

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

# HOUSE BILL NO. 1896

## 100TH GENERAL ASSEMBLY

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Reported from the Committee on Health and Pensions, April 30, 2020, with recommendation that the Senate Committee Substitute do pass.

4303S.06C

ADRIANE D. CROUSE, Secretary.

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### 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Section A. Sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, 2 and 579.068, RSMo, are repealed and nine new sections enacted in lieu thereof, 3 to be known as sections 191.1146, 195.015, 195.017, 195.417, 195.805, 195.830, 4 579.060, 579.065, and 579.068, to read as follows:

191.1146. 1. Physicians licensed under chapter 334 who use telemedicine 2 shall ensure that a properly established physician-patient relationship exists with 3 the person who receives the telemedicine services. The physician-patient 4 relationship may be established by:

5 (1) An in-person encounter through a medical interview and physical 6 examination;

7 (2) Consultation with another physician, or that physician's delegate, who 8 has an established relationship with the patient and an agreement with the 9 physician to participate in the patient's care; or

10 (3) A telemedicine encounter, if the standard of care does not require an 11 in-person encounter, and in accordance with evidence-based standards of practice 12 and telemedicine practice guidelines that address the clinical and technological 13 aspects of telemedicine.

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

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

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

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

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

5           (1) The actual or relative potential for abuse;

6           (2) The scientific evidence of its pharmacological effect, if known;

7           (3) The state of current scientific knowledge regarding the substance;

8           (4) The history and current pattern of abuse;

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

10          (6) The risk to the public health;

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

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

15           2. After considering the factors enumerated in subsection 1 of this section  
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-phenethyl)**  
37 **-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) Difenoxy;**  
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) Etoxadine;**  
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-phenylpropanamide), 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-yl)**  
81 **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) Phenomorphan;**
- 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) Tetrahydrofuranly fentanyl (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 [Williamsil] **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-naphthoyl)**  
221 **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-piperidinyl)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]-5-  
254 (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-piperidinyl)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-(2-  
269 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-

296 (1-pyrrolidinyl)-1-pentanone;

297 (l) Methyldone, or 3,4-Methylenedioxyamphetaminone;

298 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, 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*-indazole**  
308 **-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 geometric**  
320 **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)ethanamine,**  
324 **its optical, positional, and geometric isomers, salts, and salts of isomers;**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

359 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-  
360 1*H*-indazole-3-carboxamide, its optical, positional, and geometric  
361 isomers, salts, and salts of isomers;

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

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

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

370 salts of isomers;

371 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-  
372 1H-indazole-3-carboxamide, its optical, positional, and geometric  
373 isomers, salts, and salts of isomers;

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

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

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

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

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

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

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

392 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-  
393 yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers,  
394 esters, and ethers;

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

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

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

402 (jj) Fentanyl-related substances, their isomers, esters, ethers,  
403 salts, and salts of isomers, esters, and ethers. Fentanyl-related  
404 substance shall mean any substance not otherwise listed under another  
405 Drug Enforcement Administration Controlled Substance Code Number,  
406 and for which no exemption or approval is in effect under section 505

407 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that  
408 is structurally related to fentanyl by one or more of the following  
409 modifications:

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

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

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

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

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

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

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

426 (mm) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-  
427 carboxamide, its optical, positional, and geometric isomers, salts, and  
428 salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;  
429 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

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

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

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

439 (qq) ethyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-  
440 dimethylbutanoate, its optical, positional, and geometric isomers, salts,  
441 and salts of isomers (trivial name: 5F-EDMB-PINACA);

442 (rr) methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-  
443 dimethylbutanoate, its optical, positional, and geometric isomers, salts,

- 444 **and salts of isomers (trivial name: 5F-MDMB-PICA);**  
445 **(ss) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-**  
446 **carboxamide, its optical, positional, and geometric isomers, salts, and**  
447 **salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-**  
448 **FLUOROBENZYL));**  
449 **(tt) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1*H*-indazole-3-**  
450 **carboxamide, its optical, positional, and geometric isomers, salts, and**  
451 **salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25);**  
452 **(uu) (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-**  
453 **tetramethylcyclopropyl) methanone, its optical, positional, and**  
454 **geometric isomers, salts, and salts of isomers (trivial name: FUB-144);**  
455 **(vv) *N*-ethylhexedrone, its optical, positional, and geometric**  
456 **isomers, salts, and salts of isomers (Other name: 2-(ethylamino)-1-**  
457 **phenylhexan-1-one);**  
458 **(ww) *alpha*-pyrrolidinohexanophenone, its optical, positional,**  
459 **and geometric isomers, salts, and salts of isomers (Other names:  $\alpha$ -PHP;**  
460 ***alpha*-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-**  
461 **one);**  
462 **(xx) 4-methyl-*alpha*-ethylaminopentiophenone, its optical,**  
463 **positional, and geometric isomers, salts, and salts of isomers; (Other**  
464 **names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one);**  
465 **(yy) 4'-methyl-*alpha*-pyrrolidinohexiophenone, its optical,**  
466 **positional, and geometric isomers, salts, and salts of isomers (Other**  
467 **names: MPHP; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-(4-**  
468 **methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);**  
469 **(zz) *alpha*-pyrrolidinoheptaphenone, its optical, positional, and**  
470 **geometric isomers, salts, and salts of isomers (Other names: PV8; 1-**  
471 **phenyl-2-(pyrrolidin-1-yl)heptan-1-one);**  
472 **(aaa) 4'-chloro-*alpha*-pyrrolidinovalerophenone, its optical,**  
473 **positional, and geometric isomers, salts, and salts of isomers (Other**  
474 **names: 4-chloro- $\alpha$ -PVP; 4'-chloro-*alpha*-pyrrolidinopentiophenone; 1-(4-**  
475 **chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);**  
476 **[(8)] (9) Khat, to include all parts of the plant presently classified**  
477 **botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract**  
478 **from any part of such plant; and every compound, manufacture, salt, derivative,**  
479 **mixture, or preparation of the plant, its seed or extracts.**  
480 **3. The department of health and senior services shall place a substance**

481 in Schedule II if it finds that:

- 482 (1) The substance has high potential for abuse;
- 483 (2) The substance has currently accepted medical use in treatment in the  
484 United States, or currently accepted medical use with severe restrictions; and
- 485 (3) The abuse of the substance may lead to severe psychic or physical  
486 dependence.

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

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

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

- 496 a. Raw opium;
- 497 b. Opium extracts;
- 498 c. Opium fluid;
- 499 d. Powdered opium;
- 500 e. Granulated opium;
- 501 f. Tincture of opium;
- 502 g. Codeine;
- 503 h. **Dihydroetorphine**;
- 504 i. Ethylmorphine;
- 505 [i.] j. Etorphine hydrochloride;
- 506 [j.] k. Hydrocodone;
- 507 [k.] l. Hydromorphone;
- 508 [l.] m. Metopon;
- 509 [m.] n. Morphine;
- 510 [n.] o. **Oripavine**;
- 511 p. Oxycodone;
- 512 [o.] q. Oxymorphone;
- 513 [p.] r. Thebaine;

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

517 (c) Opium poppy and poppy straw;

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

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

524 **b. Ioflupane;**

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

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

532 (a) Alfentanil;

533 (b) Alphaprodine;

534 (c) Anileridine;

535 (d) Bezitramide;

536 (e) Bulk dextropropoxyphene;

537 (f) Carfentanil;

538 (g) Dihydrocodeine;

539 (h) Diphenoxylate;

540 (i) Fentanyl;

541 (j) Isomethadone;

542 (k) Levo-alphaacetylmethadol;

543 (l) Levomethorphan;

544 (m) Levorphanol;

545 (n) Metazocine;

546 (o) Methadone;

547 (p) [Meperidine;

548 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4,  
549 4-diphenylbutane;

550 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,  
551 1-diphenylpropane-carboxylic acid;

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

553 [(t)] (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;  
554 [(u)] (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
555 [(v)] (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic  
556 acid;

557 [(w)] (v) Phenazocine;

558 [(x)] (w) Piminodine;

559 [(y)] (x) Racemethorphan;

560 [(z)] (y) Racemorphan;

561 [(aa)] (z) Remifentanyl;

562 [(bb)] (aa) Sufentanyl;

563 [(cc)] (bb) Tapentadol;

564 (cc) **Thiafentanyl;**

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

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

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

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

572 (d) Phenmetrazine and its salts;

573 (e) Methylphenidate;

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

579 (a) Amobarbital;

580 (b) Glutethimide;

581 (c) Pentobarbital;

582 (d) Phencyclidine;

583 (e) Secobarbital;

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

585 **Hallucinogenic substances:**

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

588 (b) **Dronabinol [(-)- $\Delta$ -9-trans tetrahydrocannabinol] in an oral**

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

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

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

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

596 a. 1-phenylcyclohexylamine;

597 b. 1-piperidinocyclohexanecarbonitrile (PCC);

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

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

602 (a) Amyl nitrite;

603 (b) Butyl nitrite.

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

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

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

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

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

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

617 (a) Benzphetamine;

618 (b) Chlorphentermine;

619 (c) Clortermine;

620 (d) Phendimetrazine;

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

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

625 quantity or salt of the following substances combined with one or more active  
626 medicinal ingredients:

627 a. Amobarbital;

628 b. Secobarbital;

629 c. Pentobarbital;

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

632 a. Amobarbital;

633 b. Secobarbital;

634 c. Pentobarbital;

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

637 (d) Chlorhexadol;

638 (e) Embutramide;

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

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

643 (h) Lysergic acid;

644 (i) Lysergic acid amide;

645 (j) Methyprylon;

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

647 **(l) Sulfondiethylmethane;**

648 ~~[(l)]~~ **(m) Sulfonethylmethane;**

649 ~~[(m)]~~ **(n) Sulfonmethane;**

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

651 (3) Nalorphine;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 697 (d) 1-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);  
698 (e) 1-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);  
699 (f) 4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-4-ene);  
700 (g) 5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-5-ene);  
701 (h) 1-androstenedione ([5 $\alpha$ ]-androst-1-en-3,17-dione);  
702 (i) 4-androstenedione (androst-4-en-3,17-dione);  
703 (j) 5-androstenedione (androst-5-en-3,17-dione);  
704 (k) Bolasterone (7 $\alpha$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
705 (l) Boldenone (17 $\beta$ -hydroxyandrost-1,4,-diene-3-one);  
706 (m) Boldione;  
707 (n) Calusterone (7 $\beta$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
708 (o) Clostebol (4-chloro-17 $\beta$ -hydroxyandrost-4-en-3-one);  
709 (p) Dehydrochloromethyltestosterone (4-chloro-17 $\beta$ -hydroxy-17 $\alpha$ -methyl-  
710 androst-1,4-dien-3-one);  
711 (q) Desoxymethyltestosterone;  
712 (r) [ $\Delta$ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 $\beta$ -hydroxy-5 $\alpha$ -  
713 androst-1-en-3-one);  
714 (s)] 4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);  
715 [(t)] (s) Drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -androstan-3-one);  
716 [(u)] (t) Ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-ene);  
717 [(v)] (u) Fluoxymesterone (9-fluoro-17 $\alpha$ -methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost  
718 -4-en-3-one);  
719 [(w)] (v) Formebolone (2-formyl-17 $\alpha$ -methyl-11 $\alpha$ ,17 $\beta$ -dihydroxyandrost  
720 -1,4-dien-3-one);  
721 [(x)] (w) Furazabol (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrostan[2,3-c]-furazan);  
722 [(y)] (x) 13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;  
723 [(z)] (y) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);  
724 [(aa)] (z) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);  
725 [(bb)] (aa) Mestanolone [(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one)]  
726 (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androstan-3-one);  
727 [(cc)] (bb) Mesterolone [(1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one)]  
728 (1 $\alpha$ - methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);  
729 [(dd)] (cc) Methandienone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-  
730 one);  
731 [(ee)] (dd) Methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);  
732 [(ff)] (ee) Methasterone (2 $\alpha$ ,17 $\alpha$ -dimethyl-5 $\alpha$ -androstan-17 $\beta$ -ol-3-

- 733 **one);**
- 734 (ff) Methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- 735 (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);
- 736 (hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);
- 737 (ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;
- 738 (jj) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -
- 739 hydroxyestr-4-en-3-one);
- 740 (kk) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);
- 741 (ll) [Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one)]
- 742 **Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9,11-trien-3-one);**
- 743 (mm) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- 744 (nn) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- 745 (oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -
- 746 androst-1-en-3-one) (a.k.a. '17- $\alpha$ -methyl-1-testosterone');
- 747 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);
- 748 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);
- 749 (rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);
- 750 (ss) 19-nor-4,9(10)-androstadienedione (**estra-4,9(10)-diene-3,17-dione**);
- 751 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);
- 752 (uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-5-ene);
- 753 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 754 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 755 (xx) Norbolethone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);
- 756 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);
- 757 (zz) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- 758 (aaa) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- 759 (bbb) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);
- 760 (ccc) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 761 (ddd) [Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-
- 762 [5 $\alpha$ ]-androstan-3-one)] **Oxymetholone (17 $\alpha$ -methyl-2-hydroxymethylene-**
- 763 **17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);**
- 764 (eee) **Prostanozol (17 $\beta$ -hydroxy-5 $\alpha$ -androstan[3,2-c]pyrazole);**
- 765 (fff) **Stanolone ( $\Delta$ 1-dihydrotestosterone (a.k.a. 1-testosterone)**
- 766 **(17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one));**
- 767 (ggg) Stanazolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]
- 768 -pyrazole);

769 [(fff)] (hhh) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);  
770 [(ggg)] (iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien  
771 -17-oic acid lactone);  
772 [(hhh)] (jjj) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);  
773 [(iii)] (kkk) Tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4,  
774 9,11-trien-3-one);  
775 [(jjj)] (lll) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);  
776 [(kkk)] (mmm) Any salt, ester, or ether of a drug or substance described  
777 or listed in this subdivision, except an anabolic steroid which is expressly  
778 intended for administration through implants to cattle or other nonhuman species  
779 and which has been approved by the Secretary of Health and Human Services for  
780 that administration;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

827 (a) **Alfaxalone;**

828 (b) Alprazolam;

829 [(b)] (c) Barbital;

830 [(c)] (d) Bromazepam;

831 [(d)] (e) Camazepam;

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

833 (g) Chloral betaine;

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

835 [(g)] (i) Chlordiazepoxide;

836 [(h)] (j) Clobazam;

837 [(i)] (k) Clonazepam;

838 [(j)] (l) Clorazepate;

839 [(k)] (m) Clotiazepam;

840 [(l)] (n) Cloxazolam;

841 [(m)] **(o)** Delorazepam;  
842 [(n)] **(p)** Diazepam;  
843 [(o)] **(q)** Dichloralphenazone;  
844 [(p)] **(r)** Estazolam;  
845 [(q)] **(s)** Ethchlorvynol;  
846 [(r)] **(t)** Ethinamate;  
847 [(s)] **(u)** Ethyl loflazepate;  
848 [(t)] **(v)** Fludiazepam;  
849 [(u)] **(w)** Flunitrazepam;  
850 [(v)] **(x)** Flurazepam;  
851 [(w)] **(y)** Fospropofol;  
852 [(x)] **(z)** Halazepam;  
853 [(y)] **(aa)** Haloxazolam;  
854 [(z)] **(bb)** Ketazolam;  
855 [(aa)] **(cc)** Loprazolam;  
856 [(bb)] **(dd)** Lorazepam;  
857 [(cc)] **(ee)** Lormetazepam;  
858 [(dd)] **(ff)** Mebutamate;  
859 [(ee)] **(gg)** Medazepam;  
860 [(ff)] **(hh)** Meprobamate;  
861 [(gg)] **(ii)** Methohexital;  
862 [(hh)] **(jj)** Methylphenobarbital (mephobarbital);  
863 [(ii)] **(kk)** Midazolam;  
864 [(jj)] **(ll)** Nimetazepam;  
865 [(kk)] **(mm)** Nitrazepam;  
866 [(ll)] **(nn)** Nordiazepam;  
867 [(mm)] **(oo)** Oxazepam;  
868 [(nn)] **(pp)** Oxazolam;  
869 [(oo)] **(qq)** Paraldehyde;  
870 [(pp)] **(rr)** Petrichloral;  
871 [(qq)] **(ss)** Phenobarbital;  
872 [(rr)] **(tt)** Pinazepam;  
873 [(ss)] **(uu)** Prazepam;  
874 [(tt)] **(vv)** Quazepam;  
875 [(uu)] **(ww)** **Suvorexant**;  
876 **(xx)** Temazepam;

877 [(vv)] **(yy)** Tetrazepam;

878 [(ww)] **(zz)** Triazolam;

879 [(xx)] **(aaa)** Zaleplon;

880 [(yy)] **(bbb)** Zolpidem;

881 [(zz)] **(ccc)** Zopiclone;

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

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

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

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

894 (b) Diethylpropion;

895 (c) Fencamfamin;

896 (d) Fenproporex;

897 (e) Mazindol;

898 (f) Mefenorex;

899 (g) Modafinil;

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

901 (i) Phentermine;

902 (j) Pipradrol;

903 (k) Sibutramine;

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

905 [(5)] **(6)** Any material, compound, mixture or preparation containing any  
906 quantity of the following substance, including its salts:

907 (a) Butorphanol **(including its optical isomers)**;

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

912 (c) Pentazocine;

913            [(6)] (7) Ephedrine, its salts, optical isomers and salts of optical isomers,  
914 when the substance is the only active medicinal ingredient;

915            [(7)] (8) The department of health and senior services may except by rule  
916 any compound, mixture, or preparation containing any depressant substance  
917 listed in subdivision (1) of this subsection from the application of all or any part  
918 of sections 195.010 to 195.320 and sections 579.015 to 579.086 if the compound,  
919 mixture, or preparation contains one or more active medicinal ingredients not  
920 having a depressant effect on the central nervous system, and if the admixtures  
921 are included therein in combinations, quantity, proportion, or concentration that  
922 vitiate the potential for abuse of the substances which have a depressant effect  
923 on the central nervous system.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

983 (3) The pharmacist, intern pharmacist, or registered pharmacy technician  
984 shall require any person, prior to such person's purchasing, receiving or otherwise

985 acquiring such compound, mixture, or preparation to furnish suitable photo  
986 identification that is issued by a state or the federal government or a document  
987 that, with respect to identification, is considered acceptable and showing the date  
988 of birth of the person;

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

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

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

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

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

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

1000 13. Each pharmacy shall submit information regarding sales of any  
1001 compound, mixture, or preparation as specified in subdivision (3) of subsection 10  
1002 of this section in accordance with transmission methods and frequency  
1003 established by the department by regulation;

1004 14. No person shall dispense, sell, purchase, receive, or otherwise acquire  
1005 quantities greater than those specified in this chapter.

1006 15. All persons who dispense or offer for sale pseudoephedrine and  
1007 ephedrine products in a pharmacy shall ensure that all such products are located  
1008 only behind a pharmacy counter where the public is not permitted.

1009 16. The penalties for a knowing or reckless violation of the provisions of  
1010 subsections 11 to 15 of this section are found in section 579.060.

1011 17. The scheduling of substances specified in subdivision (3) of subsection  
1012 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply  
1013 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel  
1014 capsule form or to any compound, mixture, or preparation specified in subdivision  
1015 (3) of subsection 10 of this section which must be dispensed, sold, or distributed  
1016 in a pharmacy pursuant to a prescription.

1017 18. The manufacturer of a drug product or another interested party may  
1018 apply with the department of health and senior services for an exemption from  
1019 this section. The department of health and senior services may grant an  
1020 exemption by rule from this section if the department finds the drug product is

1021 not used in the illegal manufacture of methamphetamine or other controlled or  
1022 dangerous substances. The department of health and senior services shall rely  
1023 on reports from law enforcement and law enforcement evidentiary laboratories in  
1024 determining if the proposed product can be used to manufacture illicit controlled  
1025 substances.

1026 19. The department of health and senior services shall revise and  
1027 republish the schedules annually.

1028 20. The department of health and senior services shall promulgate rules  
1029 under chapter 536 regarding the security and storage of Schedule V controlled  
1030 substances, as described in subdivision (3) of subsection 10 of this section, for  
1031 distributors as registered by the department of health and senior services.

1032 21. Logs of transactions required to be kept and maintained by this  
1033 section and section 195.417 shall create a rebuttable presumption that the person  
1034 whose name appears in the logs is the person whose transactions are recorded in  
1035 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.

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

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

16 3. Fingerprint cards and any required fees shall be sent to the  
17 Missouri state highway patrol's central repository. The fingerprints  
18 shall be used for searching the state criminal records repository and  
19 shall also be forwarded to the Federal Bureau of Investigation for a  
20 federal criminal records search under section 43.540. The Missouri  
21 state highway patrol shall notify the department of any criminal  
22 history record information or lack of criminal history record  
23 information discovered on the individual. Notwithstanding the  
24 provisions of section 610.120 to the contrary, all records related to any  
25 criminal history information discovered shall be accessible and  
26 available to the department.

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

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.**

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

Bill ✓

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