

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 523
100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

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ADRIANE D. CROUSE, Secretary.

3713S.06P

AN ACT

To repeal sections 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

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

Section A. Sections 195.015, 195.017, 195.417, 579.060, 579.065, and
2 579.068, RSMo, are repealed and seven new sections enacted in lieu thereof, to
3 be known as sections 195.015, 195.017, 195.417, 195.805, 579.060, 579.065, and
4 579.068, to read as follows:

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

- 5 (1) The actual or relative potential for abuse;
- 6 (2) The scientific evidence of its pharmacological effect, if known;
- 7 (3) The state of current scientific knowledge regarding the substance;
- 8 (4) The history and current pattern of abuse;
- 9 (5) The scope, duration, and significance of abuse;
- 10 (6) The risk to the public health;
- 11 (7) The potential of the substance to produce psychic or physiological

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

12 dependence liability; and

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

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

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

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

47 5. The department of health and senior services shall exclude any

48 nonnarcotic substance from a schedule if such substance may, under the federal
49 Food, Drug, and Cosmetic Act and the law of this state, be lawfully sold over the
50 counter without a prescription.

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

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

3 (1) Has high potential for abuse; and

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

6 2. Schedule I:

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

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

13 (a) Acetyl-alpha-methylfentanyl (**N-(1-(1-methyl-2-phenethyl)-4-**
14 **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) cyclohexylmethyl]**
21 **benzamide**);

22 (f) Allylprodine;

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

25 [(e)] (h) Alphameprodine;

26 [(f)] (i) Alphamethadol;

27 [(g)] (j) **Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-**
28 **4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-**
29 **propanilido) piperidine)**;

30 [(h)] (k) **Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-**

- 31 **piperidinyl)-N-phenylpropanamide);**
32 [(i)] **(l)** Benzethidine;
33 [(j)] **(m)** Betacetylmethadol;
34 [(k)] **(n)** Beta-hydroxyfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-4-**
35 **piperidinyl)-N-phenylpropanamide);**
36 [(l)] **(o)** Beta-hydroxy-3-methylfentanyl (**N-(1-(2-hydroxy-2-**
37 **phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);**
38 [(m)] **(p)** Betameprodine;
39 [(n)] **(q)** Betamethadol;
40 [(o)] **(r)** Betaprodine;
41 [(p)] **(s)** Clonitazene;
42 [(q)] **(t)** Dextromoramide;
43 [(r)] **(u)** Diampromide;
44 **(v) Cyclopropyl fentanyl;**
45 [(s)] **(w)** Diethylthiambutene;
46 [(t)] **(x)** Difenoxin;
47 [(u)] **(y)** Dimenoxadol;
48 [(v)] **(z)** Dimepheptanol;
49 [(w)] **(aa)** Dimethylthiambutene;
50 [(x)] **(bb)** Dioxaphetyl butyrate;
51 [(y)] **(cc)** Dipipanone;
52 [(z)] **(dd)** Ethylmethylthiambutene;
53 [(aa)] **(ee)** Etonitazene;
54 [(bb)] **(ff)** Etoxeridine;
55 **(gg) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-**
56 **phenethylpiperidin-4-yl)isobutyramide;**
57 **(hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-**
58 **phenylfuran-2-carboxamide;**
59 [(cc)] **(ii)** Furethidine;
60 [(dd)] **(jj)** Hydroxypethidine;
61 [(ee)] **(kk)** Ketobemidone;
62 [(ff)] **(ll)** Levomoramide;
63 [(gg)] **(mm)** Levophenacymorphan;
64 [(hh)] **(nn)** 3-Methylfentanyl (**N-(3-methyl-1-(2-phenylethyl)-4-**
65 **piperidyl)-N-phenylproanamide), its optical and geometric isomers,**
66 **salts, and salts of isomers;**

- 67 [(ii)] **(oo)** 3-Methylthiofentanyl (N-((3-methyl-1-(2-thienyl)ethyl-4-
68 piperidinyl)-N-phenylpropanamide);
69 **(pp)** Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-
70 4-yl)-N-phenylacetamide);
71 [(jj)] **(qq)** Morpheridine;
72 [(kk)] **(rr)** MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
73 **(ss)** MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);
74 [(ll)] **(tt)** Noracymethadol;
75 [(mm)] **(uu)** Norlevorphanol;
76 [(nn)] **(vv)** Normethadone;
77 [(oo)] **(ww)** Norpipanone;
78 **(xx)** Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-
79 phenethylpiperidin-4-yl)acetamide;
80 **(yy)** Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-
81 yl)propionamide); other name 2-fluorofentanyl;
82 **(zz)** para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-
83 phenethylpiperidin-4-yl)butyramide;
84 [(pp)] **(aaa)** Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-
85 phenethyl)-4-piperidinyl) propanamide);
86 [(qq)] **(bbb)** PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
87 [(rr)] **(ccc)** Phenadoxone;
88 [(ss)] **(ddd)** Phenampromide;
89 [(tt)] **(eee)** Phenomorphane;
90 [(uu)] **(fff)** Phenoperidine;
91 [(vv)] **(ggg)** Piritramide;
92 [(ww)] **(hhh)** Proheptazine;
93 [(xx)] **(iii)** Properidine;
94 [(yy)] **(jjj)** Propiram;
95 [(zz)] **(kkk)** Racemoramide;
96 **(lll)** Tetrahydrofuranfentanyl (N-(1-phenethylpiperidin-4-yl)-N-
97 phenyltetrahydrofuran-2-carboxamide);
98 [(aaa)] **(mmm)** Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-4-
99 piperidinyl)-propanamide);
100 [(bbb)] **(nnn)** Tilidine;
101 [(ccc)] **(ooo)** Trimeperidine;
102 (3) Any of the following opium derivatives, their salts, isomers and salts

103 of isomers unless specifically excepted, whenever the existence of these salts,
104 isomers and salts of isomers is possible within the specific chemical designation:

- 105 (a) Acetorphine;
- 106 (b) Acetyldihydrocodeine;
- 107 (c) Benzylmorphine;
- 108 (d) Codeine methylbromide;
- 109 (e) Codeine-N-Oxide;
- 110 (f) Cyprenorphine;
- 111 (g) Desomorphine;
- 112 (h) Dihydromorphine;
- 113 (i) Drotebanol;
- 114 (j) Etorphine (except hydrochloride salt);
- 115 (k) Heroin;
- 116 (l) Hydromorphenol;
- 117 (m) Methyldesorphine;
- 118 (n) Methyldihydromorphine;
- 119 (o) Morphine methylbromide;
- 120 (p) Morphine methylsulfonate;
- 121 (q) Morphine-N-Oxide;
- 122 (r) Myrophine;
- 123 (s) Nicocodeine;
- 124 (t) Nicomorphine;
- 125 (u) Normorphine;
- 126 (v) Pholcodine;
- 127 (w) Thebacon;

128 (4) **Any of the following opiate similar synthetic substances**
129 **scheduled by the U.S. Drug Enforcement Administration as substances**
130 **that share a pharmacological profile similar to fentanyl, morphine, and**
131 **other synthetic opioids, unless specifically excepted or unless listed in**
132 **another schedule:**

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

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

137 (5) **Any material, compound, mixture or preparation which contains any**
138 **quantity of the following hallucinogenic substances, their salts, isomers and salts**

139 of isomers, unless specifically excepted, whenever the existence of these salts,
140 isomers, and salts of isomers is possible within the specific chemical designation:

- 141 (a) [4-bromo-2, 5-dimethoxyamphetamine;
142 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
143 (c) 2,5-dimethoxyamphetamine;
144 (d) 2,5-dimethoxy-4-ethylamphetamine] **Alpha-ethyltryptamine;**
145 **(b) 4-bromo-2,5-dimethoxyamphetamine;**
146 **(c) 4-bromo-2,5-dimethoxyphenethylamine;**
147 **(d) 2,5-dimethoxyamphetamine;**
148 [(d)] (e) 2,5-dimethoxy-4-ethylamphetamine;
149 [(e)] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
150 [(f)] (g) **2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**
151 **(h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**
152 **(i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**
153 **(j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**
154 **(k) 2-(2,5-Dimethoxyphenyl) ethanamine;**
155 **(l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**
156 **(m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**
157 **(n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**
158 **(o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**
159 **(p) 4-methoxyamphetamine;**
160 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;
161 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;
162 [(i)] (s) 3,4-methylenedioxyamphetamine;
163 [(j)] (t) 3,4-methylenedioxymethamphetamine;
164 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;
165 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
166 [(m)] (w) 3,4,5-trimethoxyamphetamine;
167 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[, its isomers,
168 salts, and salts of isomers];
169 [(o) Alpha-ethyltryptamine;
170 (p)] (y) Alpha-methyltryptamine;
171 [(q)] (z) Bufotenine;
172 [(r)] (aa) Diethyltryptamine;
173 [(s)] (bb) Dimethyltryptamine;
174 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;

- 175 [(u)] **(dd)** Ibogaine;
- 176 [(v)] **(ee)** Lysergic acid diethylamide;
- 177 [(w)] **(ff)** Marijuana or marihuana, except industrial hemp;
- 178 [(x)] **(gg)** Mescaline;
- 179 [(y)] **(hh)** Parahexyl;
- 180 [(z)] **(ii)** Peyote, to include all parts of the plant presently classified
- 181 botanically as *Lophophora* [Williamsii] **williamsii** Lemaire, whether growing or
- 182 not; the seeds thereof; any extract from any part of such plant; and every
- 183 compound, manufacture, salt, derivative, mixture or preparation of the plant, its
- 184 seed or extracts;
- 185 [(aa)] **(jj)** N-ethyl-3-piperidyl benzilate;
- 186 [(bb)] **(kk)** N-methyl-3-piperidyl benzilate;
- 187 [(cc)] **(ll)** Psilocybin;
- 188 [(dd)] **(mm)** Psilocyn;
- 189 [(ee)] **(nn)** Tetrahydrocannabinols naturally contained in a plant of the
- 190 genus *Cannabis* (*cannabis* plant), except industrial hemp, as well as synthetic
- 191 equivalents of the substances contained in the *cannabis* plant, or in the resinous
- 192 extractives of such plant, or synthetic substances, derivatives[,] and their
- 193 isomers, **or both**, with similar chemical structure and pharmacological activity
- 194 to those substances contained in the plant, such as the following:
- 195 a. 1 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 196 b. 6 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 197 c. 3,4 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 198 d. Any compounds of these structures, regardless of numerical designation
- 199 of atomic positions covered;
- 200 [(ff)] **(oo)** Ethylamine analog of phencyclidine;
- 201 [(gg)] **(pp)** Pyrrolidine analog of phencyclidine;
- 202 [(hh)] **(qq)** Thiophene analog of phencyclidine;
- 203 [(ii)] **(rr)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 204 [(jj)] **(ss)** *Salvia divinorum*;
- 205 [(kk)] **(tt)** Salvinorin A;
- 206 [(ll)] **(uu)** Synthetic cannabinoids:
- 207 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 208 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
- 209 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 210 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not

211 further substituted in the indole ring to any extent, whether or not substituted
212 in the naphthyl ring to any extent. Including, but not limited to:

- 213 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**
214 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
215 [(ii)] (iii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
216 [(iii)] (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
217 [(iv)] (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
218 [(v)] (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
219 [(vi)] (vii) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
220 [(vii)] (viii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-
221 naphthoyl)indole;
222 [(viii)] (ix) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
223 [(ix)] (x) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
224 [(x)] (xi) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
225 [(xi)] (xii) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
226 [(xii)] (xiii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

227 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
228 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
229 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
230 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
231 ring to any extent, whether or not substituted in the naphthyl ring to any extent;

232 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
233 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
234 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
235 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
236 ring to any extent, whether or not substituted in the naphthyl ring to any extent;

237 d. Any compound structurally derived from 3-phenylacetylindole by
238 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,
239 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
240 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
241 ring to any extent, whether or not substituted in the phenyl ring to any
242 extent. Including, but not limited to:

- 243 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
244 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
245 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
246 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

- 247 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- 248 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
- 249 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
- 250 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or
- 251 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring
- 252 to any extent. Including, but not limited to[:
- 253 (i) CP 47, 497 [&] and homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-
- 254 5-(2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side
- 255 chain n-4,6, or 7;
- 256 f. Any compound containing a 3-(benzoyl)indole structure with
- 257 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
- 258 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or
- 259 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
- 260 ring to any extent and whether or not substituted in the phenyl ring to any
- 261 extent. Including, but not limited to:
- 262 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
- 263 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (**SR-19 and RCS-4**);
- 264 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
- 265 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 266 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
- 267 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 268 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-
- 269 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- 270 j. [CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
- 271 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 272 k.] Dimethylheptylpyran, or DMHP;
- 273 [(5)] (6) Any material, compound, mixture or preparation containing any
- 274 quantity of the following substances having a depressant effect on the central
- 275 nervous system, including their salts, isomers and salts of isomers whenever the
- 276 existence of these salts, isomers and salts of isomers is possible within the
- 277 specific chemical designation:
- 278 (a) Gamma-hydroxybutyric acid;
- 279 (b) Mecloqualone;
- 280 (c) Methaqualone;
- 281 [(6)] (7) Any material, compound, mixture or preparation containing any
- 282 quantity of the following substances having a stimulant effect on the central

- 283 nervous system, including their salts, isomers and salts of isomers:
- 284 (a) Aminorex;
- 285 (b) N-benzylpiperazine;
- 286 (c) Cathinone;
- 287 (d) Fenethylamine;
- 288 (e) 3-Fluoromethcathinone;
- 289 (f) 4-Fluoromethcathinone;
- 290 (g) Mephedrone, or 4-methylmethcathinone;
- 291 (h) Methcathinone;
- 292 (i) 4-methoxymethcathinone;
- 293 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
- 294 oxazolamine);
- 295 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-
- 296 pyrrolidinyl)-1-pentanone);
- 297 (l) Methylenedioxypropylamphetamine;
- 298 (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;
- 299 (n) N-ethylamphetamine;
- 300 (o) N,N-dimethylamphetamine;
- 301 **(p) Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate (PB-22;**
- 302 **QUPIC);**
- 303 **(q) Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-**
- 304 **fluoro-PB-22; 5F-PB-22);**
- 305 **(r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-**
- 306 **indazole-3-carboxamide (AB-FUBINACA);**
- 307 **(s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-**
- 308 **indazole-3-carboxamide (ADB-PINACA);**
- 309 [(7)] **(8)** A temporary listing of substances subject to emergency
- 310 scheduling under federal law shall include any material, compound, mixture or
- 311 preparation which contains any quantity of the following substances:
- 312 (a) [N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its
- 313 optical isomers, salts and salts of isomers;
- 314 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
- 315 (thenylfentanyl), its optical isomers, salts and salts of isomers] **(1-pentyl-1*H*-**
- 316 **indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, its optical,**
- 317 **positional, and geometric isomers, salts, and salts of isomers;**
- 318 **(b) [1-(5-fluoropentyl)-1*H*-indol-3-yl](2,2,3,3-**

319 tetramethylcyclopropyl)methanone, its optical, positional, and
320 geometric isomers, salts, and salts of isomers;

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

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

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

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

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

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

336 (i) α -pyrrolidinopentiophenone, its optical, positional, and
337 geometric isomers, salts, and salts of isomers;

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

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

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

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

346 (n) α -pyrrolidinobutiophenone, its optical, positional, and
347 geometric isomers, salts, and salts of isomers;

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

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

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

356 salts of isomers;

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

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

362 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-
363 1*H*-indazole-3-carboxamide, its optical, positional, and geometric
364 isomers, salts, and salts of isomers;

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

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

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

374 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-
375 1*H*-indazole-3-carboxamide, its optical, positional, and geometric
376 isomers, salts, and salts of isomers;

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

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

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

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

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

392 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide,

393 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
394 (ee) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide,
395 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
396 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
397 yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers,
398 esters, and ethers;
399 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-
400 yl)isobutyramide, its isomers, esters, ethers, salts, and salts of isomers,
401 esters, and ethers;
402 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its
403 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
404 (ii) N-(1-phenethylpiperidin-4-yl)-N-
405 phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts, and
406 salts of isomers, esters, and ethers;
407 (jj) Fentanyl-related substances, their isomers, esters, ethers,
408 salts, and salts of isomers, esters, and ethers. Fentanyl-related
409 substance shall mean any substance not otherwise listed under another
410 Drug Enforcement Administration Controlled Substance Code Number,
411 and for which no exemption or approval is in effect under section 505
412 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that
413 is structurally related to fentanyl by one or more of the following
414 modifications:
415 a. Replacement of the phenyl portion of the phenethyl group by
416 any monocycle, whether or not further substituted in or on the
417 monocycle;
418 b. Substitution in or on the phenethyl group with alkyl, alkenyl,
419 alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;
420 c. Substitution in or on the piperidine ring with alkyl, alkenyl,
421 alkoxy, ester, ether, hydroxyl, amino or nitro groups;
422 d. Replacement of the aniline ring with any aromatic monocycle,
423 whether or not further substituted in or on the aromatic monocycle; or
424 e. Replacement of the N-propionyl group by another acyl group;
425 (kk) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate,
426 its optical, positional, and geometric isomers, salts, and salts of isomers
427 (NM2201; CBL2201);
428 (ll) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-
429 indazole-3-carboxamide, its optical, positional, and geometric isomers,

430 salts, and salts of isomers (5F-AB-PINACA);
431 (mm) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-
432 carboxamide, its optical, positional, and geometric isomers, salts, and
433 salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;
434 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);
435 (nn) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-
436 methylbutanoate, its optical, positional, and geometric isomers, salts,
437 and salts of isomers (MMB-CHMICA, AMB-CHMICA);
438 (oo) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-
439 b]pyridine-3-carboxamide, its optical, positional, and geometric
440 isomers, salts, and salts of isomers (5F-CUMYL-P7AICA);
441 (pp) *N*-ethylpentylone, its optical, positional, and geometric
442 isomers, salts, and salts of isomers (ephylone, 1-(1,3-benzodioxol-5-yl)-2-
443 (ethylamino)-pentan-1-one);
444 (qq) ethyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-
445 dimethylbutanoate, its optical, positional, and geometric isomers, salts,
446 and salts of isomers (trivial name: 5F-EDMB-PINACA);
447 (rr) methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-
448 dimethylbutanoate, its optical, positional, and geometric isomers, salts,
449 and salts of isomers (trivial name: 5F-MDMB-PICA);
450 (ss) *N*-(adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-
451 carboxamide, its optical, positional, and geometric isomers, salts, and
452 salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 *N*-(4-
453 FLUOROBENZYL));
454 (tt) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-
455 carboxamide, its optical, positional, and geometric isomers, salts, and
456 salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25);
457 (uu) (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-
458 tetramethylcyclopropyl) methanone, its optical, positional, and
459 geometric isomers, salts, and salts of isomers (trivial name: FUB-144);
460 (vv) *N*-ethylhexedrone, its optical, positional, and geometric
461 isomers, salts, and salts of isomers (Other name: 2-(ethylamino)-1-
462 phenylhexan-1-one);
463 (ww) *alpha*-pyrrolidinohexanophenone, its optical, positional,
464 and geometric isomers, salts, and salts of isomers (Other names: α -PHP;
465 *alpha*-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-
466 one);

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

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

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

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

481 [(8)] (9) Khat, to include all parts of the plant presently classified
482 botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract
483 from any part of such plant; and every compound, manufacture, salt, derivative,
484 mixture, or preparation of the plant, its seed or extracts.

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

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

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

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

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

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

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

501 a. Raw opium;

502 b. Opium extracts;

- 503 c. Opium fluid;
- 504 d. Powdered opium;
- 505 e. Granulated opium;
- 506 f. Tincture of opium;
- 507 g. Codeine;
- 508 h. **Dihydroetorphine;**
- 509 i. Ethylmorphine;
- 510 [i.] j. Etorphine hydrochloride;
- 511 [j.] k. Hydrocodone;
- 512 [k.] l. Hydromorphone;
- 513 [l.] m. Metopon;
- 514 [m.] n. Morphine;
- 515 [n.] o. **Oripavine;**
- 516 p. Oxycodone;
- 517 [o.] q. Oxymorphone;
- 518 [p.] r. Thebaine;
- 519 (b) Any salt, compound, derivative, or preparation thereof which is
- 520 chemically equivalent or identical with any of the substances referred to in this
- 521 subdivision, but not including the isoquinoline alkaloids of opium;
- 522 (c) Opium poppy and poppy straw;
- 523 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
- 524 leaves, and any salt, compound, derivative, or preparation thereof which is
- 525 chemically equivalent or identical with any of these substances, but not including
- 526 **the following:**
- 527 a. Decocainized coca leaves or extractions **of coca leaves**, which
- 528 **extractions** do not contain cocaine or ecgonine; **or**
- 529 **b. Ioflupane;**
- 530 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
- 531 liquid, solid or powder form which contains the phenanthrene alkaloids of the
- 532 opium poppy);
- 533 (2) Any of the following opiates, including their isomers, esters, ethers,
- 534 salts, and salts of isomers, whenever the existence of these isomers, esters,
- 535 ethers, and salts is possible within the specific chemical designation, dextrorphan
- 536 and levopropoxyphene excepted:
- 537 (a) Alfentanil;
- 538 (b) Alphaprodine;

- 539 (c) Anileridine;
- 540 (d) Bezitramide;
- 541 (e) Bulk dextropropoxyphene;
- 542 (f) Carfentanil;
- 543 (g) Dihydrocodeine;
- 544 (h) Diphenoxylate;
- 545 (i) Fentanyl;
- 546 (j) Isomethadone;
- 547 (k) Levo-alphaacetylmethadol;
- 548 (l) Levomethorphan;
- 549 (m) Levorphanol;
- 550 (n) Metazocine;
- 551 (o) Methadone;
- 552 (p) [Meperidine];
- 553 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
- 554 4-diphenylbutane;
- 555 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
- 556 1-diphenylpropane-carboxylic acid;
- 557 [(s)] (r) Pethidine (meperidine);
- 558 [(t)] (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 559 [(u)] (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
- 560 carboxylate;
- 561 [(v)] (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
- 562 carboxylic acid;
- 563 [(w)] (v) Phenazocine;
- 564 [(x)] (w) Piminodine;
- 565 [(y)] (x) Racemethorphan;
- 566 [(z)] (y) Racemorphan;
- 567 [(aa)] (z) Remifentanyl;
- 568 [(bb)] (aa) Sufentanyl;
- 569 [(cc)] (bb) Tapentadol;
- 570 (cc) **Thiafentanyl;**
- 571 (3) Any material, compound, mixture, or preparation which contains any
- 572 quantity of the following substances having a stimulant effect on the central
- 573 nervous system:
- 574 (a) Amphetamine, its salts, optical isomers, and salts of its optical

575 isomers;

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

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

578 (d) Phenmetrazine and its salts;

579 (e) Methylphenidate;

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

585 (a) Amobarbital;

586 (b) Glutethimide;

587 (c) Pentobarbital;

588 (d) Phencyclidine;

589 (e) Secobarbital;

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

591 **Hallucinogenic substances:**

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

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

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

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

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

602 a. 1-phenylcyclohexylamine;

603 b. 1-piperidinocyclohexanecarbonitrile (PCC);

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

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

608 (a) Amyl nitrite;

609 (b) Butyl nitrite.

610 5. The department of health and senior services shall place a substance

611 in Schedule III if it finds that:

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

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

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

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

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

623 (a) Benzphetamine;

624 (b) Chlorphentermine;

625 (c) Clortermine;

626 (d) Phendimetrazine;

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

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

633 a. Amobarbital;

634 b. Secobarbital;

635 c. Pentobarbital;

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

638 a. Amobarbital;

639 b. Secobarbital;

640 c. Pentobarbital;

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

643 (d) Chlorhexadol;

644 (e) Embutramide;

645 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
646 contained in a drug product for which an application has been approved under

- 647 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 648 (g) Ketamine, its salts, isomers, and salts of isomers;
- 649 (h) Lysergic acid;
- 650 (i) Lysergic acid amide;
- 651 (j) Methyprylon;
- 652 (k) **Perampanel, and its salts, isomers, and salts of isomers;**
- 653 **(l) Sulfondiethylmethane;**
- 654 **[(l)] (m) Sulfonethylmethane;**
- 655 **[(m)] (n) Sulfonmethane;**
- 656 **[(n)] (o) Tiletamine and zolazepam or any salt thereof;**
- 657 (3) Nalorphine;
- 658 (4) Any material, compound, mixture, or preparation containing limited
- 659 quantities of any of the following narcotic drugs or their salts:
- 660 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 661 more than ninety milligrams per dosage unit, with an equal or greater quantity
- 662 of an isoquinoline alkaloid of opium;
- 663 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not
- 664 more than ninety milligrams per dosage unit with one or more active, nonnarcotic
- 665 ingredients in recognized therapeutic amounts;
- 666 (c) [Not more than three hundred milligrams of hydrocodone per one
- 667 hundred milliliters or not more than fifteen milligrams per dosage unit, with a
- 668 fourfold or greater quantity of an isoquinoline alkaloid of opium;
- 669 (d) Not more than three hundred milligrams of hydrocodone per one
- 670 hundred milliliters or not more than fifteen milligrams per dosage unit, with one
- 671 or more active nonnarcotic ingredients in recognized therapeutic amounts;
- 672 (e)] Not more than 1.8 grams of dihydrocodeine per one hundred milliliters
- 673 or not more than ninety milligrams per dosage unit, with one or more active,
- 674 nonnarcotic ingredients in recognized therapeutic amounts;
- 675 **[(f)] (d) Not more than three hundred milligrams of ethylmorphine per**
- 676 **one hundred milliliters or not more than fifteen milligrams per dosage unit, with**
- 677 **one or more active, nonnarcotic ingredients in recognized therapeutic amounts;**
- 678 **[(g)] (e) Not more than five hundred milligrams of opium per one**
- 679 **hundred milliliters or per one hundred grams or not more than twenty-five**
- 680 **milligrams per dosage unit, with one or more active nonnarcotic ingredients in**
- 681 **recognized therapeutic amounts;**
- 682 **[(h)] (f) Not more than fifty milligrams of morphine per one hundred**

683 milliliters or per one hundred grams, with one or more active, nonnarcotic
684 ingredients in recognized therapeutic amounts;

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

688 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
689 pharmacologically related to testosterone (other than estrogens, progestins,
690 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except
691 an anabolic steroid which is expressly intended for administration through
692 implants to cattle or other nonhuman species and which has been approved by
693 the Secretary of Health and Human Services for that administration. If any
694 person prescribes, dispenses, or distributes such steroid for human use, such
695 person shall be considered to have prescribed, dispensed, or distributed an
696 anabolic steroid within the meaning of this subdivision. Unless specifically
697 excepted or unless listed in another schedule, any material, compound, mixture
698 or preparation containing any quantity of the following substances, including its
699 salts, esters and ethers:

- 700 (a) [$3\beta,17$ -dihydroxy- 5α -androstane] **$3\beta,17\beta$ -dihydroxy- 5α -androstane**;
- 701 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstane;
- 702 (c) 5α -androstan- $3,17$ -dione;
- 703 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 704 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 705 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- 706 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- 707 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
- 708 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
- 709 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
- 710 (k) Bolasterone ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 711 (l) Boldenone (17β -hydroxyandrost-1,4,-diene-3-one);
- 712 (m) Boldione;
- 713 (n) Calusterone ($7\beta,17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 714 (o) Clostebol (4-chloro- 17β -hydroxyandrost-4-en-3-one);
- 715 (p) Dehydrochloromethyltestosterone (4-chloro- 17β -hydroxy- 17α -methyl-
716 androst-1,4-dien-3-one);
- 717 (q) Desoxymethyltestosterone;
- 718 (r) [$\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')](17β -hydroxy- 5α -

- 719 androst-1-en-3-one);
- 720 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 721 [(t) (s) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 722 [(u) (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 723 [(v) (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost
- 724 -4-en-3-one);
- 725 [(w) (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost
- 726 -1,4-dien-3-one);
- 727 [(x) (w) Furazabol (17 α -methyl-17 β -hydroxyandrostan[2,3-c]-furazan);
- 728 [(y) (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one);
- 729 [(z) (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 730 [(aa) (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 731 [(bb) (aa) Mestanolone [(17 α -methyl-17 β -hydroxy-5-androstan-3-one)]
- 732 **(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)**;
- 733 [(cc) (bb) Mesterolone [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)]
- 734 **(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)**;
- 735 [(dd) (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-
- 736 one);
- 737 [(ee) (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- 738 [(ff) (ee) **Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-**
- 739 **one)**;
- 740 **(ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one)**;
- 741 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
- 742 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);
- 743 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene);
- 744 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -
- 745 hydroxyestr-4-en-3-one);
- 746 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- 747 (ll) [Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one)]
- 748 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)**;
- 749 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- 750 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- 751 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -
- 752 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- 753 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- 754 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);

- 755 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- 756 (ss) 19-nor-4,9(10)-androstadienedione (**estra-4,9(10)-diene-3,17-dione**);
- 757 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- 758 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- 759 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 760 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 761 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- 762 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- 763 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
- 764 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
- 765 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
- 766 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
- 767 (ddd) [Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-
- 768 [5 α]-androstan-3-one)] **Oxymetholone (17 α -methyl-2-hydroxymethylene-**
- 769 **17 β -hydroxy-[5 α]-androstan-3-one)**;
- 770 (eee) **Prostanazol (17 β -hydroxy-5 α -androstan[3,2-c]pyrazole)**;
- 771 **(fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)**
- 772 **(17 β -hydroxy-5 α -androst-1-en-3-one))**;
- 773 **(ggg) Stanazolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]**
- 774 **-pyrazole)**;
- 775 **[(fff)] (hhh) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one)**;
- 776 **[(ggg)] (iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-**
- 777 **17-oic acid lactone)**;
- 778 **[(hhh)] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one)**;
- 779 **[(iii)] (kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,**
- 780 **11-trien-3-one)**;
- 781 **[(jjj)] (lll) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one)**;
- 782 **[(kkk)] (mmm) Any salt, ester, or ether of a drug or substance described**
- 783 **or listed in this subdivision, except an anabolic steroid which is expressly**
- 784 **intended for administration through implants to cattle or other nonhuman species**
- 785 **and which has been approved by the Secretary of Health and Human Services for**
- 786 **that administration;**
- 787 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin
- 788 capsule in a United States Food and Drug Administration approved drug product;
- 789 (8) The department of health and senior services may except by rule any
- 790 compound, mixture, or preparation containing any stimulant or depressant

791 substance listed in subdivisions (1) and (2) of this subsection from the application
792 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or
793 preparation contains one or more active medicinal ingredients not having a
794 stimulant or depressant effect on the central nervous system, and if the
795 admixtures are included therein in combinations, quantity, proportion, or
796 concentration that vitiate the potential for abuse of the substances which have
797 a stimulant or depressant effect on the central nervous system.

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

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

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

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

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

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

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

813 (b) Dextropropoxyphene (α -(+)-4-dimethylamino-1,
814 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

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

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

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

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

- 833 (a) **Alfaxalone**;
- 834 (b) Alprazolam;
- 835 [(b)] (c) Barbitol;
- 836 [(c)] (d) Bromazepam;
- 837 [(d)] (e) Camazepam;
- 838 [(e)] (f) **Carisoprodol**;
- 839 (g) Chloral betaine;
- 840 [(f)] (h) Chloral hydrate;
- 841 [(g)] (i) Chlordiazepoxide;
- 842 [(h)] (j) Clobazam;
- 843 [(i)] (k) Clonazepam;
- 844 [(j)] (l) Clorazepate;
- 845 [(k)] (m) Clotiazepam;
- 846 [(l)] (n) Cloxazolam;
- 847 [(m)] (o) Delorazepam;
- 848 [(n)] (p) Diazepam;
- 849 [(o)] (q) Dichloralphenazone;
- 850 [(p)] (r) Estazolam;
- 851 [(q)] (s) Ethchlorvynol;
- 852 [(r)] (t) Ethinamate;
- 853 [(s)] (u) Ethyl loflazepate;
- 854 [(t)] (v) Fludiazepam;
- 855 [(u)] (w) Flunitrazepam;
- 856 [(v)] (x) Flurazepam;
- 857 [(w)] (y) Fospropofol;
- 858 [(x)] (z) Halazepam;
- 859 [(y)] (aa) Haloxazolam;
- 860 [(z)] (bb) Ketazolam;
- 861 [(aa)] (cc) Loprazolam;
- 862 [(bb)] (dd) Lorazepam;

863 [(cc)] **(ee)** Lormetazepam;
864 [(dd)] **(ff)** Mebutamate;
865 [(ee)] **(gg)** Medazepam;
866 [(ff)] **(hh)** Meprobamate;
867 [(gg)] **(ii)** Methohexital;
868 [(hh)] **(jj)** Methylphenobarbital (mephobarbital);
869 [(ii)] **(kk)** Midazolam;
870 [(jj)] **(ll)** Nimetazepam;
871 [(kk)] **(mm)** Nitrazepam;
872 [(ll)] **(nn)** Nordiazepam;
873 [(mm)] **(oo)** Oxazepam;
874 [(nn)] **(pp)** Oxazolam;
875 [(oo)] **(qq)** Paraldehyde;
876 [(pp)] **(rr)** Petrichloral;
877 [(qq)] **(ss)** Phenobarbital;
878 [(rr)] **(tt)** Pinazepam;
879 [(ss)] **(uu)** Prazepam;
880 [(tt)] **(vv)** Quazepam;
881 [(uu)] **(ww)** **Suvorexant**;
882 **(xx)** Temazepam;
883 [(vv)] **(yy)** Tetrazepam;
884 [(ww)] **(zz)** Triazolam;
885 [(xx)] **(aaa)** Zaleplon;
886 [(yy)] **(bbb)** Zolpidem;
887 [(zz)] **(ccc)** Zopiclone;

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

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

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

- 899 (a) Cathine ((+)-norpseudoephedrine);
900 (b) Diethylpropion;
901 (c) Fencamfamin;
902 (d) Fenproporex;
903 (e) Mazindol;
904 (f) Mefenorex;
905 (g) Modafinil;
906 (h) Pemoline, including organometallic complexes and chelates thereof;
907 (i) Phentermine;
908 (j) Pipradrol;
909 (k) Sibutramine;
910 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
911 [(5)] (6) Any material, compound, mixture or preparation containing any
912 quantity of the following substance, including its salts:
913 (a) Butorphanol **(including its optical isomers)**;
914 (b) **Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-**
915 **dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-**
916 **yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical**
917 **isomers) and its salts, isomers, and salts of isomers**;
918 (c) Pentazocine;
919 [(6)] (7) Ephedrine, its salts, optical isomers and salts of optical isomers,
920 when the substance is the only active medicinal ingredient;
921 [(7)] (8) The department of health and senior services may except by rule
922 any compound, mixture, or preparation containing any depressant substance
923 listed in subdivision (1) of this subsection from the application of all or any part
924 of sections 195.010 to 195.320 and sections 579.015 to 579.086 if the compound,
925 mixture, or preparation contains one or more active medicinal ingredients not
926 having a depressant effect on the central nervous system, and if the admixtures
927 are included therein in combinations, quantity, proportion, or concentration that
928 vitiate the potential for abuse of the substances which have a depressant effect
929 on the central nervous system.
- 930 9. The department of health and senior services shall place a substance
931 in Schedule V if it finds that:
- 932 (1) The substance has low potential for abuse relative to the controlled
933 substances listed in Schedule IV;
- 934 (2) The substance has currently accepted medical use in treatment in the

935 United States; and

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

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

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

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

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

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

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

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

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

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

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

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

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

970 (5) **Any drug product in finished dosage formulation that has**

971 **been approved by the U.S. Food and Drug Administration that contains**
972 **cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-**
973 **pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1**
974 **percent (w/w) residual tetrahydro cannabinoids.**

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

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

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

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

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

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

1000 (1) The name, address, and signature of the purchaser;

1001 (2) The amount of the compound, mixture, or preparation purchased;

1002 (3) The date and time of each purchase; and

1003 (4) The name or initials of the pharmacist, intern pharmacist, or
1004 registered pharmacy technician who dispensed the compound, mixture, or
1005 preparation to the purchaser.

1006 13. Each pharmacy shall submit information regarding sales of any

1007 compound, mixture, or preparation as specified in subdivision (3) of subsection 10
1008 of this section in accordance with transmission methods and frequency
1009 established by the department by regulation;

1010 14. No person shall dispense, sell, purchase, receive, or otherwise acquire
1011 quantities greater than those specified in this chapter.

1012 15. All persons who dispense or offer for sale pseudoephedrine and
1013 ephedrine products in a pharmacy shall ensure that all such products are located
1014 only behind a pharmacy counter where the public is not permitted.

1015 16. The penalties for a knowing or reckless violation of the provisions of
1016 subsections 11 to 15 of this section are found in section 579.060.

1017 17. The scheduling of substances specified in subdivision (3) of subsection
1018 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply
1019 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel
1020 capsule form or to any compound, mixture, or preparation specified in subdivision
1021 (3) of subsection 10 of this section which must be dispensed, sold, or distributed
1022 in a pharmacy pursuant to a prescription.

1023 18. The manufacturer of a drug product or another interested party may
1024 apply with the department of health and senior services for an exemption from
1025 this section. The department of health and senior services may grant an
1026 exemption by rule from this section if the department finds the drug product is
1027 not used in the illegal manufacture of methamphetamine or other controlled or
1028 dangerous substances. The department of health and senior services shall rely
1029 on reports from law enforcement and law enforcement evidentiary laboratories in
1030 determining if the proposed product can be used to manufacture illicit controlled
1031 substances.

1032 19. The department of health and senior services shall revise and
1033 republish the schedules annually.

1034 20. The department of health and senior services shall promulgate rules
1035 under chapter 536 regarding the security and storage of Schedule V controlled
1036 substances, as described in subdivision (3) of subsection 10 of this section, for
1037 distributors as registered by the department of health and senior services.

1038 21. Logs of transactions required to be kept and maintained by this
1039 section and section 195.417 shall create a rebuttable presumption that the person
1040 whose name appears in the logs is the person whose transactions are recorded in
1041 the logs.

195.417. 1. The limits specified in this section shall not apply to any

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

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

10 (1) The sole active ingredient; or

11 (2) One of the active ingredients of a combination drug; or

12 (3) A combination of any of the products specified in subdivisions (1) and
13 (2) of this subsection;

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

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

23 (1) The sole active ingredient; or

24 (2) One of the active ingredients of a combination drug; or

25 (3) A combination of any of the products specified in subdivisions (1) and
26 (2) of this subsection;

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

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

36 5. Each pharmacy shall submit information regarding sales of any
37 compound, mixture, or preparation as specified in this section in accordance with

38 transmission methods and frequency established by the department by regulation.

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

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

56 **[7.] 8.** All logs, records, documents, and electronic information
57 maintained for the dispensing of these products shall be open for inspection and
58 copying by municipal, county, and state or federal law enforcement officers whose
59 duty it is to enforce the controlled substances laws of this state or the United
60 States.

61 **[8.] 9.** All persons who dispense or offer for sale pseudoephedrine and
62 ephedrine products, except those that are excluded from Schedule V in subsection
63 17 or 18 of section 195.017, shall ensure that all such products are located only
64 behind a pharmacy counter where the public is not permitted.

65 **[9.] 10.** The penalty for a knowing or reckless violation of this section is
66 found in section 579.060.

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

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

8 **(2) Products in the shape of a human, animal, or fruit, including**
9 **realistic, artistic, caricature, or cartoon renderings. However,**
10 **geometric shapes, including, but not limited to, circles, squares,**
11 **rectangles, and triangles, shall be permitted.**

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

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

23 **4. The department shall promulgate rules and regulations**
24 **regarding edible marijuana-infused products designed to appeal to**
25 **persons under eighteen years of age, as well as promulgate rules and**
26 **regulations to establish a process by which a licensed or certified**
27 **entity may seek approval of an edible product design, package, or label**
28 **prior to such product's manufacture or sale in order to determine**
29 **compliance with the provisions of this section and any rules**
30 **promulgated pursuant to this section. Any rule or portion of a rule, as**
31 **that term is defined in section 536.010 that is created under the**
32 **authority delegated in this section shall become effective only if it**
33 **complies with and is subject to all of the provisions of chapter 536 and,**
34 **if applicable, section 536.028. This section and chapter 536 are**
35 **nonseverable and if any of the powers vested with the general assembly**
36 **pursuant to chapter 536 to review, to delay the effective date, or to**
37 **disapprove and annul a rule are subsequently held unconstitutional,**
38 **then the grant of rulemaking authority and any rule proposed or**
39 **adopted after August 28, 2020, shall be invalid and void.**

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

4 **(1) Sells, distributes, dispenses, or otherwise provides any number of**
5 **packages of any drug product containing detectable amounts of ephedrine,**

6 phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers,
7 or salts of optical isomers, in a total amount greater than [nine] **seven and two-**
8 **tenths** grams to the same individual within a thirty-day period, unless the
9 amount is dispensed, sold, or distributed pursuant to a valid prescription; or

10 (2) Purchases, receives, or otherwise acquires within a thirty-day period
11 any number of packages of any drug product containing any detectable amount
12 of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or
13 optical isomers, or salts of optical isomers in a total amount greater than [nine]
14 **seven and two-tenths** grams, without regard to the number of transactions,
15 unless the amount is purchased, received, or acquired pursuant to a valid
16 prescription; or

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

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

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

34 2. A pharmacist, intern pharmacist, or registered pharmacy technician
35 commits the offense of unlawful sale, distribution, or purchase of over-the-counter
36 methamphetamine precursor drugs if he or she knowingly:

37 (1) Sells, distributes, dispenses, or otherwise provides any number of
38 packages of any drug product containing detectable amounts of ephedrine,
39 phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers,
40 or salts of optical isomers, in a total amount greater than three and six-tenth
41 grams to the same individual within a twenty-four hour period, unless the

42 amount is dispensed, sold, or distributed pursuant to a valid prescription; or

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

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

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

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

65 4. The offense of unlawful sale, distribution, or purchase of
66 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
2 degree if, except as authorized by this chapter or chapter 195, such person
3 knowingly distributes, delivers, manufactures, produces or attempts to distribute,
4 deliver, manufacture or produce:

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

7 (2) More than one hundred fifty grams [but less than four hundred fifty
8 grams] of a mixture or substance containing a detectable amount of coca leaves,
9 except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and
10 derivatives of ecgonine or their salts have been removed; cocaine salts and their
11 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives,

12 their salts, isomers, and salts of isomers; or any compound, mixture, or
13 preparation which contains any quantity of any of the foregoing substances;

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

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

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

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

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

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

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

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

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

37 **(12) More than ten milligrams of fentanyl or carfentanil, or any**
38 **derivative thereof, or any combination thereof, or any compound,**
39 **mixture, or substance containing a detectable amount of fentanyl or**
40 **carfentanil, or their optical isomers or analogues.**

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

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

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

46 (2) Four hundred fifty grams or more of a mixture or substance containing
47 a detectable amount of coca leaves, except coca leaves and extracts of coca leaves

48 from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been
49 removed; cocaine salts and their optical and geometric isomers, and salts of
50 isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any
51 compound, mixture, or preparation which contains any quantity of any of the
52 foregoing substances; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (LSD);

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

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

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

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

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

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

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

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

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

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

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

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

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

55 detectable amount of phencyclidine (PCP); or

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

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

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

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

66 (10) Ninety grams or more but less than four hundred fifty grams of any
67 material, compound, mixture, or preparation which contains any quantity of
68 3,4-methylenedioxymethamphetamine; or

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

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

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

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

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

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