

## SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE NO. 2

FOR

HOUSE BILL NO. 1896

AN ACT

To repeal sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 191.1146, 195.015, 195.017, 195.417, 195.805, 195.830, 579.060, 579.065, and 579.068, to read as follows:

191.1146. 1. Physicians licensed under chapter 334 who use telemedicine shall ensure that a properly established physician-patient relationship exists with the person who receives the telemedicine services. The physician-patient relationship may be established by:

(1) An in-person encounter through a medical interview and physical examination;

(2) Consultation with another physician, or that physician's delegate, who has an established relationship with the patient and an agreement with the physician to participate in the patient's care; or

(3) A telemedicine encounter, if the standard of care does not require an in-person encounter, and in accordance with evidence-based standards of practice and telemedicine practice guidelines that address the clinical and technological aspects of telemedicine.

2. In order to establish a physician-patient relationship through telemedicine:

(1) The technology utilized shall be sufficient to establish an informed diagnosis as though the medical interview and physical examination has been performed in person; and

(2) Prior to providing treatment, including issuing prescriptions or physician certifications under article XIV of the Missouri constitution, a physician who uses telemedicine shall interview the patient, collect or review relevant medical history, and perform an examination sufficient for the diagnosis and treatment of the patient. A questionnaire completed by the patient, whether via the internet or telephone, does not constitute an acceptable medical interview and examination for the provision of treatment by telehealth.

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

- (1) The actual or relative potential for abuse;
- (2) The scientific evidence of its pharmacological effect, if known;
- (3) The state of current scientific knowledge regarding the

substance;

(4) The history and current pattern of abuse;

(5) The scope, duration, and significance of abuse;

(6) The risk to the public health;

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

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

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

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

4. If any substance is designated, rescheduled, or deleted as a controlled substance under federal law and notice thereof is given to the department of health and senior services, the department of health and senior services shall similarly control the substance under this chapter [after the expiration of] and shall submit emergency rules to the secretary of state under section 536.025 within thirty days [from] of publication in the federal register of a final order designating a substance as a controlled substance or rescheduling or deleting a substance, unless within that thirty-day period, the department of health

and senior services objects to inclusion, rescheduling, or deletion. In that case, the department of health and senior services shall publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the department of health and senior services shall publish its decision, which shall be final unless altered by statute. Upon publication of objection to inclusion, rescheduling or deletion under this chapter by the department of health and senior services, control under this chapter is stayed as to the substance in question until the department of health and senior services publishes its decision. If the department promulgates emergency rules under this subsection, such rules may, notwithstanding the provisions of subsection 7 of section 536.025, remain in effect until the general assembly concludes its next regular session following the imposition of any such rules. The department shall clearly state if the rules shall be in effect pursuant to this subsection or subsection 7 of section 536.025 in the emergency statement filed with the secretary of state.

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

6. The department of health and senior services shall prepare a list of all drugs falling within the purview of controlled substances. Upon preparation, a 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 substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

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

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

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

(b) Acetylmethadol;

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

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

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

(f) Allylprodine;

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

[(e)] (h) Alphameprodine;

[(f)] (i) Alphamethadol;

[(g)] (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine);

[(h)] (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide);

[(i)] (l) Benzethidine;

[(j)] (m) Betacetylmethadol;

[(k)] (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide);

[(l)] (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);

[(m)] (p) Betameprodine;

[(n)] (q) Betamethadol;

[(o)] (r) Betaprodine;

[(p)] (s) Clonitazene;

[(q)] (t) Dextromoramide;

[(r)] (u) Diampromide;

(v) Cyclopropyl fentanyl;

[(s)] (w) Diethylthiambutene;

[(t)] (x) Difenoxyin;

[(u)] (y) Dimenoxadol;

[(v)] (z) Dimepheptanol;

[(w)] (aa) Dimethylthiambutene;

[(x)] (bb) Dioxaphetyl butyrate;

[(y)] (cc) Dipipanone;

[(z)] (dd) Ethylmethylthiambutene;

[(aa)] (ee) Etonitazene;

[(bb)] (ff) Etoxeridine;

(gg) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide;

(hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;

[(cc)] (ii) Furethidine;

[(dd)] (jj) Hydroxypethidine;

[(ee)] (kk) Ketobemidone;

[(ff)] (ll) Levomoramide;

[(gg)] (mm) Levophenacylmorphan;

[(hh)] (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide), its optical and geometric isomers, salts, and salts of isomers;

[(ii)] (oo) 3-Methylthiofentanyl (N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide);

(pp) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

[(jj)] (qq) Morpheridine;

[(kk)] (rr) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(ss) MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);

[(ll)] (tt) Noracymethadol;

[(mm)] (uu) Norlevorphanol;

[(nn)] (vv) Normethadone;

[(oo)] (ww) Norpipanone;

(xx) Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide;

(yy) Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-yl)propionamide); other name 2-fluorofentanyl;

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

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

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

[(rr)] (ccc) Phenadoxone;

[(ss)] (ddd) Phenampromide;

[(tt)] (eee) Phenomorphan;

[(uu)] (fff) Phenoperidine;

[(vv)] (ggg) Piritramide;

[(ww)] (hhh) Proheptazine;

[(xx)] (iii) Properidine;

[(yy)] (jjj) Propiram;

[(zz)] (kkk) Racemoramide;

(lll) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);

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

[(bbb)] (nnn) Tilidine;

[(ccc)] (ooo) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of



isomers is possible within the specific chemical designation:

- (a) Acetorphine;
- (b) Acetyldihydrocodeine;
- (c) Benzylmorphine;
- (d) Codeine methylbromide;
- (e) Codeine-N-Oxide;
- (f) Cyprenorphine;
- (g) Desomorphine;
- (h) Dihydromorphine;
- (i) Drotebanol;
- (j) Etorphine (except hydrochloride salt);
- (k) Heroin;
- (l) Hydromorphenol;
- (m) Methyldesorphine;
- (n) Methyldihydromorphine;
- (o) Morphine methylbromide;
- (p) Morphine methylsulfonate;
- (q) Morphine-N-Oxide;
- (r) Myrophine;
- (s) Nicocodeine;
- (t) Nicomorphine;
- (u) Normorphine;
- (v) Pholcodine;
- (w) Thebacon;

(4) Any of the following opiate similar synthetic substances scheduled by the U.S. Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless

specifically excepted or unless listed in another schedule:

(a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);

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

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

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

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

(c) 2,5-dimethoxyamphetamine;

(d) 2,5-dimethoxy-4-ethylamphetamine] Alpha-

ethyltryptamine;

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

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

(d) 2,5-dimethoxyamphetamine;

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

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

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

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

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

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

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

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

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

(n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;  
(o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;  
(p) 4-methoxyamphetamine;  
 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;  
 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;  
 [(i)] (s) 3,4-methylenedioxyamphetamine;  
 [(j)] (t) 3,4-methylenedioxyamphetaminine;  
 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;  
 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;  
 [(m)] (w) 3,4,5-trimethoxyamphetamine;  
 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[,  
 its isomers, salts, and salts of isomers];  
 [(o) Alpha-ethyltryptamine;  
 (p)] (y) Alpha-methyltryptamine;  
 [(q)] (z) Bufotenine;  
 [(r)] (aa) Diethyltryptamine;  
 [(s)] (bb) Dimethyltryptamine;  
 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;  
 [(u)] (dd) Ibogaine;  
 [(v)] (ee) Lysergic acid diethylamide;  
 [(w)] (ff) Marijuana or marihuana, except industrial hemp;  
 [(x)] (gg) Mescaline;  
 [(y)] (hh) Parahexyl;  
 [(z)] (ii) Peyote, to include all parts of the plant  
 presently classified botanically as Lophophora [Williamsii]  
williamsii Lemaire, whether growing or not; the seeds thereof;  
 any extract from any part of such plant; and every compound,

manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;

[(aa)] (jj) N-ethyl-3-piperidyl benzilate;

[(bb)] (kk) N-methyl-3-piperidyl benzilate;

[(cc)] (ll) Psilocybin;

[(dd)] (mm) Psilocyn;

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

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

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

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

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

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

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

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

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

[(jj)] (ss) Salvia divinorum;

[(kk)] (tt) Salvinorin A;

[(11)] (uu) Synthetic cannabinoids:

a. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

(i) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;

(ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

[(ii)] (iii) JWH-015, or

1-propyl-2-methyl-3-(1-naphthoyl)indole;

[(iii)] (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

[(iv)] (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

[(v)] (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

[(vi)] (vii) JWH-081, or

1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

[(vii)] (viii) JWH-098, or

1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;

[(viii)] (ix) JWH-122, or

1-pentyl-3-(4-methyl-1-naphthoyl)indole;

[(ix)] (x) JWH-164, or

1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

[(x)] (xi) JWH-200, or

1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

[(xi)] (xii) JWH-210, or

1-pentyl-3-(4-ethyl-1-naphthoyl)indole;

~~[(xii)]~~ (xiii) JWH-398, or  
1-pentyl-3-(4-chloro-1-naphthoyl)indole;

b. Any compound structurally derived from  
3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of  
the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
2-(4-morpholinyl)ethyl group, whether or not further substituted  
in the pyrrole ring to any extent, whether or not substituted in  
the naphthyl ring to any extent;

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

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

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

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

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

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

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

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

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

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

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

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

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

k.] Dimethylheptylpyran, or DMHP;

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

- (a) Gamma-hydroxybutyric acid;
- (b) Mecloqualone;
- (c) Methaqualone;

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

- (a) Aminorex;
- (b) N-benzylpiperazine;
- (c) Cathinone;
- (d) Fenethylamine;
- (e) 3-Fluoromethcathinone;
- (f) 4-Fluoromethcathinone;
- (g) Mephedrone, or 4-methylmethcathinone;
- (h) Methcathinone;



- (i) 4-methoxymethcathinone;
- (j) (+, -)cis-4-methylaminorex  
((+, -)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- (k) Methylenedioxypropylone, MDPV, or  
(1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
- (l) Methydone, or 3,4-Methylenedioxypropylone;
- (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
- (n) N-ethylamphetamine;
- (o) N,N-dimethylamphetamine;
- (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22;  
QUPIIC);
- (q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-  
carboxylate (5-fluoro-PB-22; 5F-PB-22);
- (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-  
fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA);
- (s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-  
indazole-3-carboxamide (ADB-PINACA);

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

- (a) [N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers;
- (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers] (1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone, its optical, positional, and

geometric isomers, salts, and salts of isomers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(u) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers;

(v) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers;

(w) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;

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

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

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

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

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

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

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

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

(ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-

yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

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

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

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

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

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

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

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

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

d. Replacement of the aniline ring with any aromatic

monocycle, whether or not further substituted in or on the aromatic monocycle; or

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

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

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

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

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

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

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

(qq) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and

geometric isomers, salts, and salts of isomers (trivial name: 5F-EDMB-PINACA);

(rr) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-MDMB-PICA);

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

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

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

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

(ww)  $\alpha$ -pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names:  $\alpha$ -PHP;  $\alpha$ -pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

(xx) 4-methyl- $\alpha$ -ethylaminopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers; (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-

one);

(yy) 4'-methyl-alpha-pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MPHP; 4'-methyl-alpha-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

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

(aaa) 4'-chloro-alpha-pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-chloro- $\alpha$ -PVP; 4'-chloro-alpha-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);

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

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

(1) The substance has high potential for abuse;

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

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

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



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

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

- a. Raw opium;
- b. Opium extracts;
- c. Opium fluid;
- d. Powdered opium;
- e. Granulated opium;
- f. Tincture of opium;
- g. Codeine;
- h. Dihydroetorphine;
- i. Ethylmorphine;
- [i.] j. Etorphine hydrochloride;
- [j.] k. Hydrocodone;
- [k.] l. Hydromorphone;
- [l.] m. Metopon;
- [m.] n. Morphine;
- [n.] o. Oripavine;
- p. Oxycodone;
- [o.] q. Oxymorphone;
- [p.] r. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof

which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

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

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

b. Ioflupane;

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

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

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk dextropropoxyphene;

(f) Carfentanil;

(g) Dihydrocodeine;

(h) Diphenoxylate;

- (i) Fentanyl;
- (j) Isomethadone;
- (k) Levo-alphaacetylmethadol;
- (l) Levomethorphan;
- (m) Levorphanol;
- (n) Metazocine;
- (o) Methadone;
- (p) [Meperidine;
- (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;
- [(s)] (r) Pethidine (meperidine);
- [(t)] (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- [(u)] (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- [(v)] (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- [(w)] (v) Phenazocine;
- [(x)] (w) Piminodine;
- [(y)] (x) Racemethorphan;
- [(z)] (y) Racemorphan;
- [(aa)] (z) Remifentanil;
- [(bb)] (aa) Sufentanil;
- [(cc)] (bb) Tapentadol;
- (cc) Thiafentanil;
- (3) Any material, compound, mixture, or preparation which

contains any quantity of the following substances having a stimulant effect on the central nervous system:

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

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

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

(d) Phenmetrazine and its salts;

(e) Methylphenidate;

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

(a) Amobarbital;

(b) Glutethimide;

(c) Pentobarbital;

(d) Phencyclidine;

(e) Secobarbital;

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

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

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

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

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

(b) Immediate precursors to phencyclidine (PCP):

a. 1-phenylcyclohexylamine;

b. 1-piperidinocyclohexanecarbonitrile (PCC);

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

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

(a) Amyl nitrite;

(b) Butyl nitrite.

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

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

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

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

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

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

(a) Benzphetamine;

(b) Chlorphentermine;

(c) Clortermine;

(d) Phendimetrazine;

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

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

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

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

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

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

(d) Chlorhexadol;

(e) Embutramide;

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

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

(h) Lysergic acid;

(i) Lysergic acid amide;

(j) Methyprylon;

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

(l) Sulfondiethylmethane;

[(1)] (m) Sulfonethylmethane;

[(m)] (n) Sulfonmethane;

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

(3) Nalorphine;

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

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

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

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

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

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

hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

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

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

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

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

(6) Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be



considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this subdivision. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any quantity of the following substances, including its salts, esters and ethers:

(a) **[3 $\beta$ ,17-dihydroxy-5 $\alpha$ -androstandane]**

3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstandane;

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

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

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

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

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

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

(h) 1-androstenedione ([5 $\alpha$ ]-androstand-1-en-3,17-dione);

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

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

(k) Bolasterone (7 $\alpha$ ,

17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrostand-4-en-3-one);

(l) Boldenone (17 $\beta$ -hydroxyandrostand-1,4,-diene-3-one);

(m) Boldione;

(n) Calusterone (7 $\beta$ ,

17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrostand-4-en-3-one);

(o) Clostebol (4-chloro-17 $\beta$ -hydroxyandrostand-4-en-3-one);

(p) Dehydrochloromethyltestosterone

(4-chloro-17 $\beta$ -hydroxy-17 $\alpha$ -methyl-androstand-1,4-dien-3-one);

(q) Desoxymethyltestosterone;

(r) **[ $\Delta$ 1-dihydrotestosterone (a.k.a.**

'1-testosterone') (17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);

[(s)] 4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);

[(t)] (s) Drostanolone  
(17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -androstan-3-one);

[(u)] (t) Ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-ene);

[(v)] (u) Fluoxymesterone  
(9-fluoro-17 $\alpha$ -methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);

[(w)] (v) Formebolone  
(2-formyl-17 $\alpha$ -methyl-11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);

[(x)] (w) Furazabol  
(17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrostan[2,3-c]-furazan);

[(y)] (x) 13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;

[(z)] (y) 4-hydroxytestosterone  
(4,17 $\beta$ -dihydroxy-androst-4-en-3-one);

[(aa)] (z) 4-hydroxy-19-nortestosterone  
(4,17 $\beta$ -dihydroxy-estr-4-en-3-one);

[(bb)] (aa) Mestanolone  
[(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one)]  
(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androstan-3-one);

[(cc)] (bb) Mesterolone  
[(1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one)] (1 $\alpha$ -  
methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);

[(dd)] (cc) Methandienone  
(17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-one);

[(ee)] (dd) Methandriol  
(17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);

[(ff)] (ee) Methasterone (2 $\alpha$ ,17 $\alpha$ -dimethyl-5 $\alpha$ -androstan-17 $\beta$ -

ol-3-one);

(ff) Methenolone

(1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);

(gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);

(hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);

(ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;

(jj) 17 $\alpha$ -methyl-4-hydroxynandrolone

(17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-3-one);

(kk) Methyldienolone

(17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);

(ll) [Methyltrienolone

(17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9,11-trien-3-one)]

Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9,11-trien-3-one));

(mm) Methyltestosterone

(17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);

(nn) Mibolerone

(7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);

(oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone

(17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-en-3-one) (a.k.a.

'17- $\alpha$ -methyl-1-testosterone');

(pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);

(qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);

(rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);

(ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);

(tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);

(uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-5-ene);

(vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);

(ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

(xx) Norbolethone  
 (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);

(yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);

(zz) Norethandrolone  
 (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);

(aaa) Normethandrolone  
 (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);

(bbb) Oxandrolone  
 (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);

(ccc) Oxymesterone  
 (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);

(ddd) [Oxymethalone  
 (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one)]  
Oxymetholone  
(17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);

(eee) Prostanozolol (17 $\beta$ -hydroxy-5 $\alpha$ -androstan-3-one)  
[3,2-c]pyrazole);

(fff) Stanolone ( $\Delta$ 1-dihydrotestosterone (a.k.a. 1-  
 testosterone) (17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one));

(ggg) Stanozolol  
 (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);

[(fff)] (hhh) Stenbolone  
 (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);

[(ggg)] (iii) Testolactone  
 (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid  
 lactone);

[(hhh)] (jjj) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);

[(iii)] (kkk) Tetrahydrogestrinone

(13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4,9,11-trien-3-one);

[(jjj)] (lll) Trenbolone

(17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);

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

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

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

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

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

substances in Schedule III;

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Alfaxalone;
- (b) Alprazolam;
- [(b)] (c) Barbital;
- [(c)] (d) Bromazepam;
- [(d)] (e) Camazepam;
- [(e)] (f) Carisoprodol;
- (g) Chloral betaine;
- [(f)] (h) Chloral hydrate;
- [(g)] (i) Chlordiazepoxide;
- [(h)] (j) Clobazam;
- [(i)] (k) Clonazepam;
- [(j)] (l) Clorazepate;
- [(k)] (m) Clotiazepam;
- [(l)] (n) Cloxazolam;
- [(m)] (o) Delorazepam;
- [(n)] (p) Diazepam;
- [(o)] (q) Dichloralphenazone;
- [(p)] (r) Estazolam;
- [(q)] (s) Ethchlorvynol;
- [(r)] (t) Ethinamate;

[(s)] (u) Ethyl loflazepate;  
[(t)] (v) Fludiazepam;  
[(u)] (w) Flunitrazepam;  
[(v)] (x) Flurazepam;  
[(w)] (y) Fospropofol;  
[(x)] (z) Halazepam;  
[(y)] (aa) Haloxazolam;  
[(z)] (bb) Ketazolam;  
[(aa)] (cc) Loprazolam;  
[(bb)] (dd) Lorazepam;  
[(cc)] (ee) Lormetazepam;  
[(dd)] (ff) Mebutamate;  
[(ee)] (gg) Medazepam;  
[(ff)] (hh) Meprobamate;  
[(gg)] (ii) Methohexital;  
[(hh)] (jj) Methylphenobarbital (mephobarbital);  
[(ii)] (kk) Midazolam;  
[(jj)] (ll) Nimetazepam;  
[(kk)] (mm) Nitrazepam;  
[(ll)] (nn) Nordiazepam;  
[(mm)] (oo) Oxazepam;  
[(nn)] (pp) Oxazolam;  
[(oo)] (qq) Paraldehyde;  
[(pp)] (rr) Petrichloral;  
[(qq)] (ss) Phenobarbital;  
[(rr)] (tt) Pinazepam;  
[(ss)] (uu) Prazepam;



- [(tt)] (vv) Quazepam;
- [(uu)] (ww) Suvorexant;
- (xx) Temazepam;
- [(vv)] (yy) Tetrazepam;
- [(ww)] (zz) Triazolam;
- [(xx)] (aaa) Zaleplon;
- [(yy)] (bbb) Zolpidem;
- [(zz)] (ccc) Zopiclone;

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

fenfluramine;

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

Lorcaserin;

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

- (a) Cathine ((+)-norpseudoephedrine);
- (b) Diethylpropion;
- (c) Fencamfamin;
- (d) Fenproporex;
- (e) Mazindol;
- (f) Mefenorex;

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

(i) Phentermine;

(j) Pipradrol;

(k) Sibutramine;

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

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

(a) Butorphanol (including its optical isomers);

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

(c) Pentazocine;

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

[(7)] (8) The department of health and senior services may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 and sections 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration

that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxypropionamide];

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

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

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

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

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

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

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

12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall implement and maintain an electronic

log of each transaction. Such log shall include the following information:

- (1) The name, address, and signature of the purchaser;
- (2) The amount of the compound, mixture, or preparation purchased;
- (3) The date and time of each purchase; and
- (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy technician who dispensed the compound, mixture, or preparation to the purchaser.

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

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

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

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

17. The scheduling of substances specified in subdivision (3) of subsection 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel

capsule form or to any compound, mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

18. The manufacturer of a drug product or another interested party may apply with the department of health and senior services for an exemption from this section. The department of health and senior services may grant an exemption by rule from this section if the department finds the drug product is not used in the illegal manufacture of methamphetamine or other controlled or dangerous substances. The department of health and senior services shall rely on reports from law enforcement and law enforcement evidentiary laboratories in determining if the proposed product can be used to manufacture illicit controlled substances.

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

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

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

195.417. 1. The limits specified in this section shall not

apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in

subdivisions (1) and (2) of this subsection;

in any total amount greater than ~~[nine]~~ seven and two-tenths grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in

subdivisions (1) and (2) of this subsection;



in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. No prescription shall be required for the dispensation, sale, or distribution of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits described in subsections 2 and 3 of this section; provided, that a valid prescription shall be required for amounts in excess of such limits. The provisions of this subsection shall not apply in any calendar year in which the methamphetamine laboratory seizure incidents in this state, as reported by the division of drug and crime control within the Missouri state highway patrol, exceed three hundred incidents for the most recent calendar year for which such data is reported by the division and made publicly

available.

7. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

[7.] 8. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

[8.] 9. All persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[9.] 10. The penalty for a knowing or reckless violation of this section is found in section 579.060.

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

(1) Candies, including gummies, lollipops, cotton candy, or any product using the word "candy" or "candies" on the label; or

(2) Products in the shape of a human, animal, or fruit,

including realistic, artistic, caricature, or cartoon renderings. However, geometric shapes, including, but not limited to, circles, squares, rectangles, and triangles, shall be permitted.

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

3. Each individually wrapped edible marijuana-infused product containing any amount of tetrahydrocannabinols (THC) shall be stamped or the package or wrapping otherwise labeled with a diamond containing the letters "THC" and the number of milligrams of THC in that individually wrapped product.

4. The department shall promulgate rules and regulations regarding edible marijuana-infused products designed to appeal to persons under eighteen years of age, as well as promulgate rules and regulations to establish a process by which a licensed or certified entity may seek approval of an edible product design, package, or label prior to such product's manufacture or sale in order to determine compliance with the provisions of this section and any rules promulgated pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if

any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

195.830. 1. The department of health and senior services shall require all officers, managers, contractors, employees, and other support staff of licensed or certified medical marijuana facilities, and all owners of such medical marijuana facilities who will have access to the facilities or to the facilities' medical marijuana, to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check.

2. The department may require that such fingerprint submissions be made as part of a medical marijuana facility application for licensure or certification, a medical marijuana facility application for renewal of licensure or certification, and an individual's application for an identification card authorizing that individual to be an owner, officer, manager, contractor, employee, or other support staff of a medical marijuana facility.

3. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall

notify the department of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the department.

4. For purposes of this section, a "medical marijuana facility" shall include a medical marijuana cultivation facility, a medical marijuana dispensary facility, a medical marijuana-infused products manufacturing facility, and a medical marijuana testing facility, as such terms are defined in Section 1 of Article XIV of the Missouri Constitution, or any facility licensed or certified by the department under the authority of Article XIV.

579.060. 1. A person commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in a total amount greater than ~~[nine]~~ seven and two-tenths grams to the same individual within a thirty-day period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Purchases, receives, or otherwise acquires within a thirty-day period any number of packages of any drug product containing any detectable amount of ephedrine,

phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than [nine] seven and two-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(3) Purchases, receives, or otherwise acquires within a twenty-four-hour period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than three and six-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(4) Dispenses or offers drug products that are not excluded from Schedule V in subsection 17 or 18 of section 195.017 and that contain detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, without ensuring that such products are located behind a pharmacy counter where the public is not permitted and that such products are dispensed by a registered pharmacist or pharmacy technician under subsection 11 of section 195.017; or

(5) Holds a retail sales license issued under chapter 144 and knowingly sells or dispenses packages that do not conform to the packaging requirements of section 195.418.

2. A pharmacist, intern pharmacist, or registered pharmacy technician commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if

he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in a total amount greater than three and six-tenth grams to the same individual within a twenty-four hour period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Fails to submit information under subsection 13 of section 195.017 and subsection 5 of section 195.417 about the sales of any compound, mixture, or preparation of products containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in accordance with transmission methods and frequency established by the department of health and senior services; or

(3) Fails to implement and maintain an electronic log, as required by subsection 12 of section 195.017, of each transaction involving any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers or ephedrine, its salts, optical isomers, or salts of optical isomers; or

(4) Sells, distributes, dispenses or otherwise provides to an individual under eighteen years of age without a valid prescription any number of packages of any drug product containing any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers, or ephedrine, its salts or optical isomers, or salts of optical isomers.

3. Any person who violates the packaging requirements of section 195.418 and is considered the general owner or operator of the outlet where ephedrine, pseudoephedrine, or phenylpropanolamine products are available for sale shall not be penalized if he or she documents that an employee training program was in place to provide the employee who made the unlawful retail sale with information on the state and federal regulations regarding ephedrine, pseudoephedrine, or phenylpropanolamine.

4. The offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs is a class A misdemeanor.

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

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

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



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

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

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

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

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

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

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

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

(11) Any amount of gamma-hydroxybutyric acid for the first offense; or

(12) More than ten milligrams of fentanyl or carfentanil,

or any derivative thereof, or any combination thereof, or any compound, mixture, or substance containing a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.

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

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

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

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

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

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

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

(6) Twelve grams or more of phencyclidine; or

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

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

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

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

(11) More than thirty grams of any material, compound,

mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

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

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

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

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

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

(2) More than one hundred fifty grams [but less than four

hundred fifty grams] of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Ninety grams or more of a mixture or substance

containing a detectable amount of phencyclidine (PCP); or

(6) Twelve grams or more of phencyclidine; or

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

(8) More than five hundred marijuana plants; or

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

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

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

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

(1) Any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers;

phenmetrazine and its salts; or methylphenidate; or

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

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

Section B. Because immediate action is necessary to ensure that all owners, officers, managers, contractors, employees, and other support staff of medical marijuana facilities be subjected to state and federal fingerprint-based criminal background checks to insure the integrity of the Missouri medical marijuana industry, the enactment of section 195.830 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 195.830 of this act is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 195.830 of this act shall be in full force and effect on July 1, 2020, or upon its passage and approval, whichever occurs later.