

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 523

100TH GENERAL ASSEMBLY

Reported from the Committee on Health and Pensions, February 13, 2020, with recommendation that the Senate Committee Substitute do pass.

3713S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

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

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

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2 repealed and five new sections enacted in lieu thereof, to be known as sections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

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

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

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

17 thereto and issue a rule controlling the substance if it finds the substance has a
18 potential for abuse.

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

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

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

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

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

3 (1) Has high potential for abuse; and

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

6 2. Schedule I:

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

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

13 (a) **Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4**
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)**
28 **ethyl-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)**
35 **-4-piperidinyl)-N-phenylpropanamide);**

36 [(l)] (o) **Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy**
37 **-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);**

38 [(m)] (p) Betameprodine;

- 39 [(n)] (q) Betamethadol;
- 40 [(o)] (r) Betaprodine;
- 41 [(p)] (s) Clonitazene;
- 42 [(q)] (t) Dextromoramide;
- 43 [(r)] (u) Diampromide;
- 44 (v) **Cyclopropyl fentanyl**;
- 45 [(s)] (w) Diethylthiambutene;
- 46 [(t)] (x) 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-**
- 56 **(1-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) Levophenacetylmorphan;
- 64 [(hh)] (nn) **3-Methylfentanyl (N–(3-methyl-1-(2-phenylethyl)**
- 65 **–4-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)** Tetrahydrofuranlyl 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-
221 naphthoyl)indole;
222 [(viii)] **(ix)** JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
223 [(ix)] **(x)** JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
224 [(x)] **(xi)** JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
225 [(xi)] **(xii)** JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
226 [(xii)] **(xiii)** JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
227 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
228 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
229 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
230 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
231 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
232 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
233 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
234 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
235 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
236 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
237 d. Any compound structurally derived from 3-phenylacetylindole by
238 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,
239 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
240 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
241 ring to any extent, whether or not substituted in the phenyl ring to any
242 extent. Including, but not limited to:
243 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
244 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
245 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
246 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
247 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
248 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol
249 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
250 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-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-piperidiny)methyl or
259 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole
260 ring to any extent and whether or not substituted in the phenyl ring to any
261 extent. Including, but not limited to:

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

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

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

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

268 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3
269 -(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

270 j. [CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-
271 5-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-
294 2-oxazamine);
- 295 (k) Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-
296 (1-pyrrolidinyl)-1-pentanone);
- 297 (l) Methydone, or 3,4-Methylenedioxypropylmethcathinone;
- 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, positional,**
317 **and geometric isomers, salts, and salts of isomers;**
- 318 **(b) [1-(5-fluoro-pentyl)-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 optical,**
322 **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**

327 isomers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

400 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers,

401 esters, ethers, salts, and salts of isomers, esters, and ethers;

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

404 (jj) Fentanyl-related substances, their isomers, esters, ethers,
405 salts, and salts of isomers, esters, and ethers. Fentanyl-related
406 substance shall mean any substance not otherwise listed under another
407 Drug Enforcement Administration Controlled Substance Code Number,
408 and for which no exemption or approval is in effect under section 505
409 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that
410 is structurally related to fentanyl by one or more of the following
411 modifications:

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

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

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

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

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

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

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

428 (mm) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-
429 carboxamide, its optical, positional, and geometric isomers, salts, and
430 salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;
431 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

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

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

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

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

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

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

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

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

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

460 (ww) *alpha*-pyrrolidinohexanophenone, its optical, positional,
461 and geometric isomers, salts, and salts of isomers (Other names: α -PHP;
462 *alpha*-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-
463 one);

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

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

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

474 (aaa) 4'-chloro-*alpha*-pyrrolidinovalerophenone, its optical,

475 **positional, and geometric isomers, salts, and salts of isomers (Other**
476 **names: 4-chloro- α -PVP; 4'-chloro-alpha-pyrrolidinopentiophenone; 1-(4-**
477 **chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);**

478 [(8)] (9) Khat, to include all parts of the plant presently classified
479 botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract
480 from any part of such plant; and every compound, manufacture, salt, derivative,
481 mixture, or preparation of the plant, its seed or extracts.

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

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

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

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

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

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

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

498 a. Raw opium;

499 b. Opium extracts;

500 c. Opium fluid;

501 d. Powdered opium;

502 e. Granulated opium;

503 f. Tincture of opium;

504 g. Codeine;

505 h. **Dihydroetorphine;**

506 i. Ethylmorphine;

507 [i.] j. Etorphine hydrochloride;

508 [j.] k. Hydrocodone;

509 [k.] l. Hydromorphone;

510 [l.] m. Metopon;

- 511 [m.] n. Morphine;
- 512 [n.] o. **Oripavine;**
- 513 p. Oxycodone;
- 514 [o.] q. Oxymorphone;
- 515 [p.] r. Thebaine;
- 516 (b) Any salt, compound, derivative, or preparation thereof which is
- 517 chemically equivalent or identical with any of the substances referred to in this
- 518 subdivision, but not including the isoquinoline alkaloids of opium;
- 519 (c) Opium poppy and poppy straw;
- 520 (d) Coca leaves and any salt, compound, derivative, or preparation of coca
- 521 leaves, and any salt, compound, derivative, or preparation thereof which is
- 522 chemically equivalent or identical with any of these substances, but not including
- 523 **the following:**
- 524 a. Decocainized coca leaves or extractions **of coca leaves**, which
- 525 **extractions** do not contain cocaine or ecgonine; **or**
- 526 **b. Ioflupane;**
- 527 (e) Concentrate of poppy straw (the crude extract of poppy straw in either
- 528 liquid, solid or powder form which contains the phenanthrene alkaloids of the
- 529 opium poppy);
- 530 (2) Any of the following opiates, including their isomers, esters, ethers,
- 531 salts, and salts of isomers, whenever the existence of these isomers, esters,
- 532 ethers, and salts is possible within the specific chemical designation, dextrorphan
- 533 and levopropoxyphene excepted:
- 534 (a) Alfentanil;
- 535 (b) Alphaprodine;
- 536 (c) Anileridine;
- 537 (d) Bezitramide;
- 538 (e) Bulk dextropropoxyphene;
- 539 (f) Carfentanil;
- 540 (g) Dihydrocodeine;
- 541 (h) Diphenoxylate;
- 542 (i) Fentanyl;
- 543 (j) Isomethadone;
- 544 (k) Levo-alphaacetylmethadol;
- 545 (l) Levomethorphan;
- 546 (m) Levorphanol;

- 547 (n) Metazocine;
- 548 (o) Methadone;
- 549 (p) [Meperidine;
- 550 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 551 [(r)] **(q)** Moramide-Intermediate, 2-methyl-3-morpholino-1,
- 552 1-diphenylpropane-carboxylic acid;
- 553 [(s)] **(r)** Pethidine (meperidine);
- 554 [(t)] **(s)** Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 555 [(u)] **(t)** Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 556 [(v)] **(u)** Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
- 557 acid;
- 558 [(w)] **(v)** Phenazocine;
- 559 [(x)] **(w)** Piminodine;
- 560 [(y)] **(x)** Racemethorphan;
- 561 [(z)] **(y)** Racemorphan;
- 562 [(aa)] **(z)** Remifentanyl;
- 563 [(bb)] **(aa)** Sufentanyl;
- 564 [(cc)] **(bb)** Tapentadol;
- 565 **(cc) Thiafentanyl;**
- 566 (3) Any material, compound, mixture, or preparation which contains any
- 567 quantity of the following substances having a stimulant effect on the central
- 568 nervous system:
- 569 (a) Amphetamine, its salts, optical isomers, and salts of its optical
- 570 isomers;
- 571 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 572 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 573 (d) Phenmetrazine and its salts;
- 574 (e) Methylphenidate;
- 575 (4) Any material, compound, mixture, or preparation which contains any
- 576 quantity of the following substances having a depressant effect on the central
- 577 nervous system, including its salts, isomers, and salts of isomers whenever the
- 578 existence of those salts, isomers, and salts of isomers is possible within the
- 579 specific chemical designation:
- 580 (a) Amobarbital;
- 581 (b) Glutethimide;
- 582 (c) Pentobarbital;

- 583 (d) Phencyclidine;
584 (e) Secobarbital;
585 (5) [Any material or compound which contains any quantity of nabilone]

586 **Hallucinogenic substances:**

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

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

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

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

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

597 a. 1-phenylcyclohexylamine;

598 b. 1-piperidinocyclohexanecarbonitrile (PCC);

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

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

603 (a) Amyl nitrite;

604 (b) Butyl nitrite.

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

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

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

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

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

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

618 (a) Benzphetamine;

- 619 (b) Chlorphentermine;
- 620 (c) Clortermine;
- 621 (d) Phendimetrazine;
- 622 (2) Any material, compound, mixture or preparation which contains any
- 623 quantity or salt of the following substances or salts having a depressant effect on
- 624 the central nervous system:
- 625 (a) Any material, compound, mixture or preparation which contains any
- 626 quantity or salt of the following substances combined with one or more active
- 627 medicinal ingredients:
- 628 a. Amobarbital;
- 629 b. Secobarbital;
- 630 c. Pentobarbital;
- 631 (b) Any suppository dosage form containing any quantity or salt of the
- 632 following:
- 633 a. Amobarbital;
- 634 b. Secobarbital;
- 635 c. Pentobarbital;
- 636 (c) Any substance which contains any quantity of a derivative of
- 637 barbituric acid or its salt;
- 638 (d) Chlorhexadol;
- 639 (e) Embutramide;
- 640 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 641 contained in a drug product for which an application has been approved under
- 642 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 643 (g) Ketamine, its salts, isomers, and salts of isomers;
- 644 (h) Lysergic acid;
- 645 (i) Lysergic acid amide;
- 646 (j) Methyprylon;
- 647 (k) **Perampanel, and its salts, isomers, and salts of isomers;**
- 648 (l) Sulfondiethylmethane;
- 649 [(l)] (m) Sulfonethylmethane;
- 650 [(m)] (n) Sulfonmethane;
- 651 [(n)] (o) Tiletamine and zolazepam or any salt thereof;
- 652 (3) Nalorphine;
- 653 (4) Any material, compound, mixture, or preparation containing limited
- 654 quantities of any of the following narcotic drugs or their salts:

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

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

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

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

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

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

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

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

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

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

691 anabolic steroid within the meaning of this subdivision. Unless specifically
692 excepted or unless listed in another schedule, any material, compound, mixture
693 or preparation containing any quantity of the following substances, including its
694 salts, esters and ethers:

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

- 727 **(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)**;
728 [(cc)] **(bb)** Mesterolone [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)]
729 **(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)**;
730 [(dd)] **(cc)** Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
731 [(ee)] **(dd)** Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
732 [(ff)] **(ee)** **Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-**
733 **one)**;
734 **(ff)** Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
735 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);
736 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one);
737 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
738 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -
739 hydroxyestr-4-en-3-one);
740 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
741 (ll) [Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)]
742 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)**;
743 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
744 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
745 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -
746 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
747 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
748 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
749 (rr) 19-nor-4-androstenediol (3 α ,17 β -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 β ,17 β -dihydroxyestr-5-ene);
752 (uu) 19-nor-5-androstenediol (3 α ,17 β -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 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
756 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
757 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
758 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
759 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
760 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
761 (ddd) [Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-
762 androstan-3-one)] **Oxymetholone (17 α -methyl-2-hydroxymethylene-17 β -**

763 **hydroxy-[5 α]-androst-3-one);**
 764 (eee) **Prostanozolol (17 β -hydroxy-5 α -androstan[3,2-c]pyrazole);**
 765 **(fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-**
 766 **testosterone)(17 β -hydroxy-5 α -androst-1-en-3-one));**
 767 **(ggg) Stanazolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno**
 768 **[3,2-c]-pyrazole);**
 769 [(fff)] **(hhh) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-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 β -hydroxyandrost-4-en-3-one);**
 773 [(iii)] **(kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-**
 774 **4,9,11-trien-3-one);**
 775 [(jjj)] **(lll) Trenbolone (17 β -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,
808 2-diphenyl-3-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**
887 **contains any quantity of the following substances, including its salts,**
888 **isomers, and salts of isomers, whenever the existence of such salts,**
889 **isomers, and salts of isomers is 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) and**
- 911 **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 been**
965 **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.

**195.805. 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 persons
4 under eighteen years of age, including, but not limited to, the following:**

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

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

**9 2. Each increment of an edible marijuana-infused product
10 containing ten or more milligrams of tetrahydrocannabinols (THC) shall
11 be stamped with a diamond containing the letters "THC" and the number
12 of milligrams of THC in that increment.**

**13 3. Any licensed or certified entity regulated by the department of
14 health and senior services pursuant to Article XIV of the Missouri
15 Constitution found to have violated the provisions of this section shall**

16 **be subject to department sanctions, including an administrative penalty,**
17 **in accordance with the regulations promulgated by the department**
18 **pursuant to Article XIV of the Missouri Constitution.**

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 any derivative**
38 **thereof, or any compound, mixture, or substance containing more than**
39 **ten milligrams of fentanyl, carfentanyl, or their optical isomers or**
40 **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 any derivative**
99 **thereof, or any compound, mixture, or substance containing twenty**
100 **milligrams or more of fentanyl, carfentanyl, or their optical isomers or**
101 **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 any derivative**
35 **thereof, or any compound, mixture, or substance containing more than**
36 **ten milligrams of fentanyl, carfentanyl, or their optical isomers or**
37 **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 any derivative**
70 **thereof, or any compound, mixture, or substance containing twenty**
71 **milligrams or more of fentanyl, carfentanyl, or their optical isomers or**
72 **analogues.**

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

76 (1) Any quantity of the following substances having a stimulant effect on

77 the central nervous system: amphetamine, its salts, optical isomers and salts of
78 its optical isomers; methamphetamine, its salts, isomers and salts of its isomers;
79 phenmetrazine and its salts; or methylphenidate; or

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

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

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