

FIRST REGULAR SESSION

HOUSE BILL NO. 658

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHATZ (Sponsor), BLACK, HOUGHTON, BERRY, HINSON, REDMON, CROSS, BROWN (85), DENISON, GRISAMORE, JOHNSON, DIECKHAUS, REIBOLDT, FUNDERBURK, HAMPTON, LICHTENEGGER, SCHIEFFER, FRANKLIN, PHILLIPS, WRIGHT, FITZWATER, BRATTIN, ROWLAND, LEACH, JONES (117), SCHARNHORST, McGHEE, ATKINS, ALLEN, HIGDON, McCAHERTY, ZERR, WALLINGFORD, TAYLOR, CASEY, McNEIL, McDONALD, GOSEN, TORPEY, COOKSON, SMITH (71), KLIPPENSTEIN, LARGENT, FUHR, WYATT, DAVIS, McNARY, THOMSON, GATSCHENBERGER, ELMER, FRAKER, ELLINGER, KELLEY (126), CAUTHORN, FAITH, SHUMAKE, STREAM, KORMAN, PIERSON, SPRENG, NEWMAN, HODGES, ENTLICHER, CONWAY (27) AND SMITH (150) (Co-sponsors).

1656L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof one new section relating to the meth lab elimination act, with existing penalty provisions.

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

Section A. Sections 195.017 and 195.417, RSMo, are repealed and one new section
2 enacted in lieu thereof, to be known as section 195.017, to read as follows:

195.017. 1. The department of health and senior services shall place a substance in
2 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 lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

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

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

11 (a) Acetyl-alpha-methylfentanyl;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 12 (b) Acetylmethadol;
- 13 (c) Allylprodine;
- 14 (d) Alphacetylmethadol;
- 15 (e) Alphameprodine;
- 16 (f) Alphamethadol;
- 17 (g) Alpha-methylfentanyl;
- 18 (h) Alpha-methylthiofentanyl;
- 19 (i) Benzethidine;
- 20 (j) Betacetylmethadol;
- 21 (k) Beta-hydroxyfentanyl;
- 22 (l) Beta-hydroxy-3-methylfentanyl;
- 23 (m) Betameprodine;
- 24 (n) Betamethadol;
- 25 (o) Betaprodine;
- 26 (p) Clonitazene;
- 27 (q) Dextromoramide;
- 28 (r) Diampromide;
- 29 (s) Diethylthiambutene;
- 30 (t) Difenoxin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxidine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacymorphan;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;

- 48 (ll) Noracymethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpipanone;
- 52 (pp) Para-fluorofentanyl;
- 53 (qq) PEPAP;
- 54 (rr) Phenadoxone;
- 55 (ss) Phenampromide;
- 56 (tt) Phenomorphan;
- 57 (uu) Phenoperidine;
- 58 (vv) Piritramide;
- 59 (ww) Proheptazine;
- 60 (xx) Properidine;
- 61 (yy) Propiram;
- 62 (zz) Racemoramide;
- 63 (aaa) Thiofentanyl;
- 64 (bbb) Tilidine;
- 65 (ccc) Trimeperidine;

66 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
67 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
68 is possible within the specific chemical designation:

- 69 (a) Acetorphine;
- 70 (b) Acetyldihydrocodeine;
- 71 (c) Benzylmorphine;
- 72 (d) Codeine methylbromide;
- 73 (e) Codeine-N-Oxide;
- 74 (f) Cyprenorphine;
- 75 (g) Desomorphine;
- 76 (h) Dihydromorphine;
- 77 (i) Drotebanol;
- 78 (j) Etorphine (except hydrochloride salt);
- 79 (k) Heroin;
- 80 (l) Hydromorphanol;
- 81 (m) Methyldesorphine;
- 82 (n) Methyldihydromorphine;
- 83 (o) Morphine methylbromide;

- 84 (p) Morphine methylsulfonate;
- 85 (q) Morphine-N-Oxide;
- 86 (r) Myrophine;
- 87 (s) Nicocodeine;
- 88 (t) Nicomorphine;
- 89 (u) Normorphine;
- 90 (v) Pholcodine;
- 91 (w) Thebacon;
- 92 (4) Any material, compound, mixture or preparation which contains any quantity of the
- 93 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
- 94 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
- 95 the specific chemical designation:
 - 96 (a) 4-bromo-2, 5-dimethoxyamphetamine;
 - 97 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
 - 98 (c) 2,5-dimethoxyamphetamine;
 - 99 (d) 2,5-dimethoxy-4-ethylamphetamine;
 - 100 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
 - 101 (f) 4-methoxyamphetamine;
 - 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
 - 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
 - 104 (i) 3,4-methylenedioxyamphetamine;
 - 105 (j) 3,4-methylenedioxymethamphetamine;
 - 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
 - 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
 - 108 (m) 3,4,5-trimethoxyamphetamine;
 - 109 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of
 - 110 isomers;
 - 111 (o) Alpha-ethyltryptamine;
 - 112 (p) Alpha-methyltryptamine;
 - 113 (q) Bufotenine;
 - 114 (r) Dexanabinol,
 - 115 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10
 - 116 a-tetrahydrobenzo[c]chromen-1-ol;
 - 117 (s) Diethyltryptamine;
 - 118 (t) Dimethyltryptamine;
 - 119 (u) 5-methoxy-N,N-diisopropyltryptamine;

- 120 (v) Ibogaine;
- 121 (w) Indole, or 1-butyl-3(1-naphthoyl)indole;
- 122 (x) Indole, or 1-pentyl-3(1-naphthoyl)indole;
- 123 (y) Lysergic acid diethylamide;
- 124 (z) Marijuana or marihuana;
- 125 (aa) Mescaline;
- 126 (bb) Parahexyl;
- 127 (cc) Peyote, to include all parts of the plant presently classified botanically as
- 128 *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any
- 129 part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of
- 130 the plant, its seed or extracts;
- 131 (dd) Phenol, CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-
- 132 methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n=4,6, or 7;
- 133 (ee) N-ethyl-3-piperidyl benzilate;
- 134 (ff) N-methyl-3-piperidyl benzilate;
- 135 (gg) Psilocybin;
- 136 (hh) Psilocyn;
- 137 (ii) Tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (cannabis
- 138 plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in
- 139 the resinous extractives of such plant, or synthetic substances, derivatives, and their isomers with
- 140 similar chemical structure and pharmacological activity to those substances contained in the
- 141 plant, such as the following:
- 142 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 143 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 144 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 145 d. Any compounds of these structures, regardless of numerical designation of atomic
- 146 positions covered;
- 147 (jj) Ethylamine analog of phencyclidine;
- 148 (kk) Pyrrolidine analog of phencyclidine;
- 149 (ll) Thiophene analog of phencyclidine;
- 150 (mm) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 151 (nn) *Salvia divinorum*;
- 152 (oo) Salvinorin A;
- 153 (5) Any material, compound, mixture or preparation containing any quantity of the
- 154 following substances having a depressant effect on the central nervous system, including their

155 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
156 isomers is possible within the specific chemical designation:

157 (a) Gamma-hydroxybutyric acid;

158 (b) Mecloqualone;

159 (c) Methaqualone;

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

163 (a) Aminorex;

164 (b) N-benzylpiperazine;

165 (c) Cathinone;

166 (d) Fenethylline;

167 (e) Methcathinone;

168 (f) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline);

169 (g) N-ethylamphetamine;

170 (h) N,N-dimethylamphetamine;

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

174 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers,
175 salts and salts of isomers;

176 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
177 optical isomers, salts and salts of isomers;

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

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

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

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

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

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

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

- 191 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
192 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine,
193 nalmeferene, naloxone and naltrexone, and their respective salts but including the following:
- 194 a. Raw opium;
 - 195 b. Opium extracts;
 - 196 c. Opium fluid;
 - 197 d. Powdered opium;
 - 198 e. Granulated opium;
 - 199 f. Tincture of opium;
 - 200 g. Codeine;
 - 201 h. Ethylmorphine;
 - 202 i. Etorphine hydrochloride;
 - 203 j. Hydrocodone;
 - 204 k. Hydromorphone;
 - 205 l. Metopon;
 - 206 m. Morphine;
 - 207 n. Oxycodone;
 - 208 o. Oxymorphone;
 - 209 p. Thebaine;
- 210 (b) Any salt, compound, derivative, or preparation thereof which is chemically
211 equivalent or identical with any of the substances referred to in this subdivision, but not
212 including the isoquinoline alkaloids of opium;
- 213 (c) Opium poppy and poppy straw;
- 214 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
215 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
216 with any of these substances, but not including decocainized coca leaves or extractions which
217 do not contain cocaine or ecgonine;
- 218 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
219 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 220 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
221 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
222 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 223 (a) Alfentanil;
 - 224 (b) Alphaprodine;
 - 225 (c) Anileridine;
 - 226 (d) Bezitramide;

- 227 (e) Bulk dextropropoxyphene;
228 (f) Carfentanil;
229 (g) Dihydrocodeine;
230 (h) Diphenoxylate;
231 (i) Fentanyl;
232 (j) Isomethadone;
233 (k) Levo-alphacetylmethadol;
234 (l) Levomethorphan;
235 (m) Levorphanol;
236 (n) Metazocine;
237 (o) Methadone;
238 (p) Meperidine;
239 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
240 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic
241 acid;
242 (s) Pethidine (meperidine);
243 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
244 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
245 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
246 (w) Phenazocine;
247 (x) Piminodine;
248 (y) Racemethorphan;
249 (z) Racemorphan;
250 (aa) Remifentanil;
251 (bb) Sufentanil;
252 (cc) Tapentadol;
253 (3) Any material, compound, mixture, or preparation which contains any quantity of the
254 following substances having a stimulant effect on the central nervous system:
255 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
256 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
257 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
258 (d) Phenmetrazine and its salts;
259 (e) Methylphenidate;
260 (4) Any material, compound, mixture, or preparation which contains any quantity of the
261 following substances having a depressant effect on the central nervous system, including its salts,

262 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
263 is possible within the specific chemical designation:

- 264 (a) Amobarbital;
- 265 (b) Glutethimide;
- 266 (c) Pentobarbital;
- 267 (d) Phencyclidine;
- 268 (e) Secobarbital;
- 269 (5) Any material or compound which contains any quantity of nabilone;
- 270 (6) Any material, compound, mixture, or preparation which contains any quantity of the
271 following substances:

- 272 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 273 (b) Immediate precursors to phencyclidine (PCP):
 - 274 a. 1-phenylcyclohexylamine;
 - 275 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 276 (7) Any material, compound, mixture, or preparation which contains any quantity of the
277 following alkyl nitrites:
 - 278 (a) Amyl nitrite;
 - 279 (b) Butyl nitrite.

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

- 282 (1) The substance has a potential for abuse less than the substances listed in Schedules
283 I and II;
- 284 (2) The substance has currently accepted medical use in treatment in the United States;
285 and
- 286 (3) Abuse of the substance may lead to moderate or low physical dependence or high
287 psychological dependence.

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

- 289 (1) Any material, compound, mixture, or preparation which contains any quantity of the
290 following substances having a potential for abuse associated with a stimulant effect on the
291 central nervous system:
 - 292 (a) Benzphetamine;
 - 293 (b) Chlorphentermine;
 - 294 (c) Clortermine;
 - 295 (d) Phendimetrazine;
- 296 (2) Any material, compound, mixture or preparation which contains any quantity or salt
297 of the following substances or salts having a depressant effect on the central nervous system:

- 298 (a) Any material, compound, mixture or preparation which contains any quantity or salt
299 of the following substances combined with one or more active medicinal ingredients:
- 300 a. Amobarbital;
301 b. Secobarbital;
302 c. Pentobarbital;
- 303 (b) Any suppository dosage form containing any quantity or salt of the following:
- 304 a. Amobarbital;
305 b. Secobarbital;
306 c. Pentobarbital;
- 307 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
308 salt;
- 309 (d) Chlorhexadol;
310 (e) Embutramide;
- 311 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
312 a drug product for which an application has been approved under Section 505 of the federal
313 Food, Drug, and Cosmetic Act;
- 314 (g) Ketamine, its salts, isomers, and salts of isomers;
315 (h) Lysergic acid;
316 (i) Lysergic acid amide;
317 (j) Methyprylon;
318 (k) Sulfondiethylmethane;
319 (l) Sulfonethylmethane;
320 (m) Sulfonmethane;
321 (n) Tiletamine and zolazepam or any salt thereof;
- 322 (3) Nalorphine;
- 323 (4) Any material, compound, mixture, or preparation containing limited quantities of any
324 of the following narcotic drugs or their salts:
- 325 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
326 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
327 of opium;
- 328 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
329 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
330 therapeutic amounts;
- 331 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
332 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
333 isoquinoline alkaloid of opium;

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

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

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

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

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

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

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

(a) $3\beta,17$ -dihydroxy-5 α -androstane;

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

(c) 5 α -androstan-3,17-dione;

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

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

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

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

(h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);

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

- 370 (j) 5-androstenedione (androst-5-en-3,17-dione);
371 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
372 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
373 (m) Boldione;
374 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
375 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
376 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-
377 dien-3-one);
378 (q) Desoxymethyltestosterone;
379 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -androst-1-en-3-one);
380 (s) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
381 (t) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
382 (u) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
383 (v) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
384 (w) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
385 (x) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
386 (y) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
387 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
388 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
389 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
390 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
391 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
392 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
393 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
394 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
395 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
396 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
397 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-
398 one);
399 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
400 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
401 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
402 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
403 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-
404 one) (a.k.a. '17- α -methyl-1-testosterone');
405 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);

- 406 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
407 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
408 (ss) 19-nor-4,9(10)-androstadienedione;
409 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
410 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
411 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
412 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
413 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
414 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
415 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
416 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
417 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
418 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
419 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
420 one);
421 (eee) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
422 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
423 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
424 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
425 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
426 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
427 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
428 subdivision, except an anabolic steroid which is expressly intended for administration through
429 implants to cattle or other nonhuman species and which has been approved by the Secretary of
430 Health and Human Services for that administration;
431 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
432 United States Food and Drug Administration approved drug product;
433 (8) **Any compound, mixture, or preparation containing any detectable quantity of**
434 **ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical**
435 **isomers, or salts of optical isomers, except any dietary supplements, herbs, or natural**
436 **products, including concentrates or extracts, that are not otherwise prohibited by law and**
437 **that contain naturally occurring ephedrine alkaloids in a matrix of organic material such**
438 **that the substances do not exceed fifteen percent of the total weight of the dietary**
439 **supplement, herb, or natural product;**
440 (9) **Upon written application of a manufacturer, the department of health and**
441 **senior services may, exempt by rule, any product containing any compound, mixture, or**

preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from the application of all or any part of sections 195.010 to 195.320 because the product is formulated to effectively prevent conversion of the active ingredient into methamphetamine or its salts or precursors. Upon notification from the state highway patrol that the patrol has probable cause to believe that a product exempted under this subdivision does not effectively prevent conversion of the active ingredient into methamphetamine or its salts or precursors, the department may issue an emergency rule revoking the exemption for the product pending a full hearing;

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

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

(1) The substance has a low potential for abuse relative to substances in Schedule III;
(2) The substance has currently accepted medical use in treatment in the United States;
and

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

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

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

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

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

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

- 478 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
479 one hundred grams;
- 480 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
481 or per one hundred grams;
- 482 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
483 or per one hundred grams;
- 484 (2) Any material, compound, mixture or preparation containing any quantity of the
485 following substances, including their salts, isomers, and salts of isomers whenever the existence
486 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:
- 487 (a) Alprazolam;
- 488 (b) Barbitol;
- 489 (c) Bromazepam;
- 490 (d) Camazepam;
- 491 (e) Chloral betaine;
- 492 (f) Chloral hydrate;
- 493 (g) Chlordiazepoxide;
- 494 (h) Clobazam;
- 495 (i) Clonazepam;
- 496 (j) Clorazepate;
- 497 (k) Clotiazepam;
- 498 (l) Cloxazolam;
- 499 (m) Delorazepam;
- 500 (n) Diazepam;
- 501 (o) Dichloralphenazone;
- 502 (p) Estazolam;
- 503 (q) Ethchlorvynol;
- 504 (r) Ethinamate;
- 505 (s) Ethyl loflazepate;
- 506 (t) Fludiazepam;
- 507 (u) Flunitrazepam;
- 508 (v) Flurazepam;
- 509 (w) Fospropofol;
- 510 (x) Halazepam;
- 511 (y) Haloxazolam;
- 512 (z) Ketazolam;
- 513 (aa) Loprazolam;

- 514 (bb) Lorazepam;
- 515 (cc) Lormetazepam;
- 516 (dd) Mebutamate;
- 517 (ee) Medazepam;
- 518 (ff) Meprobamate;
- 519 (gg) Methohexital;
- 520 (hh) Methylphenobarbital (mephobarbital);
- 521 (ii) Midazolam;
- 522 (jj) Nimetazepam;
- 523 (kk) Nitrazepam;
- 524 (ll) Nordiazepam;
- 525 (mm) Oxazepam;
- 526 (nn) Oxazolam;
- 527 (oo) Paraldehyde;
- 528 (pp) Petrichloral;
- 529 (qq) Phenobarbital;
- 530 (rr) Pinazepam;
- 531 (ss) Prazepam;
- 532 (tt) Quazepam;
- 533 (uu) Temazepam;
- 534 (vv) Tetrazepam;
- 535 (ww) Triazolam;
- 536 (xx) Zaleplon;
- 537 (yy) Zolpidem;
- 538 (zz) Zopiclone;

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

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

- 545 (a) Cathine ((+)-norpseudoephedrine);
- 546 (b) Diethylpropion;
- 547 (c) Fencamfamin;
- 548 (d) Fenproporex;
- 549 (e) Mazindol;

- 550 (f) Mefenorex;
551 (g) Modafinil;
552 (h) Pemoline, including organometallic complexes and chelates thereof;
553 (i) Phentermine;
554 (j) Pipradrol;
555 (k) Sibutramine;
556 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
557 (5) Any material, compound, mixture or preparation containing any quantity of the
558 following substance, including its salts:
559 (a) butorphanol;
560 (b) pentazocine;
561 (6) [Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
562 is the only active medicinal ingredient;
563 (7)] The department of health and senior services may except by rule any compound,
564 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
565 subsection from the application of all or any part of sections 195.010 to 195.320 if the
566 compound, mixture, or preparation contains one or more active medicinal ingredients not having
567 a depressant effect on the central nervous system, and if the admixtures are included therein in
568 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
569 substances which have a depressant effect on the central nervous system.
- 570 9. The department of health and senior services shall place a substance in Schedule V
571 if it finds that:
572 (1) The substance has low potential for abuse relative to the controlled substances listed
573 in Schedule IV;
574 (2) The substance has currently accepted medical use in treatment in the United States;
575 and
576 (3) The substance has limited physical dependence or psychological dependence liability
577 relative to the controlled substances listed in Schedule IV.
- 578 10. The controlled substances listed in this subsection are included in Schedule V:
579 (1) Any compound, mixture or preparation containing any of the following narcotic
580 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
581 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
582 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
583 qualities other than those possessed by the narcotic drug alone:
584 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than
585 twenty-five micrograms of atropine sulfate per dosage unit;

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

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

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

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

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

600 (a) Lacosamide;

601 (b) Pregabalin.

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

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

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

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

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

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

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

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

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

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

16. Any person who knowingly or recklessly violates the provisions of subsections 11 to 15 of this section is guilty of a class A misdemeanor.

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

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

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

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

656 21. Logs of transactions required to be kept and maintained by this section and section
657 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
658 the person whose transactions are recorded in the logs.]

659 **13. This section shall be known as the "Meth Lab Elimination Act".**

[195.417. 1. The limits specified in this section shall not apply to any
2 quantity of such product, mixture, or preparation which must be dispensed, sold,
3 or distributed in a pharmacy pursuant to a valid prescription.

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

- 10 (1) The sole active ingredient; or
11 (2) One of the active ingredients of a combination drug; or
12 (3) A combination of any of the products specified in subdivisions (1)
13 and (2) of this subsection; in any total amount greater than nine grams, without
14 regard to the number of transactions.

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

- 22 (1) The sole active ingredient; or
23 (2) One of the active ingredients of a combination drug; or
24 (3) A combination of any of the products specified in subdivisions (1)
25 and (2) of this subsection; in any total amount greater than three and six-tenths
26 grams without regard to the number of transactions.

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

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

37 6. This section shall supersede and preempt any local ordinances or
38 regulations, including any ordinances or regulations enacted by any political
39 subdivision of the state. This section shall not apply to the sale of any animal feed

40 products containing ephedrine or any naturally occurring or herbal ephedra or
41 extract of ephedra.

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

46 8. Within thirty days of June 15, 2005, all persons who dispense or offer
47 for sale pseudoephedrine and ephedrine products, except those that are excluded
48 from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all
49 such products are located only behind a pharmacy counter where the public is not
50 permitted.

51 9. Any person who knowingly or recklessly violates this section is guilty
52 of a class A misdemeanor.]

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