731 [(kkk)] (mmm) Any salt, ester, or ether of a drug or substance described
732 or listed in this subdivision, except an anabolic steroid which is expressly
733 intended for administration through implants to cattle or other nonhuman species
734 and which has been approved by the Secretary of Health and Human Services for
735 that administration;

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

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

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

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

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

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

755 8. The controlled substances listed in this subsection are included in
756 Schedule IV:

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

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

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

764 (c) **2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol,**
765 **its salts, optical and geometric isomers, and salts of these isomers**
766 **(including tramadol);**

767 (d) Any of the following limited quantities of narcotic drugs or their salts,
768 which shall include one or more nonnarcotic active medicinal ingredients in
769 sufficient proportion to confer upon the compound, mixture or preparation
770 valuable medicinal qualities other than those possessed by the narcotic drug
771 alone:

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

774 b. Not more than one hundred milligrams of dihydrocodeine per one
775 hundred milliliters or per one hundred grams;

776 c. Not more than one hundred milligrams of ethylmorphine per one
777 hundred milliliters or per one hundred grams;

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

782 (a) **Alfaxalone;**

783 (b) Alprazolam;

784 [(b)] (c) Barbitol;

785 [(c)] (d) Bromazepam;

786 [(d)] (e) Camazepam;

787 [(e)] (f) **Carisoprodol;**

788 (g) Chloral betaine;

789 [(f)] (h) Chloral hydrate;

790 [(g)] (i) Chlordiazepoxide;

791 [(h)] (j) Clobazam;

792 [(i)] (k) Clonazepam;

793 [(j)] (l) Clorazepate;

794 [(k)] (m) Clotiazepam;

795 [(l)] (n) Cloxazolam;

796 [(m)] (o) Delorazepam;

797 [(n)] (p) Diazepam;

798 [(o)] **(q)** Dichloralphenazone;
799 [(p)] **(r)** Estazolam;
800 [(q)] **(s)** Ethchlorvynol;
801 [(r)] **(t)** Ethinamate;
802 [(s)] **(u)** Ethyl loflazepate;
803 [(t)] **(v)** Fludiazepam;
804 [(u)] **(w)** Flunitrazepam;
805 [(v)] **(x)** Flurazepam;
806 [(w)] **(y)** Fospropofol;
807 [(x)] **(z)** Halazepam;
808 [(y)] **(aa)** Haloxazolam;
809 [(z)] **(bb)** Ketazolam;
810 [(aa)] **(cc)** Loprazolam;
811 [(bb)] **(dd)** Lorazepam;
812 [(cc)] **(ee)** Lormetazepam;
813 [(dd)] **(ff)** Mebutamate;
814 [(ee)] **(gg)** Medazepam;
815 [(ff)] **(hh)** Meprobamate;
816 [(gg)] **(ii)** Methohexital;
817 [(hh)] **(jj)** Methylphenobarbital (mephobarbital);
818 [(ii)] **(kk)** Midazolam;
819 [(jj)] **(ll)** Nimetazepam;
820 [(kk)] **(mm)** Nitrazepam;
821 [(ll)] **(nn)** Nordiazepam;
822 [(mm)] **(oo)** Oxazepam;
823 [(nn)] **(pp)** Oxazolam;
824 [(oo)] **(qq)** Paraldehyde;
825 [(pp)] **(rr)** Petrichloral;
826 [(qq)] **(ss)** Phenobarbital;
827 [(rr)] **(tt)** Pinazepam;
828 [(ss)] **(uu)** Prazepam;
829 [(tt)] **(vv)** Quazepam;
830 [(uu)] **(ww)** **Suvorexant**;
831 **(xx)** Temazepam;
832 [(vv)] **(yy)** Tetrazepam;
833 [(ww)] **(zz)** Triazolam;

834 [(xx)] (aaa) Zaleplon;

835 [(yy)] (bbb) Zolpidem;

836 [(zz)] (ccc) Zopiclone;

837 (3) Any material, compound, mixture, or preparation which contains any
838 quantity of the following substance including its salts, isomers and salts of
839 isomers whenever the existence of such salts, isomers and salts of isomers is
840 possible: fenfluramine;

841 (4) **Any material, compound, mixture, or preparation which**
842 **contains any quantity of the following substances, including its salts,**
843 **isomers, and salts of isomers, whenever the existence of such salts,**
844 **isomers, and salts of isomers is possible: Lorcaserin;**

845 (5) Any material, compound, mixture or preparation containing any
846 quantity of the following substances having a stimulant effect on the central
847 nervous system, including their salts, isomers and salts of isomers:

848 (a) Cathine ((+)-norpseudoephedrine);

849 (b) Diethylpropion;

850 (c) Fencamfamin;

851 (d) Fenproporex;

852 (e) Mazindol;

853 (f) Mefenorex;

854 (g) Modafinil;

855 (h) Pemoline, including organometallic complexes and chelates thereof;

856 (i) Phentermine;

857 (j) Pipradrol;

858 (k) Sibutramine;

859 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

860 [(5)] (6) Any material, compound, mixture or preparation containing any
861 quantity of the following substance, including its salts:

862 (a) Butorphanol (including its optical isomers);

863 (b) **Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-**
864 **1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-yl)ethyl]amino]methyl]-2-**
865 **methoxybenzoic acid) (including its optical isomers) and its salts, isomers,**
866 **and salts of isomers;**

867 (c) Pentazocine;

868 [(6)] (7) Ephedrine, its salts, optical isomers and salts of optical isomers,
869 when the substance is the only active medicinal ingredient;

870 [(7)] (8) The department of health and senior services may except by rule
871 any compound, mixture, or preparation containing any depressant substance
872 listed in subdivision (1) of this subsection from the application of all or any part
873 of sections 195.010 to 195.320 and sections 579.015 to 579.086 if the compound,
874 mixture, or preparation contains one or more active medicinal ingredients not
875 having a depressant effect on the central nervous system, and if the admixtures
876 are included therein in combinations, quantity, proportion, or concentration that
877 vitiate the potential for abuse of the substances which have a depressant effect
878 on the central nervous system.

879 9. The department of health and senior services shall place a substance
880 in Schedule V if it finds that:

881 (1) The substance has low potential for abuse relative to the controlled
882 substances listed in Schedule IV;

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

885 (3) The substance has limited physical dependence or psychological
886 dependence liability relative to the controlled substances listed in Schedule IV.

887 10. The controlled substances listed in this subsection are included in
888 Schedule V:

889 (1) Any compound, mixture or preparation containing any of the following
890 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in
891 limited quantities as set forth below, which also contains one or more nonnarcotic
892 active medicinal ingredients in sufficient proportion to confer upon the compound,
893 mixture or preparation valuable medicinal qualities other than those possessed
894 by the narcotic drug alone:

895 (a) **Not more than two hundred milligrams of codeine per one**
896 **hundred milliliters or per one hundred grams;**

897 (b) **Not more than one hundred milligrams of dihydrocodeine per**
898 **one hundred milliliters or per one hundred grams;**

899 (c) **Not more than one hundred milligrams of ethylmorphine per**
900 **one hundred milliliters or per one hundred grams;**

901 (d) Not more than two and five-tenths milligrams of diphenoxylate and
902 not less than twenty-five micrograms of atropine sulfate per dosage unit;

903 [(b)] (e) Not more than one hundred milligrams of opium per one
904 hundred milliliters or per one hundred grams;

905 [(c)] (f) Not more than five-tenths milligram of difenoxin and not less

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

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

910 (3) Any compound, mixture, or preparation containing any detectable
911 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical
912 isomers or any compound, mixture, or preparation containing any detectable
913 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

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

918 (a) **Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide)**
919 **(also referred to as BRV; UCB-34714; Briviact);**

920 (b) **Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic**
921 **acid ethyl ester];**

922 (c) **Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];**

923 [(b)] (d) **Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid];**

924 (5) **Any drug product in finished dosage formulation that has**
925 **been approved by the U.S. Food and Drug Administration that contains**
926 **cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-**
927 **pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1**
928 **percent (w/w) residual tetrahydro cannabinoids.**

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

932 (1) All packages of any compound, mixture, or preparation containing any
933 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of
934 optical isomers or ephedrine, its salts or optical isomers, or salts of optical
935 isomers, shall be offered for sale only from behind a pharmacy counter where the
936 public is not permitted, and only by a registered pharmacist or registered
937 pharmacy technician; and

938 (2) Any person purchasing, receiving or otherwise acquiring any
939 compound, mixture, or preparation containing any detectable quantity of
940 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or
941 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least

942 eighteen years of age; and

943 (3) The pharmacist, intern pharmacist, or registered pharmacy technician
944 shall require any person, prior to such person's purchasing, receiving or otherwise
945 acquiring such compound, mixture, or preparation to furnish suitable photo
946 identification that is issued by a state or the federal government or a document
947 that, with respect to identification, is considered acceptable and showing the date
948 of birth of the person;

949 (4) The seller shall deliver the product directly into the custody of the
950 purchaser.

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

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

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

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

957 (4) The name or initials of the pharmacist, intern pharmacist, or
958 registered pharmacy technician who dispensed the compound, mixture, or
959 preparation to the purchaser.

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

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

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

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

971 17. The scheduling of substances specified in subdivision (3) of subsection
972 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
973 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
974 capsule form or to any compound, mixture, or preparation specified in subdivision
975 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
976 in a pharmacy pursuant to a prescription.

977 18. The manufacturer of a drug product or another interested party may

978 apply with the department of health and senior services for an exemption from
979 this section. The department of health and senior services may grant an
980 exemption by rule from this section if the department finds the drug product is
981 not used in the illegal manufacture of methamphetamine or other controlled or
982 dangerous substances. The department of health and senior services shall rely
983 on reports from law enforcement and law enforcement evidentiary laboratories in
984 determining if the proposed product can be used to manufacture illicit controlled
985 substances.

986 19. The department of health and senior services shall revise and
987 republish the schedules annually.

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

992 21. Logs of transactions required to be kept and maintained by this
993 section and section 195.417 shall create a rebuttable presumption that the person
994 whose name appears in the logs is the person whose transactions are recorded in
995 the logs.

565.021. 1. A person commits the offense of murder in the second degree
2 if he or she:

3 (1) Knowingly causes the death of another person or, with the purpose of
4 causing serious physical injury to another person, causes the death of another
5 person; [or]

6 (2) Commits or attempts to commit any felony, and, in the perpetration
7 or the attempted perpetration of such felony or in the flight from the perpetration
8 or attempted perpetration of such felony, another person is killed as a result of
9 the perpetration or attempted perpetration of such felony or immediate flight
10 from the perpetration of such felony or attempted perpetration of such felony; **or**

11 **(3) Knowingly manufactures, delivers, or distributes a Schedule**
12 **I or II controlled substance, as described in section 195.017 and**
13 **regulations promulgated by the department of health and senior**
14 **services and excluding marijuana for medical use as authorized by**
15 **article XVI of the Missouri Constitution, in violation of chapters 195 or**
16 **579, and such controlled substance thereafter is the proximate cause of**
17 **the death of another person who uses or consumes such controlled**
18 **substance. It shall not be a defense that the defendant did not directly**

19 **deliver or distribute the controlled substance to the decedent.**

20 2. The offense of murder in the second degree is a class A felony, and the
21 punishment for second degree murder shall be in addition to the punishment for
22 commission of a related felony or attempted felony, other than murder or
23 manslaughter.

24 3. Notwithstanding section 556.046 and section 565.029, in any charge of
25 murder in the second degree, the jury shall be instructed on, or, in a jury-waived
26 trial, the judge shall consider, any and all of the subdivisions in subsection 1 of
27 this section which are supported by the evidence and requested by one of the
28 parties or the court.

579.015. 1. A person commits the offense of possession of a controlled
2 substance if he or she knowingly possesses a controlled substance, except as
3 authorized by this chapter or chapter 195.

4 2. The offense of possession of any controlled substance except thirty-five
5 grams or less of marijuana or any synthetic cannabinoid is a class D felony. **If
6 the defendant is an emergency care provider, as defined in section
7 191.630, or a home health care employee, a hospice employee, an in-
8 home care employee, a personal care assistant, or any other individual
9 who provides home health services, as defined in section 197.400, or
10 personal care assistance services, as defined in section 208.900, to
11 patients and who knowingly and unlawfully possesses such controlled
12 substance belonging to the patient or another member of the patient's
13 household, the offense is a class C felony.**

14 3. The offense of possession of more than ten grams but thirty-five grams
15 or less of marijuana or any synthetic cannabinoid is a class A misdemeanor.

16 4. The offense of possession of not more than ten grams of marijuana or
17 any synthetic cannabinoid is a class D misdemeanor. If the defendant has
18 previously been found guilty of any offense of the laws related to controlled
19 substances of this state, or of the United States, or any state, territory, or
20 district, the offense is a class A misdemeanor. Prior findings of guilt shall be
21 pleaded and proven in the same manner as required by section 558.021.

22 5. In any complaint, information, or indictment, and in any action or
23 proceeding brought for the enforcement of any provision of this chapter or chapter
24 195, it shall not be necessary to include any exception, excuse, proviso, or
25 exemption contained in this chapter or chapter 195, and the burden of proof of
26 any such exception, excuse, proviso or exemption shall be upon the defendant.

579.065. 1. A person commits the offense of trafficking drugs in the first
2 degree if, except as authorized by this chapter or chapter 195, such person
3 knowingly distributes, delivers, manufactures, produces or attempts to distribute,
4 deliver, manufacture or produce:

5 (1) More than thirty grams but less than ninety grams of a mixture or
6 substance containing a detectable amount of heroin;

7 (2) More than one hundred fifty grams but less than four hundred fifty
8 grams of a mixture or substance containing a detectable amount of coca leaves,
9 except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and
10 derivatives of ecgonine or their salts have been removed; cocaine salts and their
11 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,
12 their salts, isomers, and salts of isomers; or any compound, mixture, or
13 preparation which contains any quantity of any of the foregoing substances;

14 (3) More than eight grams but less than twenty-four grams of a mixture
15 or substance described in subdivision (2) of this subsection which contains cocaine
16 base;

17 (4) More than five hundred milligrams but less than one gram of a
18 mixture or substance containing a detectable amount of lysergic acid diethylamide
19 (LSD);

20 (5) More than thirty grams but less than ninety grams of a mixture or
21 substance containing a detectable amount of phencyclidine (PCP);

22 (6) More than four grams but less than twelve grams of phencyclidine;

23 (7) More than thirty kilograms but less than one hundred kilograms of a
24 mixture or substance containing marijuana;

25 (8) More than thirty grams but less than ninety grams of any material,
26 compound, mixture, or preparation containing any quantity of the following
27 substances having a stimulant effect on the central nervous system:
28 amphetamine, its salts, optical isomers and salts of its optical isomers;
29 methamphetamine, its salts, optical isomers and salts of its optical isomers;
30 phenmetrazine and its salts; or methylphenidate; [or]

31 (9) More than thirty grams but less than ninety grams of any material,
32 compound, mixture, or preparation which contains any quantity of
33 3,4-methylenedioxyamphetamine; or

34 **(10) More than ten grams but less than sixty grams of fentanyl,**
35 **or any derivative thereof, or any mixture or substance containing a**
36 **detectable amount of fentanyl.**

- 37 2. The offense of trafficking drugs in the first degree is a class B felony.
- 38 3. The offense of trafficking drugs in the first degree is a class A felony
- 39 if the quantity involved is:
- 40 (1) Ninety grams or more of a mixture or substance containing a
- 41 detectable amount of heroin; or
- 42 (2) Four hundred fifty grams or more of a mixture or substance containing
- 43 a detectable amount of coca leaves, except coca leaves and extracts of coca leaves
- 44 from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been
- 45 removed; cocaine salts and their optical and geometric isomers, and salts of
- 46 isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any
- 47 compound, mixture, or preparation which contains any quantity of any of the
- 48 foregoing substances; or
- 49 (3) Twenty-four grams or more of a mixture or substance described in
- 50 subdivision (2) of this subsection which contains cocaine base; or
- 51 (4) One gram or more of a mixture or substance containing a detectable
- 52 amount of lysergic acid diethylamide (LSD); or
- 53 (5) Ninety grams or more of a mixture or substance containing a
- 54 detectable amount of phencyclidine (PCP); or
- 55 (6) Twelve grams or more of phencyclidine; or
- 56 (7) One hundred kilograms or more of a mixture or substance containing
- 57 marijuana; or
- 58 (8) Ninety grams or more of any material, compound, mixture, or
- 59 preparation containing any quantity of the following substances having a
- 60 stimulant effect on the central nervous system: amphetamine, its salts, optical
- 61 isomers and salts of its optical isomers; methamphetamine, its salts, optical
- 62 isomers and salts of its optical isomers; phenmetrazine and its salts; or
- 63 methylphenidate; or
- 64 (9) More than thirty grams of any material, compound, mixture, or
- 65 preparation containing any quantity of the following substances having a
- 66 stimulant effect on the central nervous system: amphetamine, its salts, optical
- 67 isomers, and salts of its optical isomers; methamphetamine, its salts, optical
- 68 isomers, and salts of its optical isomers; phenmetrazine and its salts; or
- 69 methylphenidate, and the location of the offense was within two thousand feet of
- 70 real property comprising a public or private elementary, vocational, or secondary
- 71 school, college, community college, university, or any school bus, in or on the real
- 72 property comprising public housing or any other governmental assisted housing,

73 or within a motor vehicle, or in any structure or building which contains rooms
74 furnished for the accommodation or lodging of guests, and kept, used, maintained,
75 advertised, or held out to the public as a place where sleeping accommodations
76 are sought for pay or compensation to transient guests or permanent guests; or

77 (10) Ninety grams or more of any material, compound, mixture or
78 preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;
79 or

80 (11) More than thirty grams of any material, compound, mixture, or
81 preparation which contains any quantity of 3,4-methylenedioxymethamphetamine
82 and the location of the offense was within two thousand feet of real property
83 comprising a public or private elementary, vocational, or secondary school,
84 college, community college, university, or any school bus, in or on the real
85 property comprising public housing or any other governmental assisted housing,
86 within a motor vehicle, or in any structure or building which contains rooms
87 furnished for the accommodation or lodging of guests, and kept, used, maintained,
88 advertised, or held out to the public as a place where sleeping accommodations
89 are sought for pay or compensation to transient guests or permanent guests; **or**

90 **(12) Sixty grams or more of fentanyl, or any derivative thereof,**
91 **or any mixture or substance containing a detectable amount of**
92 **fentanyl.**

579.068. 1. A person commits the offense of trafficking drugs in the
2 second degree if, except as authorized by this chapter or chapter 195, such person
3 knowingly possesses or has under his or her control, purchases or attempts to
4 purchase, or brings into this state:

5 (1) More than thirty grams but less than ninety grams of a mixture or
6 substance containing a detectable amount of heroin;

7 (2) More than one hundred fifty grams but less than four hundred fifty
8 grams of a mixture or substance containing a detectable amount of coca leaves,
9 except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and
10 derivatives of ecgonine or their salts have been removed; cocaine salts and their
11 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,
12 their salts, isomers, and salts of isomers; or any compound, mixture, or
13 preparation which contains any quantity of any of the foregoing substances;

14 (3) More than eight grams but less than twenty-four grams of a mixture
15 or substance described in subdivision (2) of this subsection which contains cocaine
16 base;

17 (4) More than five hundred milligrams but less than one gram of a
18 mixture or substance containing a detectable amount of lysergic acid diethylamide
19 (LSD);

20 (5) More than thirty grams but less than ninety grams of a mixture or
21 substance containing a detectable amount of phencyclidine (PCP);

22 (6) More than four grams but less than twelve grams of phencyclidine;

23 (7) More than thirty kilograms but less than one hundred kilograms of a
24 mixture or substance containing marijuana;

25 (8) More than thirty grams but less than ninety grams of any material,
26 compound, mixture, or preparation containing any quantity of the following
27 substances having a stimulant effect on the central nervous system:
28 amphetamine, its salts, optical isomers and salts of its optical isomers;
29 methamphetamine, its salts, optical isomers and salts of its optical isomers;
30 phenmetrazine and its salts; or methylphenidate; [or]

31 (9) More than thirty grams but less than ninety grams of any material,
32 compound, mixture, or preparation which contains any quantity of
33 3,4-methylenedioxymethamphetamine; **or**

34 **(10) More than ten grams but less than sixty grams of fentanyl,**
35 **or any derivative thereof, or any mixture or substance containing a**
36 **detectable amount of fentanyl.**

37 2. The offense of trafficking drugs in the second degree is a class C felony.

38 3. The offense of trafficking drugs in the second degree is a class B felony
39 if the quantity involved is:

40 (1) Ninety grams or more of a mixture or substance containing a
41 detectable amount of heroin; or

42 (2) Four hundred fifty grams or more of a mixture or substance containing
43 a detectable amount of coca leaves, except coca leaves and extracts of coca leaves
44 from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been
45 removed; cocaine salts and their optical and geometric isomers, and salts of
46 isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any
47 compound, mixture, or preparation which contains any quantity of any of the
48 foregoing substances; or

49 (3) Twenty-four grams or more of a mixture or substance described in
50 subdivision (2) of this subsection which contains cocaine base; or

51 (4) One gram or more of a mixture or substance containing a detectable
52 amount of lysergic acid diethylamide (LSD); or

53 (5) Ninety grams or more of a mixture or substance containing a
54 detectable amount of phencyclidine (PCP); or

55 (6) Twelve grams or more of phencyclidine; or

56 (7) One hundred kilograms or more of a mixture or substance containing
57 marijuana; or

58 (8) More than five hundred marijuana plants; or

59 (9) Ninety grams or more but less than four hundred fifty grams of any
60 material, compound, mixture, or preparation containing any quantity of the
61 following substances having a stimulant effect on the central nervous system:
62 amphetamine, its salts, optical isomers and salts of its optical isomers;
63 methamphetamine, its salts, optical isomers and salts of its optical isomers;
64 phenmetrazine and its salts; or methylphenidate; or

65 (10) Ninety grams or more but less than four hundred fifty grams of any
66 material, compound, mixture, or preparation which contains any quantity of
67 3,4-methylenedioxymethamphetamine; or

68 **(11) Sixty grams or more of fentanyl, or any derivative thereof,**
69 **or any mixture or substance containing a detectable amount of**
70 **fentanyl.**

71 4. The offense of trafficking drugs in the second degree is a class A felony
72 if the quantity involved is four hundred fifty grams or more of any material,
73 compound, mixture or preparation which contains:

74 (1) Any quantity of the following substances having a stimulant effect on
75 the central nervous system: amphetamine, its salts, optical isomers and salts of
76 its optical isomers; methamphetamine, its salts, isomers and salts of its isomers;
77 phenmetrazine and its salts; or methylphenidate; or

78 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

✓