

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 523

AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 195.015, 195.017, 579.065, and 579.068,
2 RSMo, are repealed and five new sections enacted in lieu thereof,
3 to be known as sections 195.015, 195.017, 195.805, 579.065, and
4 579.068, to read as follows:

5 195.015. 1. The department of health and senior services
6 shall administer this chapter and may add substances to the
7 schedules after public notice and hearing. In making a
8 determination regarding a substance, the department of health and
9 senior services shall consider the following:

- 10 (1) The actual or relative potential for abuse;
- 11 (2) The scientific evidence of its pharmacological effect,
12 if known;
- 13 (3) The state of current scientific knowledge regarding the
14 substance;
- 15 (4) The history and current pattern of abuse;
- 16 (5) The scope, duration, and significance of abuse;

1 (6) The risk to the public health;

2 (7) The potential of the substance to produce psychic or
3 physiological dependence liability; and

4 (8) Whether the substance is an immediate precursor of a
5 substance already controlled under this chapter.

6 2. After considering the factors enumerated in subsection 1
7 of this section the department of health and senior services
8 shall make findings with respect thereto and issue a rule
9 controlling the substance if it finds the substance has a
10 potential for abuse.

11 3. If the department of health and senior services
12 designates a substance as an immediate precursor, substances
13 which are precursors of the controlled precursor shall not be
14 subject to control solely because they are precursors of the
15 controlled precursor.

16 4. If any substance is designated, rescheduled, or deleted
17 as a controlled substance under federal law and notice thereof is
18 given to the department of health and senior services, the
19 department of health and senior services shall similarly control
20 the substance under this chapter [after the expiration of] and
21 shall submit emergency rules to the secretary of state under
22 section 536.025 within thirty days [from] of publication in the
23 federal register of a final order designating a substance as a
24 controlled substance or rescheduling or deleting a substance,
25 unless within that thirty-day period, the department of health
26 and senior services objects to inclusion, rescheduling, or
27 deletion. In that case, the department of health and senior
28 services shall publish the reasons for objection and afford all

1 interested parties an opportunity to be heard. At the conclusion
2 of the hearing, the department of health and senior services
3 shall publish its decision, which shall be final unless altered
4 by statute. Upon publication of objection to inclusion,
5 rescheduling or deletion under this chapter by the department of
6 health and senior services, control under this chapter is stayed
7 as to the substance in question until the department of health
8 and senior services publishes its decision. If the department
9 promulgates emergency rules under this subsection, such rules
10 may, notwithstanding the provisions of subsection 7 of section
11 536.025, remain in effect until the general assembly concludes
12 its next regular session following the imposition of any such
13 rules. The department shall clearly state if the rules shall be
14 in effect pursuant to this subsection or subsection 7 of section
15 536.025 in the emergency statement filed with the secretary of
16 state.

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

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

26 195.017. 1. The department of health and senior services
27 shall place a substance in Schedule I if it finds that the
28 substance:

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

5 2. Schedule I:

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

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

13 (a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-
14 phenethyl)-4-piperidinyl)-N-phenylacetamide);

15 (b) Acetylmethadol;

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

18 (d) Acryl fentanyl (- (1-phenethylpiperidin-4-yl)-N-
19 phenylacrylamide);

20 (e) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)
21 cyclohexylmethyl] benzamide);

22 (f) Allylprodine;

23 [(d)] (g) Alphacetylmethadol (except
24 levoalphacetylmethadol, also known as levo-alpha-acetylmethadol
25 levothadyl acetate or LAAM);

26 [(e)] (h) Alphameprodine;

27 [(f)] (i) Alphamethadol;

28 [(g)] (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-

1 phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-
2 phenylethyl)-4 ((N-propanilido) piperidine);
3 [(h)] (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-
4 thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide);
5 [(i)] (l) Benzethidine;
6 [(j)] (m) Betacetylmethadol;
7 [(k)] (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-
8 phenethyl)-4-piperidinyl)-N-phenylpropanamide);
9 [(l)] (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-
10 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
11 [(m)] (p) Betameprodine;
12 [(n)] (q) Betamethadol;
13 [(o)] (r) Betaprodine;
14 [(p)] (s) Clonitazene;
15 [(q)] (t) Dextromoramide;
16 [(r)] (u) Diampromide;
17 (v) Cyclopropyl fentanyl;
18 [(s)] (w) Diethylthiambutene;
19 [(t)] (x) Difenoxyin;
20 [(u)] (y) Dimenoxadol;
21 [(v)] (z) Dimepheptanol;
22 [(w)] (aa) Dimethylthiambutene;
23 [(x)] (bb) Dioxaphetyl butyrate;
24 [(y)] (cc) Dipipanone;
25 [(z)] (dd) Ethylmethylthiambutene;
26 [(aa)] (ee) Etonitazene;
27 [(bb)] (ff) Etoperidine;

1 (qq) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-
2 phenethylpiperidin-4-yl)isobutyramide;
3 (hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-
4 phenylfuran-2-carboxamide;
5 [(cc)] (ii) Furethidine;
6 [(dd)] (jj) Hydroxypethidine;
7 [(ee)] (kk) Ketobemidone;
8 [(ff)] (ll) Levomoramide;
9 [(gg)] (mm) Levophenacylmorphane;
10 [(hh)] (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-
11 phenylethyl)-4-piperidyl)-N-phenylpropanamide), its optical and
12 geometric isomers, salts, and salts of isomers;
13 [(ii)] (oo) 3-Methylthiofentanyl (N-(3-methyl-1-(2-
14 thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide);
15 (pp) Methoxyacetyl fentanyl (2-methoxy-N-(1-
16 phenethylpiperidin-4-yl)-N-phenylacetamide);
17 [(jj)] (qq) Morpheridine;
18 [(kk)] (rr) MPPP (1-methyl-4-phenyl-4-
19 propionoxypiperidine);
20 (ss) MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);
21 [(ll)] (tt) Noracymethadol;
22 [(mm)] (uu) Norlevorphanol;
23 [(nn)] (vv) Normethadone;
24 [(oo)] (ww) Norpipanone;
25 (xx) Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-
26 phenethylpiperidin-4-yl)acetamide;
27 (yy) Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-
28 yl)propionamide); other name 2-fluorofentanyl;

1 (zz) para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-
2 phenethylpiperidin-4-yl)butyramide;

3 [(pp)] (aaa) Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-
4 (2-phenethyl)-4-piperidinyl) propanamide;

5 [(qq)] (bbb) PEPAP (1-(2-phenethyl)-4-phenyl-4-
6 acetoxypiperidine);

7 [(rr)] (ccc) Phenadoxone;

8 [(ss)] (ddd) Phenampromide;

9 [(tt)] (eee) Phenomorphan;

10 [(uu)] (fff) Phenoperidine;

11 [(vv)] (ggg) Piritramide;

12 [(ww)] (hhh) Proheptazine;

13 [(xx)] (iii) Properidine;

14 [(yy)] (jjj) Propiram;

15 [(zz)] (kkk) Racemoramide;

16 (lll) Tetrahydrofuranlyl fentanyl (N-(1-phenethylpiperidin-
17 4-yl)-N-phenyltetrahydrofuran-2-carboxamide);

18 [(aaa)] (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-
19 4-piperidinyl)-propanamide;

20 [(bbb)] (nnn) Tilidine;

21 [(ccc)] (ooo) Trimeperidine;

22 (3) Any of the following opium derivatives, their salts,
23 isomers and salts of isomers unless specifically excepted,
24 whenever the existence of these salts, isomers and salts of
25 isomers is possible within the specific chemical designation:

26 (a) Acetorphine;

27 (b) Acetyldihydrocodeine;

28 (c) Benzylmorphine;

- 1 (d) Codeine methylbromide;
- 2 (e) Codeine-N-Oxide;
- 3 (f) Cyprenorphine;
- 4 (g) Desomorphine;
- 5 (h) Dihydromorphine;
- 6 (i) Drotebanol;
- 7 (j) Etorphine (except hydrochloride salt);
- 8 (k) Heroin;
- 9 (l) Hydromorphenol;
- 10 (m) Methyldesorphine;
- 11 (n) Methyldihydromorphine;
- 12 (o) Morphine methylbromide;
- 13 (p) Morphine methylsulfonate;
- 14 (q) Morphine-N-Oxide;
- 15 (r) Myrophine;
- 16 (s) Nicocodeine;
- 17 (t) Nicomorphine;
- 18 (u) Normorphine;
- 19 (v) Pholcodine;
- 20 (w) Thebacon;
- 21 (4) Any of the following opiate similar synthetic
- 22 substances scheduled by the U.S. Drug Enforcement Administration
- 23 as substances that share a pharmacological profile similar to
- 24 fentanyl, morphine, and other synthetic opioids, unless
- 25 specifically excepted or unless listed in another schedule:
- 26 (a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
- 27 phenylbutyramide);
- 28 (b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-

1 -methyl benzamide).

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

8 (a) [4-bromo-2, 5-dimethoxyamphetamine;

9 (b) 4-bromo-2, 5-dimethoxyphenethylamine;

10 (c) 2,5-dimethoxyamphetamine;

11 (d) 2,5-dimethoxy-4-ethylamphetamine] Alpha-
12 ethyltryptamine;

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

14 (c) 4-bromo-2,5-dimethoxyphenethylamine;

15 (d) 2,5-dimethoxyamphetamine;

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

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

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

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

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

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

22 (k) 2-(2,5-Dimethoxyphenyl) ethanamine;

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

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

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

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

27 (p) 4-methoxyamphetamine;

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

- 1 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 2 [(i)] (s) 3,4-methylenedioxyamphetamine;
- 3 [(j)] (t) 3,4-methylenedioxyamphetamine;
- 4 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;
- 5 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 6 [(m)] (w) 3,4,5-trimethoxyamphetamine;
- 7 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[,
8 its isomers, salts, and salts of isomers];
- 9 [(o) Alpha-ethyltryptamine;
- 10 [(p)] (y) Alpha-methyltryptamine;
- 11 [(q)] (z) Bufotenine;
- 12 [(r)] (aa) Diethyltryptamine;
- 13 [(s)] (bb) Dimethyltryptamine;
- 14 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 15 [(u)] (dd) Ibogaine;
- 16 [(v)] (ee) Lysergic acid diethylamide;
- 17 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 18 [(x)] (gg) Mescaline;
- 19 [(y)] (hh) Parahexyl;
- 20 [(z)] (ii) Peyote, to include all parts of the plant
21 presently classified botanically as Lophophora **[Williamsil]**
22 williamsii Lemaire, whether growing or not; the seeds thereof;
23 any extract from any part of such plant; and every compound,
24 manufacture, salt, derivative, mixture or preparation of the
25 plant, its seed or extracts;
- 26 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;
- 27 [(bb)] (kk) N-methyl-3-piperidyl benzilate;

1 [(cc)] (ll) Psilocybin;

2 [(dd)] (mm) Psilocyn;

3 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a
4 plant of the genus Cannabis (cannabis plant), except industrial
5 hemp, as well as synthetic equivalents of the substances
6 contained in the cannabis plant, or in the resinous extractives
7 of such plant, or synthetic substances, derivatives[,] and their
8 isomers, or both, with similar chemical structure and
9 pharmacological activity to those substances contained in the
10 plant, such as the following:

11 a. 1 cis or trans tetrahydrocannabinol[,] and their optical
12 isomers;

13 b. 6 cis or trans tetrahydrocannabinol[,] and their optical
14 isomers;

15 c. 3,4 cis or trans tetrahydrocannabinol[,] and their
16 optical isomers;

17 d. Any compounds of these structures, regardless of
18 numerical designation of atomic positions covered;

19 [(ff)] (oo) Ethylamine analog of phencyclidine;

20 [(gg)] (pp) Pyrrolidine analog of phencyclidine;

21 [(hh)] (qq) Thiophene analog of phencyclidine;

22 [(ii)] (rr) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

23 [(jj)] (ss) Salvia divinorum;

24 [(kk)] (tt) Salvinorin A;

25 [(ll)] (uu) Synthetic cannabinoids:

26 a. Any compound structurally derived from
27 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by
28 substitution at the nitrogen atom of the indole ring by alkyl,

1 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
2 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
3 whether or not further substituted in the indole ring to any
4 extent, whether or not substituted in the naphthyl ring to any
5 extent. Including, but not limited to:

- 6 (i) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;
7 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
8 ~~[(ii)]~~ (iii) JWH-015, or
9 1-propyl-2-methyl-3-(1-naphthoyl)indole;
10 ~~[(iii)]~~ (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
11 ~~[(iv)]~~ (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
12 ~~[(v)]~~ (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
13 ~~[(vi)]~~ (vii) JWH-081, or
14 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
15 ~~[(vii)]~~ (viii) JWH-098, or
16 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
17 ~~[(viii)]~~ (ix) JWH-122, or
18 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
19 ~~[(ix)]~~ (x) JWH-164, or
20 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
21 ~~[(x)]~~ (xi) JWH-200, or
22 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
23 ~~[(xi)]~~ (xii) JWH-210, or
24 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
25 ~~[(xii)]~~ (xiii) JWH-398, or
26 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
27 b. Any compound structurally derived from
28 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of

1 the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
2 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
3 2-(4-morpholinyl)ethyl group, whether or not further substituted
4 in the pyrrole ring to any extent, whether or not substituted in
5 the naphthyl ring to any extent;

6 c. Any compound structurally derived from
7 1-(1-naphthylmethyl)indene by substitution at the 3-position of
8 the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
9 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
10 2-(4-morpholinyl)ethyl group, whether or not further substituted
11 in the indene ring to any extent, whether or not substituted in
12 the naphthyl ring to any extent;

13 d. Any compound structurally derived from
14 3-phenylacetylindole by substitution at the nitrogen atom of the
15 indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
16 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
17 2-(4-morpholinyl)ethyl group, whether or not further substituted
18 in the indole ring to any extent, whether or not substituted in
19 the phenyl ring to any extent. Including, but not limited to:

- 20 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- 21 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- 22 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- 23 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- 24 (v) RCS-8, or

25 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

26 e. Any compound structurally derived from
27 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position
28 of the phenolic ring by alkyl, haloalkyl, alkenyl,

1 cycloalkylmethyl, cycloalkylethyl,
2 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
3 whether or not substituted in the cyclohexyl ring to any extent.
4 Including, but not limited to[:

5 (i)] CP 47, 497 [&] and homologues, or
6 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol),
7 where side chain n=5, and homologues where side chain n=4,6, or
8 7;

9 f. Any compound containing a 3-(benzoyl)indole structure
10 with substitution at the nitrogen atom of the indole ring by
11 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
12 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
13 whether or not further substituted in the indole ring to any
14 extent and whether or not substituted in the phenyl ring to any
15 extent. Including, but not limited to:

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

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

19 g. CP 50,556-1, or
20 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
21 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

22 h. HU-210, or
23 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
24 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

25 i. HU-211, or
26 Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyl
27 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

28 j. [CP 50,556-1, or

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

3 k.] Dimethylheptylpyran, or DMHP;

4 [(5)] (6) Any material, compound, mixture or preparation
5 containing any quantity of the following substances having a
6 depressant effect on the central nervous system, including their
7 salts, isomers and salts of isomers whenever the existence of
8 these salts, isomers and salts of isomers is possible within the
9 specific chemical designation:

10 (a) Gamma-hydroxybutyric acid;

11 (b) Mecloqualone;

12 (c) Methaqualone;

13 [(6)] (7) Any material, compound, mixture or preparation
14 containing any quantity of the following substances having a
15 stimulant effect on the central nervous system, including their
16 salts, isomers and salts of isomers:

17 (a) Aminorex;

18 (b) N-benzylpiperazine;

19 (c) Cathinone;

20 (d) Fenethylamine;

21 (e) 3-Fluoromethcathinone;

22 (f) 4-Fluoromethcathinone;

23 (g) Mephedrone, or 4-methylmethcathinone;

24 (h) Methcathinone;

25 (i) 4-methoxymethcathinone;

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

28 (k) Methylenedioxypropylamphetamine, MDPV, or

1 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
2 (l) Methylone, or 3,4-Methylenedioxy methcathinone;
3 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
4 (n) N-ethylamphetamine;
5 (o) N,N-dimethylamphetamine;
6 (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22;

7 QUPIC);

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

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

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

14 [(7)] (8) A temporary listing of substances subject to
15 emergency scheduling under federal law shall include any
16 material, compound, mixture or preparation which contains any
17 quantity of the following substances:

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

21 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
22 (thenylfentanyl), its optical isomers, salts and salts of
23 isomers] (1-pentyl-1H-indol-3-yl)(2,2,3,3-
24 tetramethylcyclopropyl)methanone, its optical, positional, and
25 geometric isomers, salts, and salts of isomers;

26 (b) [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-
27 tetramethylcyclopropyl)methanone, its optical, positional, and
28 geometric isomers, salts, and salts of isomers;

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

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

7 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
8 methoxybenzyl)ethanamine, its optical, positional, and geometric
9 isomers, salts, and salts of isomers;

10 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
11 methoxybenzyl)ethanamine, its optical, positional, and geometric
12 isomers, salts, and salts of isomers;

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

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

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

19 (j) Butylone, its optical, positional, and geometric
20 isomers, salts, and salts of isomers;

21 (k) Pentedrone, its optical, positional, and geometric
22 isomers, salts, and salts of isomers;

23 (l) Pentylone, its optical, positional, and geometric
24 isomers, salts, and salts of isomers;

25 (m) Naphyrone, its optical, positional, and geometric
26 isomers, salts, and salts of isomers;

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

1 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
2 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
3 positional, and geometric isomers, salts, and salts of isomers;
4 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
5 indazole-3-carboxamide, its optical, positional, and geometric
6 isomers, salts, and salts of isomers;
7 (q) [1-(5-fluoropentyl)-1H-indazole-3-yl](naphthalen-1-
8 yl)methanone, its optical, positional, and geometric isomers,
9 salts, and salts of isomers;
10 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-
11 yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and
12 salts of isomers, esters, and ethers;
13 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its
14 optical, positional, and geometric isomers, salts, and salts of
15 isomers;
16 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
17 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
18 positional, and geometric isomers, salts, and salts of isomers;
19 (u) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
20 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
21 geometric isomers, salts, and salts of isomers;
22 (v) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
23 carboxamido)-3-methylbutanoate, its optical, positional, and
24 geometric isomers, salts, and salts of isomers;
25 (w) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-
26 carboxamide, its optical, positional, and geometric isomers,
27 salts, and salts of isomers;
28 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-

1 fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional,
2 and geometric isomers, salts, and salts of isomers;

3 (y) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
4 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
5 geometric isomers, salts, and salts of isomers;

6 (z) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
7 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
8 geometric isomers, salts, and salts of isomers;

9 (aa) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
10 yl)propionamide, its isomers, esters, ethers, salts, and salts of
11 isomers, esters, and ethers;

12 (bb) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
13 carboxamido)-3-methylbutanoate, its optical, positional, and
14 geometric isomers, salts, and salts of isomers;

15 (cc) N-(1-phenethylpiperidin-4-yl)-N-
16 phenylcyclopropanecarboxamide, its isomers, esters, ethers,
17 salts, and salts of isomers, esters, and ethers;

18 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its
19 isomers, esters, ethers, salts, and salts of isomers, esters, and
20 ethers;

21 (ee) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-
22 yl)butyramide, its isomers, esters, ethers, salts, and salts of
23 isomers, esters, and ethers;

24 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
25 yl)butyramide, its isomers, esters, ethers, salts, and salts of
26 isomers, esters, and ethers;

27 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-
28 yl)isobutyramide, its isomers, esters, ethers, salts, and salts

1 of isomers, esters, and ethers;

2 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide,
3 its isomers, esters, ethers, salts, and salts of isomers, esters,
4 and ethers;

5 (ii) N-(1-phenethylpiperidin-4-yl)-N-
6 phenylcyclopentanecarboxamide, its isomers, esters, ethers,
7 salts, and salts of isomers, esters, and ethers;

8 (jj) Fentanyl-related substances, their isomers, esters,
9 ethers, salts, and salts of isomers, esters, and ethers.

10 Fentanyl-related substance shall mean any substance not otherwise
11 listed under another Drug Enforcement Administration Controlled
12 Substance Code Number, and for which no exemption or approval is
13 in effect under section 505 of the Federal Food, Drug, and
14 Cosmetic Act, 21 U.S.C. Section 355, that is structurally related
15 to fentanyl by one or more of the following modifications:

16 a. Replacement of the phenyl portion of the phenethyl group
17 by any monocycle, whether or not further substituted in or on the
18 monocycle;

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

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

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

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

1 (kk) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
2 carboxylate, its optical, positional, and geometric isomers,
3 salts, and salts of isomers (NM2201; CBL2201);

4 (ll) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-
5 fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional,
6 and geometric isomers, salts, and salts of isomers (5F-AB-
7 PINACA);

8 (mm) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-
9 3-carboxamide, its optical, positional, and geometric isomers,
10 salts, and salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-
11 BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

12 (nn) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
13 carboxamido)-3-methylbutanoate, its optical, positional, and
14 geometric isomers, salts, and salts of isomers (MMB-CHMICA, AMB-
15 CHMICA);

16 (oo) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
17 pyrrolo[2,3-b]pyridine-3-carboxamide, its optical, positional,
18 and geometric isomers, salts, and salts of isomers (5F-CUMYL-
19 P7AICA);

20 (pp) N-ethylpentylone, its optical, positional, and
21 geometric isomers, salts, and salts of isomers (ephylone, 1-(1,3-
22 benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one;

23 (qq) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
24 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
25 geometric isomers, salts, and salts of isomers (trivial name: 5F-
26 EDMB-PINACA);

27 (rr) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-
28 3,3-dimethylbutanoate, its optical, positional, and geometric

1 isomers, salts, and salts of isomers (trivial name: 5F-MDMB-
2 PICA);

3 (ss) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-
4 carboxamide, its optical, positional, and geometric isomers,
5 salts, and salts of isomers (trivial names: FUB-AKB48; FUB-
6 APINACA; AKB48 N-(4-FLUOROBENZYL));

7 (tt) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
8 indazole-3-carboxamide, its optical, positional, and geometric
9 isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-
10 PINACA; SGT-25);

11 (uu) (1-(4-fluorobenzyl)-1H-indol-3-yl) (2,2,3,3-
12 tetramethylcyclopropyl) methanone, its optical, positional, and
13 geometric isomers, salts, and salts of isomers (trivial name:
14 FUB-144);

15 (vv) N-ethylhexedrone, its optical, positional, and
16 geometric isomers, salts, and salts of isomers (Other name: 2-
17 (ethylamino)-1-phenylhexan-1-one);

18 (ww) *alpha*-pyrrolidinohexanophenone, its optical,
19 positional, and geometric isomers, salts, and salts of isomers
20 (Other names: α -PHP; *alpha*-pyrrolidinohexiophenone; 1-phenyl-2-
21 (pyrrolidin-1-yl)hexan-1-one);

22 (xx) 4-methyl-*alpha*-ethylaminopentiophenone, its optical,
23 positional, and geometric isomers, salts, and salts of isomers;
24 (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-
25 one);

26 (yy) 4'-methyl-*alpha*-pyrrolidinohexiophenone, its optical,
27 positional, and geometric isomers, salts, and salts of isomers
28 (Other names: MPHP; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-

1 (4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

2 (zz) alpha-pyrrolidinoheptaphenone, its optical,
3 positional, and geometric isomers, salts, and salts of isomers
4 (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one);

5 (aaa) 4'-chloro-alpha-pyrrolidinovalerophenone, its
6 optical, positional, and geometric isomers, salts, and salts of
7 isomers (Other names: 4-chloro- α -PVP; 4'-chloro-alpha-
8 pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-
9 yl)pentan-1-one);

10 [(8)] (9) Khat, to include all parts of the plant presently
11 classified botanically as catha edulis, whether growing or not;
12 the seeds thereof; any extract from any part of such plant; and
13 every compound, manufacture, salt, derivative, mixture, or
14 preparation of the plant, its seed or extracts.

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

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

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

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

23 4. The controlled substances listed in this subsection are
24 included in Schedule II:

25 (1) Any of the following substances whether produced
26 directly or indirectly by extraction from substances of vegetable
27 origin, or independently by means of chemical synthesis, or by
28 combination of extraction and chemical synthesis:

1 (a) Opium and opiate; and any salt, compound, derivative or
2 preparation of opium or opiate, excluding apomorphine,
3 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene,
4 naloxegol, naloxone, and naltrexone, and their respective salts,
5 but including the following:

- 6 a. Raw opium;
- 7 b. Opium extracts;
- 8 c. Opium fluid;
- 9 d. Powdered opium;
- 10 e. Granulated opium;
- 11 f. Tincture of opium;
- 12 g. Codeine;
- 13 h. Dihydroetorphine;
- 14 i. Ethylmorphine;
- 15 [i.] j. Etorphine hydrochloride;
- 16 [j.] k. Hydrocodone;
- 17 [k.] l. Hydromorphone;
- 18 [l.] m. Metopon;
- 19 [m.] n. Morphine;
- 20 [n.] o. Oripavine;
- 21 p. Oxycodone;
- 22 [o.] q. Oxymorphone;
- 23 [p.] r. Thebaine;

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

28 (c) Opium poppy and poppy straw;

1 (d) Coca leaves and any salt, compound, derivative, or
2 preparation of coca leaves, and any salt, compound, derivative,
3 or preparation thereof which is chemically equivalent or
4 identical with any of these substances, but not including the
5 following:

6 a. Decocainized coca leaves or extractions of coca leaves,
7 which extractions do not contain cocaine or ecgonine; or

8 b. Ioflupane;

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

12 (2) Any of the following opiates, including their isomers,
13 esters, ethers, salts, and salts of isomers, whenever the
14 existence of these isomers, esters, ethers, and salts is possible
15 within the specific chemical designation, dextrorphan and
16 levopropoxyphene excepted:

- 17 (a) Alfentanil;
- 18 (b) Alphaprodine;
- 19 (c) Anileridine;
- 20 (d) Bezitramide;
- 21 (e) Bulk dextropropoxyphene;
- 22 (f) Carfentanil;
- 23 (g) Dihydrocodeine;
- 24 (h) Diphenoxylate;
- 25 (i) Fentanyl;
- 26 (j) Isomethadone;
- 27 (k) Levo-alphaacetylmethadol;
- 28 (l) Levomethorphan;

1 (m) Levorphanol;
2 (n) Metazocine;
3 (o) Methadone;
4 (p) [Meperidine;
5 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
6 4-diphenylbutane;
7 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
8 1-diphenylpropane-carboxylic acid;
9 [(s)] (r) Pethidine (meperidine);
10 [(t)] (s) Pethidine-Intermediate-A,
11 4-cyano-1-methyl-4-phenylpiperidine;
12 [(u)] (t) Pethidine-Intermediate-B,
13 ethyl-4-phenylpiperidine-4-carboxylate;
14 [(v)] (u) Pethidine-Intermediate-C,
15 1-methyl-4-phenylpiperidine-4-carboxylic acid;
16 [(w)] (v) Phenazocine;
17 [(x)] (w) Piminodine;
18 [(y)] (x) Racemethorphan;
19 [(z)] (y) Racemorphan;
20 [(aa)] (z) Remifentanil;
21 [(bb)] (aa) Sufentanil;
22 [(cc)] (bb) Tapentadol;
23 (cc) Thiafentanil;
24 (3) Any material, compound, mixture, or preparation which
25 contains any quantity of the following substances having a
26 stimulant effect on the central nervous system:
27 (a) Amphetamine, its salts, optical isomers, and salts of
28 its optical isomers;

1 (b) Lisdexamfetamine, its salts, isomers, and salts of its
2 isomers;

3 (c) Methamphetamine, its salts, isomers, and salts of its
4 isomers;

5 (d) Phenmetrazine and its salts;

6 (e) Methylphenidate;

7 (4) Any material, compound, mixture, or preparation which
8 contains any quantity of the following substances having a
9 depressant effect on the central nervous system, including its
10 salts, isomers, and salts of isomers whenever the existence of
11 those salts, isomers, and salts of isomers is possible within the
12 specific chemical designation:

13 (a) Amobarbital;

14 (b) Glutethimide;

15 (c) Pentobarbital;

16 (d) Phencyclidine;

17 (e) Secobarbital;

18 (5) [Any material or compound which contains any quantity
19 of nabilone] Hallucinogenic substances:

20 (a) Any material or compound which contains any quantity of
21 nabilone;

22 (b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an
23 oral solution in a drug product approved for marketing by the
24 U.S. Food and Drug Administration;

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

27 (a) Immediate precursor to amphetamine and methamphetamine:
28 Phenylacetone;

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

2 a. 1-phenylcyclohexylamine;

3 b. 1-piperidinocyclohexanecarbonitrile (PCC);

4 (c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-
5 4-piperidine (ANPP);

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

8 (a) Amyl nitrite;

9 (b) Butyl nitrite.

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

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

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

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

18 6. The controlled substances listed in this subsection are
19 included in Schedule III:

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

24 (a) Benzphetamine;

25 (b) Chlorphentermine;

26 (c) Clortermine;

27 (d) Phendimetrazine;

28 (2) Any material, compound, mixture or preparation which

1 contains any quantity or salt of the following substances or
2 salts having a depressant effect on the central nervous system:

3 (a) Any material, compound, mixture or preparation which
4 contains any quantity or salt of the following substances
5 combined with one or more active medicinal ingredients:

- 6 a. Amobarbital;
- 7 b. Secobarbital;
- 8 c. Pentobarbital;

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

- 11 a. Amobarbital;
- 12 b. Secobarbital;
- 13 c. Pentobarbital;

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

- 16 (d) Chlorhexadol;
- 17 (e) Embutramide;

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

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

23 (h) Lysergic acid;

24 (i) Lysergic acid amide;

25 (j) Methyprylon;

26 (k) Perampanel, and its salts, isomers, and salts of
27 isomers;

28 (l) Sulfondiethylmethane;

1 [(1)] (m) Sulfonethylmethane;

2 [(m)] (n) Sulfonmethane;

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

4 (3) Nalorphine;

5 (4) Any material, compound, mixture, or preparation

6 containing limited quantities of any of the following narcotic

7 drugs or their salts:

8 (a) Not more than 1.8 grams of codeine per one hundred

9 milliliters or not more than ninety milligrams per dosage unit,

10 with an equal or greater quantity of an isoquinoline alkaloid of

11 opium;

12 (b) Not more than 1.8 grams of codeine per one hundred

13 milliliters or not more than ninety milligrams per dosage unit

14 with one or more active, nonnarcotic ingredients in recognized

15 therapeutic amounts;

16 (c) [Not more than three hundred milligrams of hydrocodone

17 per one hundred milliliters or not more than fifteen milligrams

18 per dosage unit, with a fourfold or greater quantity of an

19 isoquinoline alkaloid of opium;

20 (d) Not more than three hundred milligrams of hydrocodone

21 per one hundred milliliters or not more than fifteen milligrams

22 per dosage unit, with one or more active nonnarcotic ingredients

23 in recognized therapeutic amounts;

24 (e)] Not more than 1.8 grams of dihydrocodeine per one

25 hundred milliliters or not more than ninety milligrams per dosage

26 unit, with one or more active, nonnarcotic ingredients in

27 recognized therapeutic amounts;

28 [(f)] (d) Not more than three hundred milligrams of

1 ethylmorphine per one hundred milliliters or not more than
2 fifteen milligrams per dosage unit, with one or more active,
3 nonnarcotic ingredients in recognized therapeutic amounts;

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

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

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

16 (6) Anabolic steroids. Any drug or hormonal substance,
17 chemically and pharmacologically related to testosterone (other
18 than estrogens, progestins, corticosteroids, and
19 dehydroepiandrosterone) that promotes muscle growth, except an
20 anabolic steroid which is expressly intended for administration
21 through implants to cattle or other nonhuman species and which
22 has been approved by the Secretary of Health and Human Services
23 for that administration. If any person prescribes, dispenses, or
24 distributes such steroid for human use, such person shall be
25 considered to have prescribed, dispensed, or distributed an
26 anabolic steroid within the meaning of this subdivision. Unless
27 specifically excepted or unless listed in another schedule, any
28 material, compound, mixture or preparation containing any

1 quantity of the following substances, including its salts, esters
2 and ethers:

3 (a) [3 β ,17-dihydroxy-5 α -androstande]

4 3 β ,17 β -dihydroxy-5 α -androstande;

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

6 (c) 5 α -androstand-3,17-dione;

7 (d) 1-androstandediol (3 β ,17 β -dihydroxy-5 α -androstand-1-ene);

8 (e) 1-androstandediol (3 α ,17 β -dihydroxy-5 α -androstand-1-ene);

9 (f) 4-androstandediol (3 β ,17 β -dihydroxy-androstand-4-ene);

10 (g) 5-androstandediol (3 β ,17 β -dihydroxy-androstand-5-ene);

11 (h) 1-androstandedione ([5 α]-androstand-1-en-3,17-dione);

12 (i) 4-androstandedione (androstand-4-en-3,17-dione);

13 (j) 5-androstandedione (androstand-5-en-3,17-dione);

14 (k) Bolasterone (7 α ,

15 17 α -dimethyl-17 β -hydroxyandrostand-4-en-3-one);

16 (l) Boldenone (17 β -hydroxyandrostand-1,4,-diene-3-one);

17 (m) Boldione;

18 (n) Calusterone (7 β ,

19 17 α -dimethyl-17 β -hydroxyandrostand-4-en-3-one);

20 (o) Clostebol (4-chloro-17 β -hydroxyandrostand-4-en-3-one);

21 (p) Dehydrochloromethyltestosterone

22 (4-chloro-17 β -hydroxy-17 α -methyl-androstand-1,4-dien-3-one);

23 (q) Desoxymethyltestosterone;

24 (r) [Δ 1-dihydrotestosterone (a.k.a.

25 '1-testosterone') (17 β -hydroxy-5 α -androstand-1-en-3-one);

26 (s)] 4-dihydrotestosterone (17 β -hydroxy-androstand-3-one);

27 [(t)] (s) Drostanolone

28 (17 β -hydroxy-2 α -methyl-5 α -androstand-3-one);

1 [(u)] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
2 [(v)] (u) Fluoxymesterone
3 (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
4 [(w)] (v) Formebolone
5 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
6 [(x)] (w) Furazabol
7 (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
8 [(y)] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
9 [(z)] (y) 4-hydroxytestosterone
10 (4,17 β -dihydroxy-androst-4-en-3-one);
11 [(aa)] (z) 4-hydroxy-19-nortestosterone
12 (4,17 β -dihydroxy-estr-4-en-3-one);
13 [(bb)] (aa) Mestanolone
14 [(17 α -methyl-17 β -hydroxy-5-androstan-3-one)]
15 (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
16 [(cc)] (bb) Mesterolone
17 [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)] (1 α -
18 methyl-17 β -hydroxy-[5 α]-androstan-3-one);
19 [(dd)] (cc) Methandienone
20 (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
21 [(ee)] (dd) Methandriol
22 (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
23 [(ff)] (ee) Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -
24 ol-3-one);
25 (ff) Methenolone
26 (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
27 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
28 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);

1 (ii) 17α -methyl- $3\beta,17\beta$ -dihydroxyandrost-4-ene;
2 (jj) 17α -methyl-4-hydroxynandrolone
3 (17α -methyl-4-hydroxy- 17β -hydroxyestr-4-en-3-one);
4 (kk) Methyldienolone
5 (17α -methyl- 17β -hydroxyestra-4,9(10)-dien-3-one);
6 (ll) **[Methyltrienolone**
7 (17α -methyl- 17β -hydroxyestra-4,9-11-trien-3-one)]
8 Methyltrienolone (17α -methyl- 17β -hydroxyestra-4,9,11-trien-3-
9 one);
10 (mm) Methyltestosterone
11 (17α -methyl- 17β -hydroxyandrost-4-en-3-one);
12 (nn) Mibolerone
13 ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyestr-4-en-3-one);
14 (oo) 17α -methyl- $\Delta 1$ -dihydrotestosterone
15 (17β -hydroxy- 17α -methyl- 5α -androst-1-en-3-one) (a.k.a.
16 ' 17α -methyl-1-testosterone');
17 (pp) Nandrolone (17β -hydroxyestr-4-ene-3-one);
18 (qq) 19-nor-4-androstenediol ($3\beta,17\beta$ -dihydroxyestr-4-ene);
19 (rr) 19-nor-4-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-4-ene);
20 (ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-
21 diene-3,17-dione);
22 (tt) 19-nor-5-androstenediol ($3\beta,17\beta$ -dihydroxyestr-5-ene);
23 (uu) 19-nor-5-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-5-ene);
24 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
25 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
26 (xx) Norbolethone
27 ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4-en-3-one);
28 (yy) Norclostebol (4-chloro- 17β -hydroxyestr-4-en-3-one);

1 (zz) Norethandrolone
2 (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
3 (aaa) Normethandrolone
4 (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
5 (bbb) Oxandrolone
6 (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
7 (ccc) Oxymesterone
8 (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
9 (ddd) [Oxymethalone
10 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one)]
11 Oxymetholone
12 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
13 (eee) Prostanozol (17 β -hydroxy-5 α -androstan-3-one)-
14 c]pyrazole);
15 (fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-
16 testosterone) (17 β -hydroxy-5 α -androst-1-en-3-one));
17 (ggg) Stanazolol
18 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
19 [(fff)] (hhh) Stenbolone
20 (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
21 [(ggg)] (iii) Testolactone
22 (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
23 lactone);
24 [(hhh)] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);
25 [(iii)] (kkk) Tetrahydrogestrinone
26 (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
27 [(jjj)] (lll) Trenbolone
28 (17 β -hydroxyestr-4,9,11-trien-3-one);

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

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

10 (8) The department of health and senior services may except
11 by rule any compound, mixture, or preparation containing any
12 stimulant or depressant substance listed in subdivisions (1) and
13 (2) of this subsection from the application of all or any part of
14 sections 195.010 to 195.320 if the compound, mixture, or
15 preparation contains one or more active medicinal ingredients not
16 having a stimulant or depressant effect on the central nervous
17 system, and if the admixtures are included therein in
18 combinations, quantity, proportion, or concentration that vitiate
19 the potential for abuse of the substances which have a stimulant
20 or depressant effect on the central nervous system.

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

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

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

27 (3) Abuse of the substance may lead to limited physical
28 dependence or psychological dependence relative to the substances

1 in Schedule III.

2 8. The controlled substances listed in this subsection are
3 included in Schedule IV:

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

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

10 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
11 2-diphenyl-3-methyl-2-propionoxybutane);

12 (c) 2-[(dimethylamino)methyl]-1-(3-
13 methoxyphenyl)cyclohexanol, its salts, optical and geometric
14 isomers, and salts of these isomers (including tramadol);

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

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

22 b. Not more than one hundred milligrams of dihydrocodeine
23 per one hundred milliliters or per one hundred grams;

24 c. Not more than one hundred milligrams of ethylmorphine
25 per one hundred milliliters or per one hundred grams;

26 (2) Any material, compound, mixture or preparation
27 containing any quantity of the following substances, including
28 their salts, isomers, and salts of isomers whenever the existence

1 of those salts, isomers, and salts of isomers is possible within
2 the specific chemical designation:

- 3 (a) Alfaxalone;
- 4 (b) Alprazolam;
- 5 [(b)] (c) Barbital;
- 6 [(c)] (d) Bromazepam;
- 7 [(d)] (e) Camazepam;
- 8 [(e)] (f) Carisoprodol;
- 9 (g) Chloral betaine;
- 10 [(f)] (h) Chloral hydrate;
- 11 [(g)] (i) Chlordiazepoxide;
- 12 [(h)] (j) Clobazam;
- 13 [(i)] (k) Clonazepam;
- 14 [(j)] (l) Clorazepate;
- 15 [(k)] (m) Clotiazepam;
- 16 [(l)] (n) Cloxazolam;
- 17 [(m)] (o) Delorazepam;
- 18 [(n)] (p) Diazepam;
- 19 [(o)] (q) Dichloralphenazone;
- 20 [(p)] (r) Estazolam;
- 21 [(q)] (s) Ethchlorvynol;
- 22 [(r)] (t) Ethinamate;
- 23 [(s)] (u) Ethyl loflazepate;
- 24 [(t)] (v) Fludiazepam;
- 25 [(u)] (w) Flunitrazepam;
- 26 [(v)] (x) Flurazepam;
- 27 [(w)] (y) Fospropofol;

1 [(x)] (z) Halazepam;
2 [(y)] (aa) Haloxazolam;
3 [(z)] (bb) Ketazolam;
4 [(aa)] (cc) Loprazolam;
5 [(bb)] (dd) Lorazepam;
6 [(cc)] (ee) Lormetazepam;
7 [(dd)] (ff) Mebutamate;
8 [(ee)] (gg) Medazepam;
9 [(ff)] (hh) Meprobamate;
10 [(gg)] (ii) Methohexital;
11 [(hh)] (jj) Methylphenobarbital (mephobarbital);
12 [(ii)] (kk) Midazolam;
13 [(jj)] (ll) Nimetazepam;
14 [(kk)] (mm) Nitrazepam;
15 [(ll)] (nn) Nordiazepam;
16 [(mm)] (oo) Oxazepam;
17 [(nn)] (pp) Oxazolam;
18 [(oo)] (qq) Paraldehyde;
19 [(pp)] (rr) Petrichloral;
20 [(qq)] (ss) Phenobarbital;
21 [(rr)] (tt) Pinazepam;
22 [(ss)] (uu) Prazepam;
23 [(tt)] (vv) Quazepam;
24 [(uu)] (ww) Suvorexant;
25 (xx) Temazepam;
26 [(vv)] (yy) Tetrazepam;
27 [(ww)] (zz) Triazolam;

1 [(xx)] (aaa) Zaleplon;

2 [(yy)] (bbb) Zolpidem;

3 [(zz)] (ccc) Zopiclone;

4 (3) Any material, compound, mixture, or preparation which
5 contains any quantity of the following substance including its
6 salts, isomers and salts of isomers whenever the existence of
7 such salts, isomers and salts of isomers is possible:

8 fenfluramine;

9 (4) Any material, compound, mixture, or preparation which
10 contains any quantity of the following substances, including its
11 salts, isomers, and salts of isomers, whenever the existence of
12 such salts, isomers, and salts of isomers is possible:

13 Lorcaserin;

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

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

19 (b) Diethylpropion;

20 (c) Fencamfamin;

21 (d) Fenproporex;

22 (e) Mazindol;

23 (f) Mefenorex;

24 (g) Modafinil;

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

27 (i) Phentermine;

28 (j) Pipradrol;

1 (k) Sibutramine;

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

3 [(5)] (6) Any material, compound, mixture or preparation
4 containing any quantity of the following substance, including its
5 salts:

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

7 (b) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
8 dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-
9 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its
10 optical isomers) and its salts, isomers, and salts of isomers;

11 (c) Pentazocine;

12 [(6)] (7) Ephedrine, its salts, optical isomers and salts
13 of optical isomers, when the substance is the only active
14 medicinal ingredient;

15 [(7)] (8) The department of health and senior services may
16 except by rule any compound, mixture, or preparation containing
17 any depressant substance listed in subdivision (1) of this
18 subsection from the application of all or any part of sections
19 195.010 to 195.320 and sections 579.015 to 579.086 if the
20 compound, mixture, or preparation contains one or more active
21 medicinal ingredients not having a depressant effect on the
22 central nervous system, and if the admixtures are included
23 therein in combinations, quantity, proportion, or concentration
24 that vitiate the potential for abuse of the substances which have
25 a depressant effect on the central nervous system.

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

28 (1) The substance has low potential for abuse relative to

1 the controlled substances listed in Schedule IV;

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

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

7 10. The controlled substances listed in this subsection are
8 included in Schedule V:

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

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

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

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

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

28 (3) Any compound, mixture, or preparation containing any

1 detectable quantity of pseudoephedrine or its salts or optical
2 isomers, or salts of optical isomers or any compound, mixture, or
3 preparation containing any detectable quantity of ephedrine or
4 its salts or optical isomers, or salts of optical isomers;

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

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

12 (b) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-
13 carbamic acid ethyl ester];

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

16 [(b)] (d) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic
17 acid];

18 (5) Any drug product in finished dosage formulation that
19 has been approved by the U.S. Food and Drug Administration that
20 contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-
21 cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis
22 and no more than 0.1 percent (w/w) residual tetrahydro
23 cannabinols.

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

27 (1) All packages of any compound, mixture, or preparation
28 containing any detectable quantity of pseudoephedrine, its salts

1 or optical isomers, or salts of optical isomers or ephedrine, its
2 salts or optical isomers, or salts of optical isomers, shall be
3 offered for sale only from behind a pharmacy counter where the
4 public is not permitted, and only by a registered pharmacist or
5 registered pharmacy technician; and

6 (2) Any person purchasing, receiving or otherwise acquiring
7 any compound, mixture, or preparation containing any detectable
8 quantity of pseudoephedrine, its salts or optical isomers, or
9 salts of optical isomers or ephedrine, its salts or optical
10 isomers, or salts of optical isomers shall be at least eighteen
11 years of age; and

12 (3) The pharmacist, intern pharmacist, or registered
13 pharmacy technician shall require any person, prior to such
14 person's purchasing, receiving or otherwise acquiring such
15 compound, mixture, or preparation to furnish suitable photo
16 identification that is issued by a state or the federal
17 government or a document that, with respect to identification, is
18 considered acceptable and showing the date of birth of the
19 person;

20 (4) The seller shall deliver the product directly into the
21 custody of the purchaser.

22 12. Pharmacists, intern pharmacists, and registered
23 pharmacy technicians shall implement and maintain an electronic
24 log of each transaction. Such log shall include the following
25 information:

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

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

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

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

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

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

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

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

20 17. The scheduling of substances specified in subdivision
21 (3) of subsection 10 of this section and subsections 11, 12, 14,
22 and 15 of this section shall not apply to any compounds,
23 mixtures, or preparations that are in liquid or liquid-filled gel
24 capsule form or to any compound, mixture, or preparation
25 specified in subdivision (3) of subsection 10 of this section
26 which must be dispensed, sold, or distributed in a pharmacy
27 pursuant to a prescription.

28 18. The manufacturer of a drug product or another

1 interested party may apply with the department of health and
2 senior services for an exemption from this section. The
3 department of health and senior services may grant an exemption
4 by rule from this section if the department finds the drug
5 product is not used in the illegal manufacture of methamphetamine
6 or other controlled or dangerous substances. The department of
7 health and senior services shall rely on reports from law
8 enforcement and law enforcement evidentiary laboratories in
9 determining if the proposed product can be used to manufacture
10 illicit controlled substances.

11 19. The department of health and senior services shall
12 revise and republish the schedules annually.

13 20. The department of health and senior services shall
14 promulgate rules under chapter 536 regarding the security and
15 storage of Schedule V controlled substances, as described in
16 subdivision (3) of subsection 10 of this section, for
17 distributors as registered by the department of health and senior
18 services.

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

23 195.805. 1. No edible marijuana-infused product sold in
24 Missouri pursuant to Article XIV of the Missouri Constitution
25 shall be designed, produced, or marketed in a manner that is
26 designed to appeal to persons under eighteen years of age,
27 including, but not limited to, the following:

28 (1) Candies, including gummies, lollipops, cotton candy, or

1 any product using the word "candy" or "candies" on the label; or

2 (2) Products in the shape of a human, animal, or fruit,
3 including realistic, artistic, caricature, or cartoon renderings.

4 2. Each increment of an edible marijuana-infused product
5 containing ten or more milligrams of tetrahydrocannabinols (THC)
6 shall be stamped with a diamond containing the letters "THC" and
7 the number of milligrams of THC in that increment.

8 3. Any licensed or certified entity regulated by the
9 department of health and senior services pursuant to Article XIV
10 of the Missouri Constitution found to have violated the
11 provisions of this section shall be subject to department
12 sanctions, including an administrative penalty, in accordance
13 with the regulations promulgated by the department pursuant to
14 Article XIV of the Missouri Constitution.

15 579.065. 1. A person commits the offense of trafficking
16 drugs in the first degree if, except as authorized by this
17 chapter or chapter 195, such person knowingly distributes,
18 delivers, manufactures, produces or attempts to distribute,
19 deliver, manufacture or produce:

20 (1) More than thirty grams [but less than ninety grams] of
21 a mixture or substance containing a detectable amount of heroin;

22 (2) More than one hundred fifty grams [but less than four
23 hundred fifty grams] of a mixture or substance containing a
24 detectable amount of coca leaves, except coca leaves and extracts
25 of coca leaves from which cocaine, ecgonine, and derivatives of
26 ecgonine or their salts have been removed; cocaine salts and
27 their optical and geometric isomers, and salts of isomers;
28 ecgonine, its derivatives, their salts, isomers, and salts of

1 isomers; or any compound, mixture, or preparation which contains
2 any quantity of any of the foregoing substances;

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

6 (4) More than five hundred milligrams [but less than one
7 gram] of a mixture or substance containing a detectable amount of
8 lysergic acid diethylamide (LSD);

9 (5) More than thirty grams [but less than ninety grams] of
10 a mixture or substance containing a detectable amount of
11 phencyclidine (PCP);

12 (6) More than four grams [but less than twelve grams] of
13 phencyclidine;

14 (7) More than thirty kilograms [but less than one hundred
15 kilograms] of a mixture or substance containing marijuana;

16 (8) More than thirty grams [but less than ninety grams] of
17 any material, compound, mixture, or preparation containing any
18 quantity of the following substances having a stimulant effect on
19 the central nervous system: amphetamine, its salts, optical
20 isomers and salts of its optical isomers; methamphetamine, its
21 salts, optical isomers and salts of its optical isomers;
22 phenmetrazine and its salts; or methylphenidate; [or]

23 (9) More than thirty grams [but less than ninety grams] of
24 any material, compound, mixture, or preparation which contains
25 any quantity of 3,4-methylenedioxymethamphetamine;

26 (10) One gram or more of flunitrazepam for the first
27 offense;

28 (11) Any amount of gamma-hydroxybutyric acid for the first

1 offense; or

2 (12) More than ten milligrams of fentanyl or carfentanil,
3 or any derivative thereof, or any combination thereof, or any
4 compound, mixture, or substance containing a detectable amount of
5 fentanyl or carfentanil, or their optical isomers or analogues.

6 2. The offense of trafficking drugs in the first degree is
7 a class B felony.

8 3. The offense of trafficking drugs in the first degree is
9 a class A felony if the quantity involved is:

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

12 (2) Four hundred fifty grams or more of a mixture or
13 substance containing a detectable amount of coca leaves, except
14 coca leaves and extracts of coca leaves from which cocaine,
15 ecgonine, and derivatives of ecgonine or their salts have been
16 removed; cocaine salts and their optical and geometric isomers,
17 and salts of isomers; ecgonine, its derivatives, their salts,
18 isomers, and salts of isomers; or any compound, mixture, or
19 preparation which contains any quantity of any of the foregoing
20 substances; or

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

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

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

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

1 (7) One hundred kilograms or more of a mixture or substance
2 containing marijuana; or

3 (8) Ninety grams or more of any material, compound,
4 mixture, or preparation containing any quantity of the following
5 substances having a stimulant effect on the central nervous
6 system: amphetamine, its salts, optical isomers and salts of its
7 optical isomers; methamphetamine, its salts, optical isomers and
8 salts of its optical isomers; phenmetrazine and its salts; or
9 methylphenidate; or

10 (9) More than thirty grams of any material, compound,
11 mixture, or preparation containing any quantity of the following
12 substances having a stimulant effect on the central nervous
13 system: amphetamine, its salts, optical isomers, and salts of
14 its optical isomers; methamphetamine, its salts, optical isomers,
15 and salts of its optical isomers; phenmetrazine and its salts; or
16 methylphenidate, and the location of the offense was within two
17 thousand feet of real property comprising a public or private
18 elementary, vocational, or secondary school, college, community
19 college, university, or any school bus, in or on the real
20 property comprising public housing or any other governmental
21 assisted housing, or within a motor vehicle, or in any structure
22 or building which contains rooms furnished for the accommodation
23 or lodging of guests, and kept, used, maintained, advertised, or
24 held out to the public as a place where sleeping accommodations
25 are sought for pay or compensation to transient guests or
26 permanent guests; or

27 (10) Ninety grams or more of any material, compound,
28 mixture or preparation which contains any quantity of

1 3,4-methylenedioxyamphetamine; or

2 (11) More than thirty grams of any material, compound,
3 mixture, or preparation which contains any quantity of
4 3,4-methylenedioxyamphetamine and the location of the offense
5 was within two thousand feet of real property comprising a public
6 or private elementary, vocational, or secondary school, college,
7 community college, university, or any school bus, in or on the
8 real property comprising public housing or any other governmental
9 assisted housing, within a motor vehicle, or in any structure or
10 building which contains rooms furnished for the accommodation or
11 lodging of guests, and kept, used, maintained, advertised, or
12 held out to the public as a place where sleeping accommodations
13 are sought for pay or compensation to transient guests or
14 permanent guests; or

15 (12) One gram or more of flunitrazepam for a second or
16 subsequent offense; or

17 (13) Any amount of gamma-hydroxybutyric acid for a second
18 or subsequent offense; or

19 (14) Twenty milligrams or more of fentanyl or carfentanil,
20 or any derivative thereof, or any combination thereof, or any
21 compound, mixture, or substance containing a detectable amount of
22 fentanyl or carfentanil, or their optical isomers or analogues.

23 579.068. 1. A person commits the offense of trafficking
24 drugs in the second degree if, except as authorized by this
25 chapter or chapter 195, such person knowingly possesses or has
26 under his or her control, purchases or attempts to purchase, or
27 brings into this state:

28 (1) More than thirty grams [but less than ninety grams] of

1 a mixture or substance containing a detectable amount of heroin;

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

11 (3) More than eight grams [but less than twenty-four grams]
12 of a mixture or substance described in subdivision (2) of this
13 subsection which contains cocaine base;

14 (4) More than five hundred milligrams [but less than one
15 gram] of a mixture or substance containing a detectable amount of
16 lysergic acid diethylamide (LSD);

17 (5) More than thirty grams [but less than ninety grams] of
18 a mixture or substance containing a detectable amount of
19 phencyclidine (PCP);

20 (6) More than four grams [but less than twelve grams] of
21 phencyclidine;

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

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

1 salts, optical isomers and salts of its optical isomers;
2 phenmetrazine and its salts; or methylphenidate; [or]

3 (9) More than thirty grams [but less than ninety grams] of
4 any material, compound, mixture, or preparation which contains
5 any quantity of 3,4-methylenedioxymethamphetamine; or

6 (10) More than ten milligrams of fentanyl or carfentanil,
7 or any derivative thereof, or any combination thereof, or any
8 compound, mixture, or substance containing a detectable amount of
9 fentanyl or carfentanil, or their optical isomers or analogues.

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

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

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

16 (2) Four hundred fifty grams or more of a mixture or
17 substance containing a detectable amount of coca leaves, except
18 coca leaves and extracts of coca leaves from which cocaine,
19 ecgonine, and derivatives of ecgonine or their salts have been
20 removed; cocaine salts and their optical and geometric isomers,
21 and salts of isomers; ecgonine, its derivatives, their salts,
22 isomers, and salts of isomers; or any compound, mixture, or
23 preparation which contains any quantity of any of the foregoing
24 substances; or

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

28 (4) One gram or more of a mixture or substance containing a

1 detectable amount of lysergic acid diethylamide (LSD); or

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

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

5 (7) One hundred kilograms or more of a mixture or substance
6 containing marijuana; or

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

8 (9) Ninety grams or more but less than four hundred fifty
9 grams of any material, compound, mixture, or preparation
10 containing any quantity of the following substances having a
11 stimulant effect on the central nervous system: amphetamine, its
12 salts, optical isomers and salts of its optical isomers;
13 methamphetamine, its salts, optical isomers and salts of its
14 optical isomers; phenmetrazine and its salts; or methylphenidate;
15 or

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

19 (11) Twenty milligrams or more of fentanyl or carfentanil,
20 or any derivative thereof, or any combination thereof, or any
21 compound, mixture, or substance containing a detectable amount of
22 fentanyl or carfentanil, or their optical isomers or analogues.

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

27 (1) Any quantity of the following substances having a
28 stimulant effect on the central nervous system: amphetamine, its

1 salts, optical isomers and salts of its optical isomers;
2 methamphetamine, its salts, isomers and salts of its isomers;
3 phenmetrazine and its salts; or methylphenidate; or

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

5 5. The offense of drug trafficking in the second degree is
6 a class C felony for the first offense and a class B felony for
7 any second or subsequent offense for the trafficking of less than
8 one gram of flunitrazepam.