

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 236

FINAL READING

Introduced by Brewer, 43; Clements, 2; Erdman, 47; Slama, 1; Lindstrom, 18; Murman, 38; Halloran, 33; Hansen, B., 16; McDonnell, 5; Briese, 41; Lowe, 37; Groene, 42; Sanders, 45; Bostelman, 23; Albrecht, 17; Dorn, 30; Linehan, 39; Friesen, 34; Aguilar, 35; Gragert, 40; Kolterman, 24; Williams, 36; Brandt, 32.

Read first time January 11, 2021

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to law; to amend sections 28-1202 and 69-2436,
2 Reissue Revised Statutes of Nebraska, and sections 28-401 and
3 28-405, Revised Statutes Cumulative Supplement, 2020; to redefine
4 terms, change drug schedules, and adopt federal drug provisions
5 under the Uniform Controlled Substances Act; to provide an exception
6 to the offense of carrying a concealed weapon as prescribed; to
7 define a term; to change provisions relating to renewal of a permit
8 to carry a concealed handgun; to provide a duty for the Nebraska
9 State Patrol; to eliminate an obsolete provision; to harmonize
10 provisions; and to repeal the original sections.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-401, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 28-401 As used in the Uniform Controlled Substances Act, unless the
4 context otherwise requires:

5 (1) Administer means to directly apply a controlled substance by
6 injection, inhalation, ingestion, or any other means to the body of a
7 patient or research subject;

8 (2) Agent means an authorized person who acts on behalf of or at the
9 direction of another person but does not include a common or contract
10 carrier, public warehouse keeper, or employee of a carrier or warehouse
11 keeper;

12 (3) Administration means the Drug Enforcement Administration of the
13 United States Department of Justice;

14 (4) Controlled substance means a drug, biological, substance, or
15 immediate precursor in Schedules I through V of section 28-405.
16 Controlled substance does not include distilled spirits, wine, malt
17 beverages, tobacco, hemp, or any nonnarcotic substance if such substance
18 may, under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 et
19 seq., as such act existed on January 1, 2014, and the law of this state,
20 be lawfully sold over the counter without a prescription;

21 (5) Counterfeit substance means a controlled substance which, or the
22 container or labeling of which, without authorization, bears the
23 trademark, trade name, or other identifying mark, imprint, number, or
24 device, or any likeness thereof, of a manufacturer, distributor, or
25 dispenser other than the person or persons who in fact manufactured,
26 distributed, or dispensed such substance and which thereby falsely
27 purports or is represented to be the product of, or to have been
28 distributed by, such other manufacturer, distributor, or dispenser;

29 (6) Department means the Department of Health and Human Services;

30 (7) Division of Drug Control means the personnel of the Nebraska
31 State Patrol who are assigned to enforce the Uniform Controlled

1 Substances Act;

2 (8) Dispense means to deliver a controlled substance to an ultimate
3 user or a research subject pursuant to a medical order issued by a
4 practitioner authorized to prescribe, including the packaging, labeling,
5 or compounding necessary to prepare the controlled substance for such
6 delivery;

7 (9) Distribute means to deliver other than by administering or
8 dispensing a controlled substance;

9 (10) Prescribe means to issue a medical order;

10 (11) Drug means (a) articles recognized in the official United
11 States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United
12 States, official National Formulary, or any supplement to any of them,
13 (b) substances intended for use in the diagnosis, cure, mitigation,
14 treatment, or prevention of disease in human beings or animals, and (c)
15 substances intended for use as a component of any article specified in
16 subdivision (a) or (b) of this subdivision, but does not include devices
17 or their components, parts, or accessories;

18 (12) Deliver or delivery means the actual, constructive, or
19 attempted transfer from one person to another of a controlled substance,
20 whether or not there is an agency relationship;

21 (13) Hemp has the same meaning as in section 2-503;

22 (14)(a) Marijuana means all parts of the plant of the genus
23 cannabis, whether growing or not, the seeds thereof, and every compound,
24 manufacture, salt, derivative, mixture, or preparation of such plant or
25 its seeds.

26 (b) Marijuana does not include the mature stalks of such plant,
27 hashish, tetrahydrocannabinols extracted or isolated from the plant,
28 fiber produced from such stalks, oil or cake made from the seeds of such
29 plant, any other compound, manufacture, salt, derivative, mixture, or
30 preparation of such mature stalks, the sterilized seed of such plant
31 which is incapable of germination, or cannabidiol contained in a drug

1 product approved by the federal Food and Drug Administration ~~or obtained~~
2 ~~pursuant to sections 28-463 to 28-468.~~

3 (c) Marijuana does not include hemp.

4 (d) When the weight of marijuana is referred to in the Uniform
5 Controlled Substances Act, it means its weight at or about the time it is
6 seized or otherwise comes into the possession of law enforcement
7 authorities, whether cured or uncured at that time.

8 (e) When industrial hemp as defined in section 2-5701 is in the
9 possession of a person as authorized under section 2-5701, it is not
10 considered marijuana for purposes of the Uniform Controlled Substances
11 Act;

12 (15) Manufacture means the production, preparation, propagation,
13 conversion, or processing of a controlled substance, either directly or
14 indirectly, by extraction from substances of natural origin,
15 independently by means of chemical synthesis, or by a combination of
16 extraction and chemical synthesis, and includes any packaging or
17 repackaging of the substance or labeling or relabeling of its container.
18 Manufacture does not include the preparation or compounding of a
19 controlled substance by an individual for his or her own use, except for
20 the preparation or compounding of components or ingredients used for or
21 intended to be used for the manufacture of methamphetamine, or the
22 preparation, compounding, conversion, packaging, or labeling of a
23 controlled substance: (a) By a practitioner as an incident to his or her
24 prescribing, administering, or dispensing of a controlled substance in
25 the course of his or her professional practice; or (b) by a practitioner,
26 or by his or her authorized agent under his or her supervision, for the
27 purpose of, or as an incident to, research, teaching, or chemical
28 analysis and not for sale;

29 (16) Narcotic drug means any of the following, whether produced
30 directly or indirectly by extraction from substances of vegetable origin,
31 independently by means of chemical synthesis, or by a combination of

1 extraction and chemical synthesis: (a) Opium, opium poppy and poppy
2 straw, coca leaves, and opiates; (b) a compound, manufacture, salt,
3 derivative, or preparation of opium, coca leaves, or opiates; or (c) a
4 substance and any compound, manufacture, salt, derivative, or preparation
5 thereof which is chemically equivalent to or identical with any of the
6 substances referred to in subdivisions (a) and (b) of this subdivision,
7 except that the words narcotic drug as used in the Uniform Controlled
8 Substances Act does not include decocainized coca leaves or extracts of
9 coca leaves, which extracts do not contain cocaine or ecgonine, or
10 isoquinoline alkaloids of opium;

11 (17) Opiate means any substance having an addiction-forming or
12 addiction-sustaining liability similar to morphine or being capable of
13 conversion into a drug having such addiction-forming or addiction-
14 sustaining liability. Opiate does not include the dextrorotatory isomer
15 of 3-methoxy-n methylmorphinan and its salts. Opiate includes its racemic
16 and levorotatory forms;

17 (18) Opium poppy means the plant of the species *Papaver somniferum*
18 L., except the seeds thereof;

19 (19) Poppy straw means all parts, except the seeds, of the opium
20 poppy after mowing;

21 (20) Person means any corporation, association, partnership, limited
22 liability company, or one or more persons;

23 (21) Practitioner means a physician, a physician assistant, a
24 dentist, a veterinarian, a pharmacist, a podiatrist, an optometrist, a
25 certified nurse midwife, a certified registered nurse anesthetist, a
26 nurse practitioner, a scientific investigator, a pharmacy, a hospital, or
27 any other person licensed, registered, or otherwise permitted to
28 distribute, dispense, prescribe, conduct research with respect to, or
29 administer a controlled substance in the course of practice or research
30 in this state, including an emergency medical service as defined in
31 section 38-1207;

1 (22) Production includes the manufacture, planting, cultivation, or
2 harvesting of a controlled substance;

3 (23) Immediate precursor means a substance which is the principal
4 compound commonly used or produced primarily for use and which is an
5 immediate chemical intermediary used or likely to be used in the
6 manufacture of a controlled substance, the control of which is necessary
7 to prevent, curtail, or limit such manufacture;

8 (24) State means the State of Nebraska;

9 (25) Ultimate user means a person who lawfully possesses a
10 controlled substance for his or her own use, for the use of a member of
11 his or her household, or for administration to an animal owned by him or
12 her or by a member of his or her household;

13 (26) Hospital has the same meaning as in section 71-419;

14 (27) Cooperating individual means any person, other than a
15 commissioned law enforcement officer, who acts on behalf of, at the
16 request of, or as agent for a law enforcement agency for the purpose of
17 gathering or obtaining evidence of offenses punishable under the Uniform
18 Controlled Substances Act;

19 (28)(a) Hashish or concentrated cannabis means (i) the separated
20 resin, whether crude or purified, obtained from a plant of the genus
21 cannabis or (ii) any material, preparation, mixture, compound, or other
22 substance which contains ten percent or more by weight of
23 tetrahydrocannabinols.

24 (b) When resins extracted from (i) industrial hemp as defined in
25 section 2-5701 are in the possession of a person as authorized under
26 section 2-5701 or (ii) hemp as defined in section 2-503 are in the
27 possession of a person as authorized under the Nebraska Hemp Farming Act,
28 they are not considered hashish or concentrated cannabis for purposes of
29 the Uniform Controlled Substances Act. ÷

30 (c) Hashish or concentrated cannabis does not include cannabidiol
31 contained in a drug product approved by the federal Food and Drug

1 Administration;

2 (29) Exceptionally hazardous drug means (a) a narcotic drug, (b)
3 thiophene analog of phencyclidine, (c) phencyclidine, (d) amobarbital,
4 (e) secobarbital, (f) pentobarbital, (g) amphetamine, or (h)
5 methamphetamine;

6 (30) Imitation controlled substance means a substance which is not a
7 controlled substance or controlled substance analogue but which, by way
8 of express or implied representations and consideration of other relevant
9 factors including those specified in section 28-445, would lead a
10 reasonable person to believe the substance is a controlled substance or
11 controlled substance analogue. A placebo or registered investigational
12 drug manufactured, distributed, possessed, or delivered in the ordinary
13 course of practice or research by a health care professional shall not be
14 deemed to be an imitation controlled substance;

15 (31)(a) Controlled substance analogue means a substance (i) the
16 chemical structure of which is substantially similar to the chemical
17 structure of a Schedule I or Schedule II controlled substance as provided
18 in section 28-405 or (ii) which has a stimulant, depressant, analgesic,
19 or hallucinogenic effect on the central nervous system that is
20 substantially similar to or greater than the stimulant, depressant,
21 analgesic, or hallucinogenic effect on the central nervous system of a
22 Schedule I or Schedule II controlled substance as provided in section
23 28-405. A controlled substance analogue shall, to the extent intended for
24 human consumption, be treated as a controlled substance under Schedule I
25 of section 28-405 for purposes of the Uniform Controlled Substances Act;
26 and

27 (b) Controlled substance analogue does not include (i) a controlled
28 substance, (ii) any substance generally recognized as safe and effective
29 within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C.
30 301 et seq., as such act existed on January 1, 2014, (iii) any substance
31 for which there is an approved new drug application, or (iv) with respect

1 to a particular person, any substance if an exemption is in effect for
2 investigational use for that person, under section 505 of the Federal
3 Food, Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on
4 January 1, 2014, to the extent conduct with respect to such substance is
5 pursuant to such exemption;

6 (32) Anabolic steroid means any drug or hormonal substance,
7 chemically and pharmacologically related to testosterone (other than
8 estrogens, progestins, and corticosteroids), that promotes muscle growth
9 and includes any controlled substance in Schedule III(d) of section
10 28-405. Anabolic steroid does not include any anabolic steroid which is
11 expressly intended for administration through implants to cattle or other
12 nonhuman species and has been approved by the Secretary of Health and
13 Human Services for such administration, but if any person prescribes,
14 dispenses, or distributes such a steroid for human use, such person shall
15 be considered to have prescribed, dispensed, or distributed an anabolic
16 steroid within the meaning of this subdivision;

17 (33) Chart order means an order for a controlled substance issued by
18 a practitioner for a patient who is in the hospital where the chart is
19 stored or for a patient receiving detoxification treatment or maintenance
20 treatment pursuant to section 28-412. Chart order does not include a
21 prescription;

22 (34) Medical order means a prescription, a chart order, or an order
23 for pharmaceutical care issued by a practitioner;

24 (35) Prescription means an order for a controlled substance issued
25 by a practitioner. Prescription does not include a chart order;

26 (36) Registrant means any person who has a controlled substances
27 registration issued by the state or the Drug Enforcement Administration
28 of the United States Department of Justice;

29 (37) Reverse distributor means a person whose primary function is to
30 act as an agent for a pharmacy, wholesaler, manufacturer, or other entity
31 by receiving, inventorying, and managing the disposition of outdated,

1 expired, or otherwise nonsaleable controlled substances;

2 (38) Signature means the name, word, or mark of a person written in
3 his or her own hand with the intent to authenticate a writing or other
4 form of communication or a digital signature which complies with section
5 86-611 or an electronic signature;

6 (39) Facsimile means a copy generated by a system that encodes a
7 document or photograph into electrical signals, transmits those signals
8 over telecommunications lines, and reconstructs the signals to create an
9 exact duplicate of the original document at the receiving end;

10 (40) Electronic signature has the definition found in section
11 86-621;

12 (41) Electronic transmission means transmission of information in
13 electronic form. Electronic transmission includes computer-to-computer
14 transmission or computer-to-facsimile transmission;

15 (42) Long-term care facility means an intermediate care facility, an
16 intermediate care facility for persons with developmental disabilities, a
17 long-term care hospital, a mental health substance use treatment center,
18 a nursing facility, or a skilled nursing facility, as such terms are
19 defined in the Health Care Facility Licensure Act;

20 (43) Compounding has the same meaning as in section 38-2811;

21 (44) Cannabinoid receptor agonist means ~~shall mean~~ any chemical
22 compound or substance that, according to scientific or medical research,
23 study, testing, or analysis, demonstrates the presence of binding
24 activity at one or more of the CB1 or CB2 cell membrane receptors located
25 within the human body. Cannabinoid receptor agonist does not include
26 cannabidiol contained in a drug product approved by the federal Food and
27 Drug Administration; and

28 (45) Lookalike substance means a product or substance, not
29 specifically designated as a controlled substance in section 28-405, that
30 is either portrayed in such a manner by a person to lead another person
31 to reasonably believe that it produces effects on the human body that

1 replicate, mimic, or are intended to simulate the effects produced by a
2 controlled substance or that possesses one or more of the following
3 indicia or characteristics:

4 (a) The packaging or labeling of the product or substance suggests
5 that the user will achieve euphoria, hallucination, mood enhancement,
6 stimulation, or another effect on the human body that replicates or
7 mimics those produced by a controlled substance;

8 (b) The name or packaging of the product or substance uses images or
9 labels suggesting that it is a controlled substance or produces effects
10 on the human body that replicate or mimic those produced by a controlled
11 substance;

12 (c) The product or substance is marketed or advertised for a
13 particular use or purpose and the cost of the product or substance is
14 disproportionately higher than other products or substances marketed or
15 advertised for the same or similar use or purpose;

16 (d) The packaging or label on the product or substance contains
17 words or markings that state or suggest that the product or substance is
18 in compliance with state and federal laws regulating controlled
19 substances;

20 (e) The owner or person in control of the product or substance uses
21 evasive tactics or actions to avoid detection or inspection of the
22 product or substance by law enforcement authorities;

23 (f) The owner or person in control of the product or substance makes
24 a verbal or written statement suggesting or implying that the product or
25 substance is a synthetic drug or that consumption of the product or
26 substance will replicate or mimic effects on the human body to those
27 effects commonly produced through use or consumption of a controlled
28 substance;

29 (g) The owner or person in control of the product or substance makes
30 a verbal or written statement to a prospective customer, buyer, or
31 recipient of the product or substance implying that the product or

1 substance may be resold for profit; or

2 (h) The product or substance contains a chemical or chemical
3 compound that does not have a legitimate relationship to the use or
4 purpose claimed by the seller, distributor, packer, or manufacturer of
5 the product or substance or indicated by the product name, appearing on
6 the product's packaging or label or depicted in advertisement of the
7 product or substance.

8 Sec. 2. Section 28-405, Revised Statutes Cumulative Supplement,
9 2020, is amended to read:

10 28-405 The following are the schedules of controlled substances
11 referred to in the Uniform Controlled Substances Act, unless specifically
12 contained on the list of exempted products of the Drug Enforcement
13 Administration of the United States Department of Justice as the list
14 existed on January 31, 2021 ~~November 9, 2017~~:

15 Schedule I

16 (a) Any of the following opiates, including their isomers, esters,
17 ethers, salts, and salts of isomers, esters, and ethers, unless
18 specifically excepted, whenever the existence of such isomers, esters,
19 ethers, and salts is possible within the specific chemical designation:

- 20 (1) Acetylmethadol;
- 21 (2) Allylprodine;
- 22 (3) Alphacetylmethadol, except levo-alphacetylmethadol which is also
23 known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 24 (4) Alphameprodine;
- 25 (5) Alphamethadol;
- 26 (6) Benzethidine;
- 27 (7) Betacetylmethadol;
- 28 (8) Betameprodine;
- 29 (9) Betamethadol;
- 30 (10) Betaprodine;
- 31 (11) Clonitazene;

- 1 (12) Dextromoramide;
- 2 (13) DifenoXin;
- 3 (14) Diampromide;
- 4 (15) Diethylthiambutene;
- 5 (16) Dimenoxadol;
- 6 (17) Dimepheptanol;
- 7 (18) Dimethylthiambutene;
- 8 (19) Dioxaphetyl butyrate;
- 9 (20) Dipipanone;
- 10 (21) Ethylmethylthiambutene;
- 11 (22) Etonitazene;
- 12 (23) EtoXeridine;
- 13 (24) Furethidine;
- 14 (25) Hydroxypethidine;
- 15 (26) Ketobemidone;
- 16 (27) Levomoramide;
- 17 (28) Levophenacylmorphane;
- 18 (29) Morpheridine;
- 19 (30) Noracymethadol;
- 20 (31) Norlevorphanol;
- 21 (32) Normethadone;
- 22 (33) Norpipanone;
- 23 (34) Phenadoxone;
- 24 (35) Phenampromide;
- 25 (36) Phenomorphan;
- 26 (37) Phenoperidine;
- 27 (38) Piritramide;
- 28 (39) Proheptazine;
- 29 (40) Properidine;
- 30 (41) Propiram;
- 31 (42) Racemoramide;

- 1 (43) Trimeperidine;
- 2 (44) Alpha-methylfentanyl, N-(1-(alpha-methyl-beta-phenyl)ethyl-4-
3 piperidyl) propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
4 piperidine;
- 5 (45) Tilidine;
- 6 (46) 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
7 phenylpropanamide, its optical and geometric isomers, salts, and salts of
8 isomers;
- 9 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical
10 isomers, salts, and salts of isomers;
- 11 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its
12 optical isomers, salts, and salts of isomers;
- 13 (49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-
14 piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of
15 isomers;
- 16 (50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-
17 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
18 of isomers;
- 19 (51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide,
20 its optical isomers, salts, and salts of isomers;
- 21 (52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-
22 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
23 of isomers;
- 24 (53) Beta-hydroxy-3-methylfentanyl, (other name: N-(1-(2-hydroxy-2-
25 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide), its optical and
26 geometric isomers, salts, and salts of isomers;
- 27 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-
28 piperidinyl)-N-phenylpropanamide, its optical and geometric isomers,
29 salts, and salts of isomers;
- 30 (55) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
31 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

1 (56) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-
2 propanamide, its optical isomers, salts, and salts of isomers;

3 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
4 piperidinyl)propanamide, its optical isomers, salts, and salts of
5 isomers; ~~and~~

6 (58) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
7 methylbenzamide; ~~+~~

8 (59) 4-Fluoroisobutyryl Fentanyl;

9 (60) Acetyl Fentanyl;

10 (61) Acyrloylfentanyl;

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

13 (63) Butyryl fentanyl;

14 (64) Cyclopentyl fentanyl;

15 (65) Cyclopropyl fentanyl;

16 (66) Furanyl fentanyl;

17 (67) Isobutyryl fentanyl;

18 (68) Isotonitazene;

19 (69) Methoxyacetyl fentanyl;

20 (70) MT-45; 1-cyclohexenyl-4-(1,2-diphenylethyl) piperazine;

21 (71) Tetrahydrofuranyl fentanyl;

22 (72) 2-fluorofentanyl; N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
23 yl) propionamide;

24 (73) Ocfentanil;

25 (74) Ortho-Fluorofentanyl;

26 (75) Para-chloroisobutyryl fentanyl;

27 (76) Para-Fluorobutyryl Fentanyl; and

28 (77) Valeryl fentanyl.

29 (b) Any of the following opium derivatives, their salts, isomers,
30 and salts of isomers, unless specifically excepted, whenever the
31 existence of such salts, isomers, and salts of isomers is possible within

1 the specific chemical designation:

- 2 (1) Acetorphine;
- 3 (2) Acetyldihydrocodeine;
- 4 (3) Benzylmorphine;
- 5 (4) Codeine methylbromide;
- 6 (5) Codeine-N-Oxide;
- 7 (6) Cyprenorphine;
- 8 (7) Desomorphine;
- 9 (8) Dihydromorphine;
- 10 (9) Drotebanol;
- 11 (10) Etorphine, except hydrochloride salt;
- 12 (11) Heroin;
- 13 (12) Hydromorphenol;
- 14 (13) Methyldesorphine;
- 15 (14) Methyldihydromorphine;
- 16 (15) Morphine methylbromide;
- 17 (16) Morphine methylsulfonate;
- 18 (17) Morphine-N-Oxide;
- 19 (18) Myrophine;
- 20 (19) Nicocodeine;
- 21 (20) Nicomorphine;
- 22 (21) Normorphine;
- 23 (22) Pholcodine; and
- 24 (23) Thebacon.

25 (c) Any material, compound, mixture, or preparation which contains
26 any quantity of the following hallucinogenic substances, their salts,
27 isomers, and salts of isomers, unless specifically excepted, whenever the
28 existence of such salts, isomers, and salts of isomers is possible within
29 the specific chemical designation, and, for purposes of this subdivision
30 only, isomer shall include the optical, position, and geometric isomers:

- 31 (1) Bufotenine. Trade and other names shall include, but are not

1 limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-
2 dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-
3 dimethyltryptamine; and mappine;

4 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall
5 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-
6 methylphenethylamine; and 4-bromo-2,5-DMA;

7 (3) 4-methoxyamphetamine. Trade and other names shall include, but
8 are not limited to: 4-methoxy-alpha-methylphenethylamine; and
9 paramethoxyamphetamine, PMA;

10 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall
11 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-
12 methylphenethylamine; DOM; and STP;

13 (5) Ibogaine. Trade and other names shall include, but are not
14 limited to: 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-
15 methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe
16 iboga;

17 (6) Lysergic acid diethylamide;

18 (7) Marijuana;

19 (8) Mescaline;

20 (9) Peyote. Peyote shall mean all parts of the plant presently
21 classified botanically as *Lophophora williamsii* Lemaire, whether growing
22 or not, the seeds thereof, any extract from any part of such plant, and
23 every compound, manufacture, salts, derivative, mixture, or preparation
24 of such plant or its seeds or extracts;

25 (10) Psilocybin;

26 (11) Psilocyn;

27 (12) Tetrahydrocannabinols, including, but not limited to, synthetic
28 equivalents of the substances contained in the plant or in the resinous
29 extractives of cannabis, sp. or synthetic substances, derivatives, and
30 their isomers with similar chemical structure and pharmacological
31 activity such as the following: Delta 1 cis or trans tetrahydrocannabinol

1 and their optical isomers, excluding dronabinol in a drug product
2 approved by the federal Food and Drug Administration; Delta 6 cis or
3 trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis
4 or trans tetrahydrocannabinol and its optical isomers. Since nomenclature
5 of these substances is not internationally standardized, compounds of
6 these structures shall be included regardless of the numerical
7 designation of atomic positions covered. Tetrahydrocannabinols does not
8 include cannabidiol contained in a drug product approved by the federal
9 Food and Drug Administration;

10 (13) N-ethyl-3-piperidyl benzilate;

11 (14) N-methyl-3-piperidyl benzilate;

12 (15) Thiophene analog of phencyclidine. Trade and other names shall
13 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
14 2-thienyl analog of phencyclidine; TCP; and TCP;

15 (16) Hashish or concentrated cannabis;

16 (17) Parahexyl. Trade and other names shall include, but are not
17 limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
18 dibenzo(b,d)pyran; and Synhexyl;

19 (18) Ethylamine analog of phencyclidine. Trade and other names shall
20 include, but are not limited to: N-ethyl-1-phenylcyclohexylamine; (1-
21 phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
22 cyclohexamine; and PCE;

23 (19) Pyrrolidine analog of phencyclidine. Trade and other names
24 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-
25 pyrrolidine; PCPy; and PHP;

26 (20) Alpha-ethyltryptamine. Some trade or other names: etryptamine;
27 Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;
28 alpha-ET; and AET;

29 (21) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

30 (22) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

31 (23) Alpha-methyltryptamine, which is also known as AMT;

1 (24) Salvia divinorum or Salvinorin A. Salvia divinorum or
2 Salvinorin A includes all parts of the plant presently classified
3 botanically as Salvia divinorum, whether growing or not, the seeds
4 thereof, any extract from any part of such plant, and every compound,
5 manufacture, derivative, mixture, or preparation of such plant, its
6 seeds, or its extracts, including salts, isomers, and salts of isomers
7 whenever the existence of such salts, isomers, and salts of isomers is
8 possible within the specific chemical designation;

9 (25) Any material, compound, mixture, or preparation containing any
10 quantity of synthetically produced cannabinoids as listed in subdivisions
11 (A) through (L) of this subdivision, including their salts, isomers,
12 salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic analogs,
13 unless specifically excepted elsewhere in this section. Since
14 nomenclature of these synthetically produced cannabinoids is not
15 internationally standardized and may continually evolve, these structures
16 or compounds of these structures shall be included under this
17 subdivision, regardless of their specific numerical designation of atomic
18 positions covered, so long as it can be determined through a recognized
19 method of scientific testing or analysis that the substance contains
20 properties that fit within one or more of the following categories:

21 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally
22 contained in a plant of the genus cannabis (cannabis plant), as well as
23 synthetic equivalents of the substances contained in the plant, or in the
24 resinous extractives of cannabis, sp. and/or synthetic substances,
25 derivatives, and their isomers with similar chemical structure and
26 pharmacological activity such as the following: Delta 1 cis or trans
27 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans
28 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans
29 tetrahydrocannabinol, and its optical isomers. This subdivision does not
30 include cannabidiol contained in a drug product approved by the federal
31 Food and Drug Administration;

1 (B) Naphthoylindoles: Any compound containing a 3-(1-
2 naphthoyl)indole structure with substitution at the nitrogen atom of the
3 indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
4 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
5 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
6 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
7 tetrahydropyranylmethyl group, whether or not further substituted in or
8 on any of the listed ring systems to any extent;

9 (C) Naphthylmethylinindoles: Any compound containing a 1 H-indol-3-
10 yl-(1-naphthyl)methane structure with substitution at the nitrogen atom
11 of the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
12 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
13 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
14 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
15 tetrahydropyranylmethyl group, whether or not further substituted in or
16 on any of the listed ring systems to any extent;

17 (D) Naphthoylpyrroles: Any compound containing a 3-(1-
18 naphthoyl)pyrrole structure with substitution at the nitrogen atom of the
19 pyrrole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
20 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
21 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
22 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
23 tetrahydropyranylmethyl group, whether or not further substituted in or
24 on any of the listed ring systems to any extent;

25 (E) Naphthylideneindenes: Any compound containing a
26 naphthylideneindene structure with substitution at the 3-position of the
27 indene ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
28 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
29 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
30 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
31 tetrahydropyranylmethyl group, whether or not further substituted in or

1 on any of the listed ring systems to any extent;

2 (F) Phenylacetylindoles: Any compound containing a 3-
3 phenylacetylindole structure with substitution at the nitrogen atom of
4 the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
5 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
6 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
7 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
8 tetrahydropyranylmethyl group, whether or not further substituted in or
9 on any of the listed ring systems to any extent;

10 (G) Cyclohexylphenols: Any compound containing a 2-(3-
11 hydroxycyclohexyl)phenol structure with substitution at the 5-position of
12 the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
13 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
14 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
15 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
16 tetrahydropyranylmethyl group, whether or not substituted in or on any of
17 the listed ring systems to any extent;

18 (H) Benzoylindoles: Any compound containing a 3-(benzoyl)indole
19 structure with substitution at the nitrogen atom of the indole ring by an
20 alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl,
21 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-
22 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
23 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not
24 further substituted in or on any of the listed ring systems to any
25 extent;

26 (I) Adamantoylindoles: Any compound containing a 3-adamantoylindole
27 structure with substitution at the nitrogen atom of the indole ring by an
28 alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl, benzyl,
29 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
30 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
31 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not

1 further substituted in or on any of the listed ring systems to any
2 extent;

3 (J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-
4 tetramethylcyclopropanoylindole structure with substitution at the
5 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
6 alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
7 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
8 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
9 tetrahydropyranylmethyl group, whether or not further substituted in or
10 on any of the listed ring systems to any extent;

11 (K) Indole carboxamides: Any compound containing a 1-indole-3-
12 carboxamide structure with substitution at the nitrogen atom of the
13 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
14 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
15 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
16 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
17 tetrahydropyranylmethyl group, substitution at the carboxamide group by
18 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
19 phenyl, aminoalkyl group, or quinolinyl group, whether or not further
20 substituted in or on any of the listed ring systems to any extent or to
21 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
22 propionaldehyde groups to any extent;

23 (L) Indole carboxylates: Any compound containing a 1-indole-3-
24 carboxylate structure with substitution at the nitrogen atom of the
25 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
26 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
27 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
28 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
29 tetrahydropyranylmethyl group, substitution at the carboxylate group by
30 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
31 phenyl, aminoalkyl group, or quinolinyl group, whether or not further

1 substituted in or on any of the listed ring systems to any extent or to
2 the adamantyl, 1-maphthyl, phenyl, aminooxoalkyl, benzyl, or
3 propionaldehyde groups to any extent; and

4 (M) Any nonnaturally occurring substance, chemical compound,
5 mixture, or preparation, not specifically listed elsewhere in these
6 schedules and which is not approved for human consumption by the federal
7 Food and Drug Administration, containing or constituting a cannabinoid
8 receptor agonist as defined in section 28-401;

9 (26) Any material, compound, mixture, or preparation containing any
10 quantity of a substituted phenethylamine as listed in subdivisions (A)
11 through (C) of this subdivision, unless specifically excepted, listed in
12 another schedule, or specifically named in this schedule, that is
13 structurally derived from phenylethan-2-amine by substitution on the
14 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a
15 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by
16 substitution with one alkoxy and either one fused furan, tetrahydrofuran,
17 or tetrahydropyran ring system; or by substitution with two fused ring
18 systems from any combination of the furan, tetrahydrofuran, or
19 tetrahydropyran ring systems, whether or not the compound is further
20 modified in any of the following ways:

21 (A) Substitution of the phenyl ring by any halo, hydroxyl, alkyl,
22 trifluoromethyl, alkoxy, or alkylthio groups; (B) substitution at the 2-
23 position by any alkyl groups; or (C) substitution at the 2-amino nitrogen
24 atom with alkyl, dialkyl, benzyl, hydroxybenzyl or methoxybenzyl groups,
25 and including, but not limited to:

26 (i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine, which is also known
27 as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine;

28 (ii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is also known
29 as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine;

30 (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine, which is also known
31 as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine;

- 1 (iv) 2-(2,5-Dimethoxyphenyl)ethanamine, which is also known as 2C-H
2 or 2,5-Dimethoxyphenethylamine;
- 3 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as
4 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;
- 5 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is also known
6 as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;
- 7 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine, which is also
8 known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;
- 9 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine, which is
10 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;
- 11 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is
12 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;
- 13 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
14 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;
- 15 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
16 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;
- 17 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
18 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;
- 19 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
20 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 21 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
22 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 23 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
24 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
25 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 26 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
27 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
28 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 29 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,
30 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
31 methoxybenzyl)phenethylamine;

- 1 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
2 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
3 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 4 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
5 which is also known as 2CB-5-hemiFLY;
- 6 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
7 yl)ethanamine, which is also known as 2C-B-FLY;
- 8 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
9 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 10 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
11 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-
12 NBOMe;
- 13 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,
14 which is also known as bromo-benzodifuranylisopropylamine or bromo-
15 dragonFLY;
- 16 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which
17 is also known as 2C-INBOH or 25I-NBOH;
- 18 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as 5-APB;
- 19 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
- 20 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known
21 as 5-APDB;
- 22 (xxviii) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also
23 known as 6-APDB;
- 24 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-
25 dimethoxy-a-methylphenethylamine; 2, 5-DMA;
- 26 (xxx) 2,5-dimethoxy-4-ethylamphetamine, which is also known as DOET;
- 27 (xxxii) 2,5-dimethoxy-4-(n)-propylthiophenethylamine, which is also
28 known as 2C-T-7;
- 29 (xxxiii) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 30 (xxxiiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as
31 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;

- 1 (xxxiv) 3,4-methylenedioxy amphetamine, which is also known as MDA;
- 2 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as
- 3 MDMA;
- 4 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known
- 5 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA; ~~and~~
- 6 (xxxvii) 3,4,5-trimethoxy amphetamine; and
- 7 (xxxviii) n-hydroxy-3,4-Methylenedioxyamphetamine, which is also
- 8 known as N-hydroxyMDA;
- 9 (27) Any material, compound, mixture, or preparation containing any
- 10 quantity of a substituted tryptamine unless specifically excepted, listed
- 11 in another schedule, or specifically named in this schedule, that is
- 12 structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
- 13 known as tryptamine, by mono- or di-substitution of the amine nitrogen
- 14 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
- 15 in a cyclic structure whether or not the compound is further substituted
- 16 at the alpha position with an alkyl group or whether or not further
- 17 substituted on the indole ring to any extent with any alkyl, alkoxy,
- 18 halo, hydroxyl, or acetoxy groups, and including, but not limited to:
- 19 (A) 5-methoxy-N,N-diallyltryptamine, which is also known as 5-MeO-
- 20 DALT;
- 21 (B) 4-acetoxy-N,N-dimethyltryptamine, which is also known as 4-AcO-
- 22 DMT or OAcetylpsilocin;
- 23 (C) 4-hydroxy-N-methyl-N-ethyltryptamine, which is also known as 4-
- 24 HO-MET;
- 25 (D) 4-hydroxy-N,N-diisopropyltryptamine, which is also known as 4-
- 26 HO-DIPT;
- 27 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
- 28 5-MeOMiPT;
- 29 (F) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-
- 30 DMT;
- 31 (G) 5-methoxy-N,N-diisopropyltryptamine, which is also known as 5-

1 MeO-DiPT;

2 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,
3 DET; and

4 (I) Dimethyltryptamine, which is also known as DMT; and

5 (28)(A) Any substance containing any quantity of the following
6 materials, compounds, mixtures, or structures:

7 (i) 3,4-methylenedioxymethcathinone, or bk-MDMA, or methylone;

8 (ii) 3,4-methylenedioxypyrovalerone, or MDPV;

9 (iii) 4-methylmethcathinone, or 4-MMC, or mephedrone;

10 (iv) 4-methoxymethcathinone, or bk-PMMA, or PMMC, or methedrone;

11 (v) Fluoromethcathinone, or FMC;

12 (vi) Naphthylpyrovalerone, or naphyrone; or

13 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or
14 butylone; or

15 (B) Unless listed in another schedule, any substance which contains
16 any quantity of any material, compound, mixture, or structure, other than
17 bupropion, that is structurally derived by any means from 2-
18 aminopropan-1-one by substitution at the 1-position with either phenyl,
19 naphthyl, or thiophene ring systems, whether or not the compound is
20 further modified in any of the following ways:

21 (i) Substitution in the ring system to any extent with alkyl,
22 alkoxy, alkylenedioxy, haloalkyl, hydroxyl, or halide substituents,
23 whether or not further substituted in the ring system by one or more
24 other univalent substituents;

25 (ii) Substitution at the 3-position with an acyclic alkyl
26 substituent; or

27 (iii) Substitution at the 2-amino nitrogen atom with alkyl or
28 dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic
29 structure.

30 (d) Unless specifically excepted or unless listed in another
31 schedule, any material, compound, mixture, or preparation which contains

1 any quantity of the following substances having a depressant effect on
2 the central nervous system, including its salts, isomers, and salts of
3 isomers whenever the existence of such salts, isomers, and salts of
4 isomers is possible within the specific chemical designation:

5 (1) Mecloqualone;

6 (2) Methaqualone; and

7 (3) Gamma-Hydroxybutyric Acid. Some other names include: GHB; Gamma-
8 hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium
9 Oxybate; and Sodium Oxybutyrate.

10 (e) Unless specifically excepted or unless listed in another
11 schedule, any material, compound, mixture, or preparation which contains
12 any quantity of the following substances having a stimulant effect on the
13 central nervous system, including its salts, isomers, and salts of
14 isomers:

15 (1) Fenethylline;

16 (2) N-ethylamphetamine;

17 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-
18 dihydro-5-phenyl-2-oxazolamine;

19 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-
20 aminopropiophenone; 2-aminopropiophenone; and norephedrone;

21 (5) Methcathinone, its salts, optical isomers, and salts of optical
22 isomers. Some other names: 2-(methylamino)-propiofenone; alpha-
23 (methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-
24 N-methylaminopropiophenone; methylcathinone; monomethylpropion;
25 ephedrone; N-methylcathinone; AL-464; AL-422; AL-463; ~~and UR1432;~~ and 4-
26 MEC;

27 (6) (+/-)cis-4-methylaminorex; and (+/-)cis-4,5-dihydro-4-methyl-5-
28 phenyl-2-oxazolamine;

29 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;
30 and N,N-alpha-trimethylphenethylamine; and

31 (8) Benzylpiperazine, 1-benzylpiperazine.

1 (f) Any controlled substance analogue to the extent intended for
2 human consumption.

3 Schedule II

4 (a) Any of the following substances except those narcotic drugs
5 listed in other schedules whether produced directly or indirectly by
6 extraction from substances of vegetable origin, independently by means of
7 chemical synthesis, or by combination of extraction and chemical
8 synthesis:

9 (1) Opium and opiate, and any salt, compound, derivative, or
10 preparation of opium or opiate, excluding apomorphine, buprenorphine,
11 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeferne,
12 naloxone, and naltrexone and their salts, but including the following:

13 (A) Raw opium;

14 (B) Opium extracts;

15 (C) Opium fluid;

16 (D) Powdered opium;

17 (E) Granulated opium;

18 (F) Tincture of opium;

19 (G) Codeine;

20 (H) Ethylmorphine;

21 (I) Etorphine hydrochloride;

22 (J) Hydrocodone;

23 (K) Hydromorphone;

24 (L) Metopon;

25 (M) Morphine;

26 (N) Oxycodone;

27 (O) Oxymorphone;

28 (P) Oripavine;

29 (Q) Thebaine; and

30 (R) Dihydroetorphine;

31 (2) Any salt, compound, derivative, or preparation thereof which is

1 chemically equivalent to or identical with any of the substances referred
2 to in subdivision (1) of this subdivision, except that these substances
3 shall not include the isoquinoline alkaloids of opium;

4 (3) Opium poppy and poppy straw;

5 (4) Coca leaves and any salt, compound, derivative, or preparation
6 of coca leaves, and any salt, compound, derivative, or preparation
7 thereof which is chemically equivalent to or identical with any of these
8 substances, including cocaine or ecgonine and its salts, optical isomers,
9 and salts of optical isomers, except that the substances shall not
10 include decocainized coca leaves or extractions which do not contain
11 cocaine or ecgonine; and

12 (5) Concentrate of poppy straw, the crude extract of poppy straw in
13 either liquid, solid, or powder form which contains the phenanthrene
14 alkaloids of the opium poppy.

15 (b) Unless specifically excepted or unless in another schedule any
16 of the following opiates, including their isomers, esters, ethers, salts,
17 and salts of their isomers, esters, and ethers whenever the existence of
18 such isomers, esters, ethers, and salts is possible within the specific
19 chemical designation, dextrorphan excepted:

20 (1) Alphaprodine;

21 (2) Anileridine;

22 (3) Bezitramide;

23 (4) Diphenoxylate;

24 (5) Fentanyl;

25 (6) Isomethadone;

26 (7) Levomethorphan;

27 (8) Levorphanol;

28 (9) Metazocine;

29 (10) Methadone;

30 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
31 butane;

- 1 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
2 diphenylpropane-carboxylic acid;
- 3 (13) Norfentanyl (N-phenyl-N-peperidin-4-yl) propionamide;
- 4 (14) Oliceridine;
- 5 (15) ~~(13)~~ Pethidine or meperidine;
- 6 (16) ~~(14)~~ Pethidine-Intermediate-A, 4-cyano-1-methyl-4-
7 phenylpiperidine;
- 8 (17) ~~(15)~~ Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
9 carboxylate;
- 10 (18) ~~(16)~~ Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
11 carboxylic acid;
- 12 (19) ~~(17)~~ Phenazocine;
- 13 (20) ~~(18)~~ Piminodine;
- 14 (21) ~~(19)~~ Racemethorphan;
- 15 (22) ~~(20)~~ Racemorphan;
- 16 (23) ~~(21)~~ Dihydrocodeine;
- 17 (24) ~~(22)~~ Bulk Propoxyphene in nondosage forms;
- 18 (25) ~~(23)~~ Sufentanil;
- 19 (26) ~~(24)~~ Alfentanil;
- 20 (27) ~~(25)~~ Levo-alphaacetylmethadol which is also known as levo-alpha-
21 acetylmethadol, levomethadyl acetate, and LAAM;
- 22 (28) ~~(26)~~ Carfentanil;
- 23 (29) ~~(27)~~ Remifentanil;
- 24 (30) ~~(28)~~ Tapentadol; and
- 25 (31) ~~(29)~~ Thiafentanil.
- 26 (c) Any material, compound, mixture, or preparation which contains
27 any quantity of the following substances having a potential for abuse
28 associated with a stimulant effect on the central nervous system:
- 29 (1) Amphetamine, its salts, optical isomers, and salts of its
30 optical isomers;
- 31 (2) Phenmetrazine and its salts;

- 1 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
- 2 (4) Methylphenidate; and
- 3 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

4 (d) Any material, compound, mixture, or preparation which contains
5 any quantity of the following substances having a potential for abuse
6 associated with a depressant effect on the central nervous system,
7 including their salts, isomers, and salts of isomers whenever the
8 existence of such salts, isomers, and salts of isomers is possible within
9 the specific chemical designations:

- 10 (1) Amobarbital;
- 11 (2) Secobarbital;
- 12 (3) Pentobarbital;
- 13 (4) Phencyclidine; and
- 14 (5) Glutethimide.

15 (e) Hallucinogenic substances known as:

16 (1) Nabilone. Another name for nabilone: (+/-)-trans-3-(1,1-
17 dimethylheptyl)- 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-
18 dibenzo(b,d)pyran-9-one; and

19 (2) Dronabinol in an oral solution in a drug product approved by the
20 federal Food and Drug Administration.

21 (f) Unless specifically excepted or unless listed in another
22 schedule, any material, compound, mixture, or preparation which contains
23 any quantity of the following substances:

24 (1) Immediate precursor to amphetamine and methamphetamine:
25 Phenylacetone. Trade and other names shall include, but are not limited
26 to: Phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl
27 ketone;

28 (2) Immediate precursors to phencyclidine, PCP:

29 (A) 1-phenylcyclohexylamine; or

30 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

31 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine

1 ~~(ANPP) 4-anilino-N-phenethyl-4-piperidine (ANNPP).~~

2 Schedule III

3 (a) Any material, compound, mixture, or preparation which contains
4 any quantity of the following substances having a potential for abuse
5 associated with a stimulant effect on the central nervous system,
6 including their salts, isomers, whether optical, position, or geometric,
7 and salts of such isomers whenever the existence of such salts, isomers,
8 and salts of isomers is possible within the specific chemical
9 designation:

- 10 (1) Benzphetamine;
11 (2) Chlorphentermine;
12 (3) Clortermine; and
13 (4) Phendimetrazine.

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

17 (1) Any substance which contains any quantity of a derivative of
18 barbituric acid or any salt of a derivative of barbituric acid, except
19 those substances which are specifically listed in other schedules of this
20 section;

- 21 (2) Aprobarbital;
22 (3) Butabarbital;
23 (4) Butalbital;
24 (5) Butethal;
25 (6) Butobarbital;
26 (7) (2) Chlorhexadol;
27 (8) (3) Embutramide;
28 (9) (4) Lysergic acid;
29 (10) (5) Lysergic acid amide;
30 (11) (6) Methyprylon;
31 (12) (7) Perampanel;

- 1 (13) ~~Secbutabarbital~~;
- 2 (14) ~~(8)~~ Sulfondiethylmethane;
- 3 (15) ~~(9)~~ Sulfonethylmethane;
- 4 (16) ~~(10)~~ Sulfonmethane;
- 5 (17) ~~(11)~~ Nalorphine;
- 6 (18) Talbutal;
- 7 (19) Thiamylal;
- 8 (20) Thiopental;
- 9 (21) Vinbarbital;
- 10 (22) ~~(12)~~ Any compound, mixture, or preparation containing
- 11 amobarbital, secobarbital, pentobarbital, or any salt thereof and one or
- 12 more other active medicinal ingredients which are not listed in any
- 13 schedule;
- 14 (23) ~~(13)~~ Any suppository dosage form containing amobarbital,
- 15 secobarbital, pentobarbital, or any salt of any of these drugs and
- 16 approved by the federal Food and Drug Administration for marketing only
- 17 as a suppository;
- 18 (24) ~~(14)~~ Any drug product containing gamma-hydroxybutyric acid,
- 19 including its salts, isomers, and salts of isomers, for which an
- 20 application is approved under section 505 of the Federal Food, Drug, and
- 21 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;
- 22 (25) ~~(15)~~ Ketamine, its salts, isomers, and salts of isomers. Some
- 23 other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
- 24 cyclohexanone; and
- 25 (26) ~~(16)~~ Tiletamine and zolazepam or any salt thereof. Trade or
- 26 other names for a tiletamine-zolazepam combination product shall include,
- 27 but are not limited to: telazol. Trade or other names for tiletamine
- 28 shall include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-
- 29 cyclohexanone. Trade or other names for zolazepam shall include, but are
- 30 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-
- 31 trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrazapon.

1 (c) Unless specifically excepted or unless listed in another
2 schedule:

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

7 (A) Not more than one and eight-tenths grams of codeine per one
8 hundred milliliters or not more than ninety milligrams per dosage unit,
9 with an equal or greater quantity of an isoquinoline alkaloid of opium;

10 (B) Not more than one and eight-tenths grams of codeine per one
11 hundred milliliters or not more than ninety milligrams per dosage unit,
12 with one or more active, nonnarcotic ingredients in recognized
13 therapeutic amounts;

14 (C) Not more than one and eight-tenths grams of dihydrocodeine per
15 one hundred milliliters or not more than ninety milligrams per dosage
16 unit, with one or more active, nonnarcotic ingredients in recognized
17 therapeutic amounts;

18 (D) Not more than three hundred milligrams of ethylmorphine per one
19 hundred milliliters or not more than fifteen milligrams per dosage unit,
20 with one or more active, nonnarcotic ingredients in recognized
21 therapeutic amounts;

22 (E) Not more than five hundred milligrams of opium per one hundred
23 milliliters or per one hundred grams, or not more than twenty-five
24 milligrams per dosage unit, with one or more active, nonnarcotic
25 ingredients in recognized therapeutic amounts; and

26 (F) Not more than fifty milligrams of morphine per one hundred
27 milliliters or per one hundred grams with one or more active, nonnarcotic
28 ingredients in recognized therapeutic amounts; and

29 (2) Any material, compound, mixture, or preparation containing any
30 of the following narcotic drug or its salts, as set forth below:

31 (A) Buprenorphine.

1 (d) Unless contained on the list of exempt anabolic steroids of the
2 Drug Enforcement Administration of the United States Department of
3 Justice as the list existed on January 31, 2021 ~~November 9, 2017~~, any
4 anabolic steroid, which shall include any material, compound, mixture, or
5 preparation containing any quantity of the following substances,
6 including its salts, isomers, and salts of isomers whenever the existence
7 of such salts of isomers is possible within the specific chemical
8 designation:

- 9 (1) 3-beta,17-dihydroxy-5a-androstane;
- 10 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;
- 11 (3) 5-alpha-androstan-3,17-dione;
- 12 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
13 ene);
- 14 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
15 ene);
- 16 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);
- 17 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);
- 18 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);
- 19 (9) 4-androstenedione (androst-4-en-3,17-dione);
- 20 (10) 5-androstenedione (androst-5-en-3,17-dione);
- 21 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-
22 hydroxyandrost-4-en-3-one);
- 23 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one);
- 24 (13) Boldione (androsta-1,4-diene-3,17-3-one);
- 25 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
26 en-3-one);
- 27 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);
- 28 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-
29 alpha-methyl-androst-1,4-dien-3-one);
- 30 (17) Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-
31 en-17-beta-ol) (a.k.a. 'madol');

- 1 (18) Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-
2 hydroxy-5-alpha-androst-1-en-3-one);
- 3 (19) 4-Dihydrotestosterone (17-beta-hydroxy-androstan-3-one);
- 4 (20) Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-
5 androstan-3-one);
- 6 (21) Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestr-4-ene);
- 7 (22) Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-
8 dihydroxyandrost-4-en-3-one);
- 9 (23) Formebolone (formebolone); (2-formyl-17-alpha-methyl-11-
10 alpha,17-beta-dihydroxyandrost-1,4-dien-3-one);
- 11 (24) Furazabol (17-alpha-methyl-17-beta-hydroxyandrostan[2,3-c]-
12 furazan);
- 13 (25) 13-beta-ethyl-17-beta-hydroxygon-4-en-3-one;
- 14 (26) 4-hydroxytestosterone (4,17-beta-dihydroxy-androst-4-en-3-one);
- 15 (27) 4-hydroxy-19-nortestosterone (4,17-beta-dihydroxy-estr-4-en-3-
16 one);
- 17 (28) Mestanolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
18 one);
- 19 (29) Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
20 one);
- 21 (30) Methandienone (17-alpha-methyl-17-beta-hydroxyandrost-1,4-
22 dien-3-one);
- 23 (31) Methandriol (17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-5-
24 ene);
- 25 (32) Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstan-17-
26 beta-ol-3-one);
- 27 (33) Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androst-1-en-3-
28 one);
- 29 (34) 17-alpha-methyl-3-beta,17-beta-dihydroxy-5a-androstane;
- 30 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
- 31 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;

- 1 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
2 hydroxy-17-beta-hydroxyestr-4-en-3-one);
- 3 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
4 dien-3-one);
- 5 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
6 trien-3-one);
- 7 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
8 en-3-one);
- 9 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
10 en-3-one);
- 11 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
12 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
13 methyl-1-testosterone');
- 14 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
- 15 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
- 16 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
- 17 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
- 18 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
- 19 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
20 dione);
- 21 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 22 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 23 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
24 en-3-one);
- 25 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
- 26 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
27 one);
- 28 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
29 one);
- 30 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
31 androstan-3-one);

- 1 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
2 en-3-one);
- 3 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
4 hydroxy-[5-alpha]-androstano-3-one);
- 5 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
6 c]pyrazole);
- 7 (59) Stanazolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
8 androst-2-eno[3,2-c]-pyrazole);
- 9 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
10 one);
- 11 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
12 oic acid lactone);
- 13 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);
- 14 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
15 hydroxygon-4,9,11-trien-3-one);
- 16 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one);~~and~~
- 17 (65) [3,2-c]-furazan-5 alpha-androstane-17 beta-ol;
- 18 (66) [3,2-c]pyrazole-androst-4-en-17 beta-ol;
- 19 (67) 17 alpha-methyl-androst-ene-3,17 beta-diol;
- 20 (68) 17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 21 (69) 17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
- 22 (70) 17 beta-hydroxy-androstano[2,3-d]isoxazole;
- 23 (71) 17 beta-hydroxy-androstano[3,2-c]isoxazole;
- 24 (72) 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;
- 25 (73) 2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androstan-17
26 beta-ol;
- 27 (74) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3-one;
- 28 (75) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3,11-
29 dione;
- 30 (76) 4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;
- 31 (77) 4-chloro-17 alpha-methyl-androsta-1,4,diene-3,17 beta-diol;

1 (78) 4-hydroxy-androst-4-ene-3,17-dione;

2 (79) 5 alpha-Androstan-3,6,17-trione;

3 (80) 6-bromo-androst-1,4-diene-3,17-dione;

4 (81) 6-bromo-androstan-3,17-dione;

5 (82) 6 alpha-methyl-androst-4-ene-3,17-dione;

6 (83) Delta 1-dihydrotestosterone;

7 (84) Estra-4,9,11-triene-3,17-dione; and

8 (85) ~~(65)~~ Any salt, ester, or ether of a drug or substance described
9 or listed in this subdivision if the salt, ester, or ether promotes
10 muscle growth.

11 (e) Hallucinogenic substances known as:

12 (1) Dronabinol, synthetic, in sesame oil and encapsulated in a soft
13 gelatin capsule in a drug product approved by the federal Food and Drug
14 Administration. Some other names for dronabinol are (6aR-
15 trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo
16 (b,d)pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

17 Schedule IV

18 (a) Any material, compound, mixture, or preparation which contains
19 any quantity of the following substances, including their salts, isomers,
20 and salts of isomers whenever the existence of such salts, isomers, and
21 salts of isomers is possible within the specific chemical designation:

22 (1) Barbital;

23 (2) Chloral betaine;

24 (3) Chloral hydrate;

25 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
26 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
27 water soluble esterified estrogens);

28 (5) Clonazepam;

29 (6) Clorazepate;

30 (7) Diazepam;

31 (8) Ethchlorvynol;

- 1 (9) Ethinamate;
- 2 (10) Flurazepam;
- 3 (11) Mebutamate;
- 4 (12) Meprobamate;
- 5 (13) Methohexital;
- 6 (14) Methylphenobarbital;
- 7 (15) Oxazepam;
- 8 (16) Paraldehyde;
- 9 (17) Petrichloral;
- 10 (18) Phenobarbital;
- 11 (19) Prazepam;
- 12 (20) Alprazolam;
- 13 (21) Bromazepam;
- 14 (22) Camazepam;
- 15 (23) Clobazam;
- 16 (24) Clotiazepam;
- 17 (25) Cloxazolam;
- 18 (26) Delorazepam;
- 19 (27) Estazolam;
- 20 (28) Ethyl loflazepate;
- 21 (29) Fludiazepam;
- 22 (30) Flunitrazepam;
- 23 (31) Halazepam;
- 24 (32) Haloxazolam;
- 25 (33) Ketazolam;
- 26 (34) Loprazolam;
- 27 (35) Lorazepam;
- 28 (36) Lormetazepam;
- 29 (37) Medazepam;
- 30 (38) Nimetazepam;
- 31 (39) Nitrazepam;

- 1 (40) Nordiazepam;
- 2 (41) Oxazolam;
- 3 (42) Pinazepam;
- 4 (43) Temazepam;
- 5 (44) Tetrazepam;
- 6 (45) Triazolam;
- 7 (46) Midazolam;
- 8 (47) Quazepam;
- 9 (48) Zolpidem;
- 10 (49) Dichloralphenazone;
- 11 (50) Zaleplon;
- 12 (51) Zopiclone;
- 13 (52) Fospropofol;
- 14 (53) Alfaxalone;
- 15 (54) Suvorexant; ~~and~~
- 16 (55) Carisoprodol; ~~+~~
- 17 (56) Brexanolone; 3 alpha-hydroxy-5 alpha-pregnan-20-one;
- 18 (57) Lemborexant;
- 19 (58) Solriamfetol; 2-amino-3-phenylpropyl carbamate; and
- 20 (59) Remimazolam.

21 (b) Any material, compound, mixture, or preparation which contains
22 any quantity of the following substance, including its salts, isomers,
23 whether optical, position, or geometric, and salts of such isomers,
24 whenever the existence of such salts, isomers, and salts of isomers is
25 possible: Fenfluramine.

26 (c) Unless specifically excepted or unless listed in another
27 schedule, any material, compound, mixture, or preparation which contains
28 any quantity of the following substances having a stimulant effect on the
29 central nervous system, including their salts, isomers, whether optical,
30 position, or geometric, and salts of such isomers whenever the existence
31 of such salts, isomers, and salts of isomers is possible within the

1 specific chemical designation:

2 (1) Diethylpropion;

3 (2) Phentermine;

4 (3) Pemoline, including organometallic complexes and chelates

5 thereof;

6 (4) Mazindol;

7 (5) Pipradrol;

8 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);

9 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);

10 (8) Fencamfamin;

11 (9) Fenproporex;

12 (10) Mefenorex;

13 (11) Modafinil; and

14 (12) Sibutramine.

15 (d) Unless specifically excepted or unless listed in another
16 schedule, any material, compound, mixture, or preparation which contains
17 any quantity of the following narcotic drugs, or their salts or isomers
18 calculated as the free anhydrous base or alkaloid, in limited quantities
19 as set forth below:

20 (1) Propoxyphene in manufactured dosage forms;

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

23 (3) 2-[[dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its
24 salts, optical and geometric isomers, and salts of these isomers to
25 include: Tramadol.

26 (e) Unless specifically excepted or unless listed in another
27 schedule, any material, compound, mixture, or preparation which contains
28 any quantity of the following substance, including its salts:

29 (1) Pentazocine; and

30 (2) Butorphanol (including its optical isomers).

31 (f) Any material, compound, mixture, or preparation which contains

1 any quantity of the following substances, including its salts, isomers,
2 and salts of such isomers, whenever the existence of such salts, isomers,
3 and salts of isomers is possible: Lorcaserin.

4 (g)(1) Unless specifically excepted or unless listed in another
5 schedule, any material, compound, mixture, or preparation which contains
6 any quantity of the following substance, including its salts, optical
7 isomers, and salts of such optical isomers: Ephedrine.

8 (2) The following drug products containing ephedrine, its salts,
9 optical isomers, and salts of such optical isomers, are excepted from
10 subdivision (g)(1) of Schedule IV if they (A) are stored behind a
11 counter, in an area not accessible to customers, or in a locked case so
12 that a customer needs assistance from an employee to access the drug
13 product; (B) are sold by a person, eighteen years of age or older, in the
14 course of his or her employment to a customer eighteen years of age or
15 older with the following restrictions: No customer shall be allowed to
16 purchase, receive, or otherwise acquire more than three and six-tenths
17 grams of ephedrine base during a twenty-four-hour period; no customer
18 shall purchase, receive, or otherwise acquire more than nine grams of
19 ephedrine base during a thirty-day period; and the customer shall display
20 a valid driver's or operator's license, a Nebraska state identification
21 card, a military identification card, an alien registration card, or a
22 passport as proof of identification; (C) are labeled and marketed in a
23 manner consistent with the pertinent OTC Tentative Final or Final
24 Monograph; (D) are manufactured and distributed for legitimate medicinal
25 use in a manner that reduces or eliminates the likelihood of abuse; and
26 (E) are not marketed, advertised, or represented in any manner for the
27 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or
28 high, heightened sexual performance, or increased muscle mass:

29 (i) Primatene Tablets; and

30 (ii) Bronkaid Dual Action Caplets.

31 Schedule V

1 (a) Any compound, mixture, or preparation containing any of the
2 following limited quantities of narcotic drugs or salts calculated as the
3 free anhydrous base or alkaloid, which shall include one or more
4 nonnarcotic active medicinal ingredients in sufficient proportion to
5 confer upon the compound, mixture, or preparation valuable medicinal
6 qualities other than those possessed by the narcotic drug alone:

7 (1) Not more than two hundred milligrams of codeine per one hundred
8 milliliters or per one hundred grams;

9 (2) Not more than one hundred milligrams of dihydrocodeine per one
10 hundred milliliters or per one hundred grams;

11 (3) Not more than one hundred milligrams of ethylmorphine per one
12 hundred milliliters or per one hundred grams;

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

16 (5) Not more than one hundred milligrams of opium per one hundred
17 milliliters or per one hundred grams; and

18 (6) Not more than five-tenths milligram of difenoxin and not less
19 than twenty-five micrograms of atropine sulfate per dosage unit.

20 (b) Unless specifically exempted or excluded or unless listed in
21 another schedule, any material, compound, mixture, or preparation which
22 contains any quantity of the following substances having a stimulant
23 effect on the central nervous system, including its salts, isomers, and
24 salts of isomers: Pyrovalerone.

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

30 (1) Ezogabine (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic
31 acid ethyl ester);

- 1 (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);
- 2 (3) Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid);~~and~~
- 3 (4) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]
- 4 butanamide) (also referred to as BRV; UCB-34714; Briviact), including its
- 5 salts; ~~-~~
- 6 (5) Cenobamate; and
- 7 (6) Lasmiditan.
- 8 ~~(d) Cannabidiol in a drug product approved by the federal Food and~~
- 9 ~~Drug Administration.~~

10 Sec. 3. Section 28-1202, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 28-1202 (1)(a) Except as otherwise provided in this section, any
13 person who carries a weapon or weapons concealed on or about his or her
14 person, such as a handgun, a knife, brass or iron knuckles, or any other
15 deadly weapon, commits the offense of carrying a concealed weapon.

16 (b) It is an affirmative defense that the defendant was engaged in
17 any lawful business, calling, or employment at the time he or she was
18 carrying any weapon or weapons and the circumstances in which such person
19 was placed at the time were such as to justify a prudent person in
20 carrying the weapon or weapons for the defense of his or her person,
21 property, or family.

22 (2) This section does not apply to a person who is the holder of a
23 valid permit issued under the Concealed Handgun Permit Act if the
24 concealed weapon the defendant is carrying is a handgun.

25 (3)(a) This section does not apply to storing or transporting a
26 firearm in a motor vehicle for any lawful purpose or to transporting a
27 firearm directly to or from a motor vehicle to or from any place where
28 such firearm may be lawfully possessed or carried by such person, if such
29 firearm is unloaded, kept separate from ammunition, and enclosed in a
30 case. This subsection shall not apply to any person prohibited by state
31 or federal law from possessing, carrying, transporting, shipping, or

1 receiving a firearm.

2 (b) For purposes of this subsection, case means (i) a hard-sided or
3 soft-sided box, container, or receptacle intended or designed for the
4 primary purpose of storing or transporting a firearm or (ii) the firearm
5 manufacturer's original packaging.

6 (4) (3) Carrying a concealed weapon is a Class I misdemeanor.

7 (5) (4) In the case of a second or subsequent conviction under this
8 section, carrying a concealed weapon is a Class IV felony.

9 Sec. 4. Section 69-2436, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 69-2436 (1) A permit to carry a concealed handgun is valid
12 throughout the state for a period of five years after the date of
13 issuance. The fee for issuing a permit is one hundred dollars.

14 (2) The Nebraska State Patrol shall renew a permitholder's ~~person's~~
15 permit to carry a concealed handgun for a renewal period of five years,
16 subject to continuing compliance with the requirements of section
17 69-2433, except as provided in subsection (4) of section 69-2443. The
18 renewal fee is fifty dollars, and renewal may be applied for no earlier
19 than up to ~~up to~~ four months before expiration of the a permit and no later
20 than thirty business days after the date of expiration of the permit to
21 carry a concealed handgun. At least four months before expiration of a
22 permit to carry a concealed handgun, the Nebraska State Patrol shall send
23 to the permitholder by United States mail or electronically notice of
24 expiration of the permit.

25 (3) The applicant shall submit the fee with the application to the
26 Nebraska State Patrol. The fee shall be remitted to the State Treasurer
27 for credit to the Nebraska State Patrol Cash Fund.

28 ~~(4) On or before June 30, 2007, the Nebraska State Patrol shall~~
29 ~~journal entry, as necessary, all current fiscal year expenses and~~
30 ~~revenue, including investment income, from the Public Safety Cash Fund~~
31 ~~under the Concealed Handgun Permit Act and recode them against the~~

1 ~~Nebraska State Patrol Cash Fund and its program appropriation.~~

2 Sec. 5. Original sections 28-1202 and 69-2436, Reissue Revised
3 Statutes of Nebraska, and sections 28-401 and 28-405, Revised Statutes
4 Cumulative Supplement, 2020, are repealed.