

SECOND REGULAR SESSION

HOUSE BILL NO. 2828

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FUCHS.

6157H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 195.017, 579.015, and 579.020, RSMo, and to enact in lieu thereof three new sections relating to psychoactive substances, with penalty provisions.

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

Section A. Sections 195.017, 579.015, and 579.020, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 195.017, 579.015, and 579.020, to read as follows:

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

(1) Has high potential for abuse; and
(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;
(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide);
(b) Acetylmethadol;
(c) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);
(d) Acryl fentanyl (-1-phenethylpiperidin-4-yl)-N-phenylacrylamide);
(e) AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide);

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.

17 (f) Allylprodine;
18 (g) Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-alpha-
19 acetylmethadol levothadyl acetate or LAAM);
20 (h) Alphameprodine;
21 (i) Alphamethadol;
22 (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl)
23 propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine);
24 (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-
25 phenylpropanamide);
26 (l) Benzethidine;
27 (m) Betacetylmethadol;
28 (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-
29 phenylpropanamide);
30 (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-
31 piperidinyl)-N-phenylpropanamide);
32 (p) Betameprodine;
33 (q) Betamethadol;
34 (r) Betaprodine;
35 (s) Clonitazene;
36 (t) Dextromoramide;
37 (u) Diampromide;
38 (v) Cyclopropyl fentanyl;
39 (w) Diethylthiambutene;
40 (x) Difenoxyin;
41 (y) Dimenoxadol;
42 (z) Dimepheptanol;
43 (aa) Dimethylthiambutene;
44 (bb) Dioxaphetyl butyrate;
45 (cc) Dipipanone;
46 (dd) Ethylmethylthiambutene;
47 (ee) Etonitazene;
48 (ff) Etoxeridine;
49 (gg) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)
50 isobutyramide;
51 (hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;
52 (ii) Furethidine;
53 (jj) Hydroxypethidine;

54 (kk) Ketobemidone;
55 (ll) Levomoramide;
56 (mm) Levophenacylmorphan;
57 (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
58 phenylproanamide), its optical and geometric isomers, salts, and salts of isomers;
59 (oo) 3-Methylthiofentanyl (N-((3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-
60 phenylpropanamide);
61 (pp) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-
62 phenylacetamide);
63 (qq) Morpheridine;
64 (rr) PPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
65 (ss) MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);
66 (tt) Noracymethadol;
67 (uu) Norlevorphanol;
68 (vv) Normethadone;
69 (ww) Norpipanone;
70 (xx) Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
71 acetamide;
72 (yy) Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-yl)propionamide); other name
73 2-fluorofentanyl;
74 (zz) para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)
75 butyramide;
76 (aaa) Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)
77 propanamide);
78 (bbb) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxy piperidine);
79 (ccc) Phenadoxone;
80 (ddd) Phenampromide;
81 (eee) Phenomorphan;
82 (fff) Phenoperidine;
83 (ggg) Piritramide;
84 (hhh) Proheptazine;
85 (iii) Properidine;
86 (jjj) Propiram;
87 (kkk) Racemoramide;
88 (lll) Tetrahydrofuryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
89 phenyltetrahydrofuran-2-carboxamide);
90 (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide);

127 specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is
128 possible within the specific chemical designation:

- 129 (a) Alpha-ethyltryptamine;
- 130 (b) 4-bromo-2,5-dimethoxyamphetamine;
- 131 (c) 4-bromo-2,5-dimethoxyphenethylamine;
- 132 (d) 2,5-dimethoxyamphetamine;
- 133 (e) 2,5-dimethoxy-4-ethylamphetamine;
- 134 (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 135 (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;
- 136 (h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;
- 137 (i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;
- 138 (j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;
- 139 (k) 2-(2,5-Dimethoxyphenyl) ethanamine;
- 140 (l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;
- 141 (m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;
- 142 (n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;
- 143 (o) 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;
- 144 (p) 4-methoxyamphetamine;
- 145 (q) 5-methoxy-3,4-methylenedioxymphetamine;
- 146 (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 147 (s) 3,4-methylenedioxymphetamine;
- 148 (t) 3,4-methylenedioxymethamphetamine;
- 149 (u) 3,4-methylenedioxo-N-ethylamphetamine;
- 150 (v) N-hydroxy-3, 4-methylenedioxymphetamine;
- 151 (w) 3,4,5-trimethoxyamphetamine;
- 152 (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine;
- 153 (y) Alpha-methyltryptamine;
- 154 (z) Bufotenine;
- 155 (aa) Diethyltryptamine;
- 156 (bb) Dimethyltryptamine;
- 157 (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 158 (dd) Ibogaine;
- 159 (ee) Lysergic acid diethylamide;
- 160 (ff) Marijuana or marihuana, except industrial hemp;
- 161 (gg) Mescaline;
- 162 (hh) Parahexyl;

163 (ii) Peyote, to include all parts of the plant presently classified botanically as
164 *Lophophora williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from
165 any part of such plant; and every compound, manufacture, salt, derivative, mixture or
166 preparation of the plant, its seed or extracts;

167 (jj) N-ethyl-3-piperidyl benzilate;

168 (kk) N-methyl-3-piperidyl benzilate;

169 (11) Psilocybin;

170 (mm) Psilocyn;

171 (nn) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
172 (cannabis plant), except industrial hemp, as well as synthetic equivalents of the substances
173 contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic
174 substances, derivatives and their isomers, or both, with similar chemical structure and
175 pharmacological activity to those substances contained in the plant, such as the following:

176 a. 1 cis or trans tetrahydrocannabinol and their optical isomers;

177 b. 6 cis or trans tetrahydrocannabinol and their optical isomers;

178 c. 3,4 cis or trans tetrahydrocannabinol and their optical isomers;

179 d. Any compounds of these structures, regardless of numerical designation of atomic
180 positions covered;

181 (oo) Ethylamine a

182 (pp) Pyrrolidine analog of phenylcyclidine;

183 (qq) Thiophene analog of phenacyclidine;

184 (rr) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine

185 (ss) *Salvia divinorum*:

186 (II) Salvinorin A:

187 (iii) Synthetic cannabinoids:

188 a. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-
189 (1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl,
190 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-
191 (4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent,
192 whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

193 (i) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;

194 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole:

195 (iii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;

196 (iv) JWH-018 or 1-pentyl-3-(1-naphthoyl)indole;

197 (v) JWH-019 or 1-hexyl-3-(1-naphthoyl)indole;

(vi) JWH-073 or 1-butyl-3-(1-naphthoyl)indole;

(vii) JWH-081 or 1-pentyl-3-(4-methoxy-1-naphthyl)indole;

(VII) 1,1111-001, or 1-pentyl-3-(4-methoxy-1-naphthyl)indole,

200 (viii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
201 (ix) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
202 (x) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
203 (xi) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
204 (xii) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
205 (xiii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
206 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at
207 the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
208 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether
209 or not further substituted in the pyrrole ring to any extent, whether or not substituted in the
210 naphthyl ring to any extent;
211 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by
212 substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
213 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)
214 ethyl group, whether or not further substituted in the indene ring to any extent, whether or not
215 substituted in the naphthyl ring to any extent;
216 d. Any compound structurally derived from 3-phenylacetylindole by substitution at
217 the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
218 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether
219 or not further substituted in the indole ring to any extent, whether or not substituted in the
220 phenyl ring to any extent. Including, but not limited to:
221 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
222 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
223 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
224 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
225 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
226 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
227 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,
228 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)
229 ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but
230 not limited to CP 47, 497 and homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-
231 methyloctan-2-yl)phenol, where side chain n=5, and homologues where side chain n=4,6, or
232 7;
233 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
234 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
235 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,

236 whether or not further substituted in the indole ring to any extent and whether or not
237 substituted in the phenyl ring to any extent. Including, but not limited to:

238 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
239 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4);
240 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-
241 2-yl] oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
242 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
243 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
244 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
245 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
246 j. Dimethylheptylpyran, or DMHP;

247 (6) Any material, compound, mixture or preparation containing any quantity of the
248 following substances having a depressant effect on the central nervous system, including their
249 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
250 isomers is possible within the specific chemical designation:

251 (a) **1,4-Butanediol (BDO);**
252 (b) **Gamma-butyrolactone (GBL);**
253 (c) **Gamma hydroxybutyrate (GHB);**
254 (d) Gamma-hydroxybutyric acid;
255 [+] (e) Mecloqualone;
256 [(-)] (f) Methaqualone;
257 (g) **Nitrous oxide;**

258 (7) Any material, compound, mixture or preparation containing any quantity of the
259 following substances having a stimulant effect on the central nervous system, including their
260 salts, isomers and salts of isomers:

261 (a) Aminorex;
262 (b) N-benzylpiperazine;
263 (c) Cathinone;
264 (d) Fenethylline;
265 (e) 3-Fluoromethcathinone;
266 (f) 4-Fluoromethcathinone;
267 (g) Mephedrone, or 4-methylmethcathinone;
268 (h) Methcathinone;
269 (i) 4-methoxymethcathinone;
270 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
271 oxazolamine);

272 (k) Methyleneoxyprovalerone, MDPV, or 1-(1,3-Benzodioxol-5-yl)-2-(1-
273 pyrrolidinyl)-1-pentanone;

274 (l) Methylone, or 3,4-Methylenedioxymethcathinone;

275 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;

276 (n) N-ethylamphetamine;

277 (o) N,N-dimethylamphetamine;

278 (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22; QUPIC);

279 (q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-
280 PB-22);

281 (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-
282 carboxamide (AB-FUBINACA);

283 (s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide
284 (ADB-PINACA);

285 (8) A temporary listing of substances subject to emergency scheduling under federal
286 law shall include any material, compound, mixture or preparation which contains any
287 quantity of the following substances:

288 (a) (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, its optical,
289 positional, and geometric isomers, salts, and salts of isomers;

290 (b) [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone,
291 its optical, positional, and geometric isomers, salts, and salts of isomers;

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

294 (d) 2-(4-ido-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
295 positional, and geometric isomers, salts, and salts of isomers;

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

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

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

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

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

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

307 (k) Pentedrone, its optical, positional, and geometric isomers, salts, and salts of
308 isomers;

309 (l) Pentyalone, its optical, positional, and geometric isomers, salts, and salts of
310 isomers;

311 (m) Naphyrone, its optical, positional, and geometric isomers, salts, and salts of
312 isomers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

377 (mm) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its
378 optical, positional, and geometric isomers, salts, and salts of isomers (4-CN-CUMYL-
379 BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-
380 BINACA; SGT-78);

381 (nn) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate,
382 its optical, positional, and geometric isomers, salts, and salts of isomers (MMB-CHMICA,
383 AMB-CHMICA);

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

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

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

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

395 (ss) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical,
396 positional, and geometric isomers, salts, and salts of isomers (trivial names: FUB-AKB48;
397 FUB-APINACA; AKB48 N-(4-FLUOROBENZYL));

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

401 (uu) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone,
402 its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: FUB-
403 144);

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

406 (ww) alpha-pyrrolidinohexanophenone, its optical, positional, and geometric isomers,
407 salts, and salts of isomers (Other names: α -PHP; alpha-pyrrolidinohexiophenone; 1-phenyl-2-
408 (pyrrolidin-1-yl)hexan-1-one);

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

412 (yy) 4'-methyl-alpha-pyrrolidinohexiophenone, its optical, positional, and geometric
413 isomers, salts, and salts of isomers (Other names: MPHP; 4'-methyl-alpha-
414 pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

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

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

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

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

426 (1) The substance has high potential for abuse;
427 (2) The substance has currently accepted medical use in treatment in the United
428 States, or currently accepted medical use with severe restrictions; and
429 (3) The abuse of the substance may lead to severe psychic or physical dependence.

430 4. The controlled substances listed in this subsection are included in Schedule II:
431 (1) Any of the following substances whether produced directly or indirectly by
432 extraction from substances of vegetable origin, or independently by means of chemical
433 synthesis, or by combination of extraction and chemical synthesis:

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

- 438 a. Raw opium;
- 439 b. Opium extracts;
- 440 c. Opium fluid;
- 441 d. Powdered opium;
- 442 e. Granulated opium;
- 443 f. Tincture of opium;
- 444 g. Codeine;
- 445 h. Dihydroetorphine;
- 446 i. Ethylmorphine;
- 447 j. Etorphine hydrochloride;
- 448 k. Hydrocodone;
- 449 l. Hydromorphone;
- 450 m. Metopon;
- 451 n. Morphine;
- 452 o. Oripavine;
- 453 p. Oxycodone;

454 q. Oxymorphone;

455 r. Thebaine;

456 (b) Any salt, compound, derivative, or preparation thereof which is chemically

457 equivalent or identical with any of the substances referred to in this subdivision, but not

458 including the isoquinoline alkaloids of opium;

459 (c) Opium poppy and poppy straw;

460 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and

461 any salt, compound, derivative, or preparation thereof which is chemically equivalent or

462 identical with any of these substances, but not including the following:

463 a. Decocainized coca leaves or extractions of coca leaves, which extractions do not

464 contain cocaine or ecgonine; or

465 b. Ioflupane;

466 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid,

467 solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

468 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and

469 salts of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible

470 within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

471 (a) Alfentanil;

472 (b) Alphaprodine;

473 (c) Anileridine;

474 (d) Bezitramide;

475 (e) Bulk dextropropoxyphene;

476 (f) Carfentanil;

477 (g) Dihydrocodeine;

478 (h) Diphenoxylate;

479 (i) Fentanyl;

480 (j) Isomethadone;

481 (k) Levo-alphacetylmethadol;

482 (l) Levomethorphan;

483 (m) Levorphanol;

484 (n) Metazocine;

485 (o) Methadone;

486 (p) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

487 (q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-

488 carboxylic acid;

489 (r) Pethidine (meperidine);

490 (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

491 (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
492 (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
493 (v) Phenazocine;
494 (w) Piminodine;
495 (x) Racemethorphan;
496 (y) Racemorphan;
497 (z) Remifentanil;
498 (aa) Sufentanil;
499 (bb) Tapentadol;
500 (cc) Thiafentanil;
501 (3) Any material, compound, mixture, or preparation which contains any quantity of
502 the following substances having a stimulant effect on the central nervous system:
503 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
504 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
505 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
506 (d) Phenmetrazine and its salts;
507 (e) Methylphenidate;
508 (4) Any material, compound, mixture, or preparation which contains any quantity of
509 the following substances having a depressant effect on the central nervous system, including
510 its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts
511 of isomers is possible within the specific chemical designation:
512 (a) Amobarbital;
513 (b) Glutethimide;
514 (c) Pentobarbital;
515 (d) Phencyclidine;
516 (e) Secobarbital;
517 (5) Hallucinogenic substances:
518 (a) Any material or compound which contains any quantity of nabilone;
519 (b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an oral solution in a drug
520 product approved for marketing by the U.S. Food and Drug Administration;
521 (6) Any material, compound, mixture, or preparation which contains any quantity of
522 the following substances:
523 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
524 (b) Immediate precursors to phencyclidine (PCP):
525 a. 1-phenylcyclohexylamine;
526 b. 1-piperidinocyclohexanecarbonitrile (PCC);
527 (c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperidine (ANPP);

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

530 (a) Amyl nitrite;

531 (b) Butyl nitrite.

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

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

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

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

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

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

544 (a) Benzphetamine;

545 (b) Chlorphentermine;

546 (c) Clortermine;

547 (d) Phendimetrazine;

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

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

553 a. Amobarbital;

554 b. Secobarbital;

555 c. Pentobarbital;

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

557 a. Amobarbital;

558 b. Secobarbital;

559 c. Pentobarbital;

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

562 (d) Chlorhexadol;

563 (e) Embutramide;

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

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

568 (h) Lysergic acid;

569 (i) Lysergic acid amide;

570 (j) Methylprylon;

571 (k) Perampanel, and its salts, isomers, and salts of isomers;

572 (l) Sulfondiethylmethane;

573 (m) Sulfonethylmethane;

574 (n) Sulfonmethane;

575 (o) Tiletamine and zolazepam or any salt thereof;

576 (3) Nalorphine;

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

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

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

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

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

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

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

597 (5) Any material, compound, mixture, or preparation containing any of the following
598 narcotic drugs or their salts: Buprenorphine;

599 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
600 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids,

601 and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which
602 is expressly intended for administration through implants to cattle or other nonhuman species
603 and which has been approved by the Secretary of Health and Human Services for that
604 administration. If any person prescribes, dispenses, or distributes such steroid for human use,
605 such person shall be considered to have prescribed, dispensed, or distributed an anabolic
606 steroid within the meaning of this subdivision. Unless specifically excepted or unless listed
607 in another schedule, any material, compound, mixture or preparation containing any quantity
608 of the following substances, including its salts, esters and ethers:

- 609 (a) 3 β ,17 β -dihydroxy-5 α -androstane;
- 610 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
- 611 (c) 5 α -androstan-3,17-dione;
- 612 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
- 613 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
- 614 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
- 615 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
- 616 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 617 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 618 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 619 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 620 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 621 (m) Boldione;
- 622 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 623 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 624 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-17 α -methyl-androst-
625 1,4-dien-3-one);
- 626 (q) Desoxymethyltestosterone;
- 627 (r) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 628 (s) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
- 629 (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 630 (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
- 631 (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
- 632 (w) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furazan);
- 633 (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 634 (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 635 (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 636 (aa) Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
- 637 (bb) Mesterolone (1 α - methyl-17 β -hydroxy-[5 α]-androstan-3-one);

638 (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
639 (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
640 (ee) Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one);
641 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
642 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane;
643 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane;
644 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
645 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-
646 3-one);
647 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
648 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one);
649 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
650 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
651 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-
652 3-one) (a.k.a. '17- α -methyl-1-testosterone');
653 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
654 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
655 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
656 (ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
657 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
658 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
659 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
660 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
661 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
662 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
663 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
664 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
665 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
666 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
667 (ddd) metholone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
668 one);
669 (eee) Prostanozol (17 β -hydroxy-5 α -androstano[3,2-c]pyrazole);
670 (fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -
671 androst-1-en-3-one));
672 (ggg) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
673 (hhh) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);

674 (iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
675 lactone);

676 (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);

677 (kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxy-4,9,11-trien-3-one);

678 (III) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

(mmm) Any salt, ester, or ether of a drug or substance described or listed in this subdivision, 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;

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

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

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

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

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

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

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

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

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

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

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

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

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

716 b. Not more than one hundred milligrams of dihydrocodeine per one hundred
717 milliliters or per one hundred grams;

718 c. Not more than one hundred milligrams of ethylmorphine per one hundred
719 milliliters or per one hundred grams;

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

724 (a) Alfaxalone;

725 (b) Alprazolam;

726 (c) Barbital;

727 (d) Bromazepam;

728 (e) Camazepam;

729 (f) Carisoprodol;

730 (g) Chloral betaine;

731 (h) Chloral hydrate;

732 (i) Chlordiazepoxide;

733 (j) Clobazam;

734 (k) Clonazepam;

735 (l) Clorazepate;

736 (m) Clotiazepam;

737 (n) Cloxazolam;

738 (o) Delorazepam;

739 (p) Diazepam;

740 (q) Dichloralphenazone;

741 (r) Estazolam;

742 (s) Ethchlorvynol;

743 (t) Ethinamate;

744 (u) Ethyl loflazepate;

745 (v) Fludiazepam;

746 (w) Flunitrazepam;

747 (x) Flurazepam;
748 (y) Fospropofol;
749 (z) Halazepam;
750 (aa) Haloxazolam;
751 (bb) Ketazolam;
752 (cc) Loprazolam;
753 (dd) Lorazepam;
754 (ee) Lormetazepam;
755 (ff) Mebutamate;
756 (gg) Medazepam;
757 (hh) Meprobamate;
758 (ii) Methohexital;
759 (jj) Methylphenobarbital (mephobarbital);
760 (kk) Midazolam;
761 (ll) Nimetazepam;
762 (mm) Nitrazepam;
763 (nn) Nordiazepam;
764 (oo) Oxazepam;
765 (pp) Oxazolam;
766 (qq) Paraldehyde;
767 (rr) Petrichloral;
768 (ss) Phenobarbital;
769 (tt) Pinazepam;
770 (uu) Prazepam;
771 (vv) Quazepam;
772 (ww) Suvorexant;
773 (xx) Temazepam;
774 (yy) Tetrazepam;
775 (zz) Triazolam;
776 (aaa) Zaleplon;
777 (bbb) Zolpidem;
778 (ccc) Zopiclone;
779 (3) Any material, compound, mixture, or preparation which contains any quantity of
780 the following substance including its salts, isomers and salts of isomers whenever the
781 existence of such salts, isomers and salts of isomers is possible: fenfluramine;

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

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

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

789 (b) Diethylpropion;

790 (c) Fencamfamin;

791 (d) Fenproporex;

792 (e) Mazindol;

793 (f) Mefenorex;

794 (g) Modafinil;

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

796 (i) Phentermine;

797 (j) Pipradrol;

798 (k) Sibutramine;

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

800 (6) Any material, compound, mixture or preparation containing any quantity of the
801 following substance, including its salts:

802 (a) Butorphanol (including its optical isomers);

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

806 (c) Pentazocine;

807 (7) Ephedrine, its salts, optical isomers and salts of optical isomers, when the
808 substance is the only active medicinal ingredient;

809 (8) The department of health and senior services may except by rule any compound,
810 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
811 subsection from the application of all or any part of sections 195.010 to 195.320 and sections
812 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active
813 medicinal ingredients not having a depressant effect on the central nervous system, and if the
814 admixtures are included therein in combinations, quantity, proportion, or concentration that
815 vitiate the potential for abuse of the substances which have a depressant effect on the central
816 nervous system.

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

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

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

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

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

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

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

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

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

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

840 (3) Any compound, mixture, or preparation containing any detectable quantity of
841 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
842 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
843 isomers, or salts of optical isomers;

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

847 (a) Brivaracetam ((25)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also
848 referred to as BRV; UCB-34714; Briviant);

849 (b) Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl
850 ester];

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

852 (d) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid];

853 (5) Any drug product in finished dosage formulation that has been approved by the
854 U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-

855 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no
856 more than 0.1 percent (w/w) residual tetrahydro cannabinoids.

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

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

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

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

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

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

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

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

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

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

892 16. The penalties for a knowing or reckless violation of the provisions of subsections
893 11 to 15 of this section are found in section 579.060.

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

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

908 19. The department of health and senior services shall revise and republish the
909 schedules annually.

910 20. The department of health and senior services shall promulgate rules under chapter
911 536 regarding the security and storage of Schedule V controlled substances, as described in
912 subdivision (3) of subsection 10 of this section, for distributors as registered by the
913 department of health and senior services.

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

579.015. 1. A person commits the offense of possession of a controlled substance if
2 he or she knowingly possesses a controlled substance, except as authorized by this chapter or
3 chapter 195.

4 2. The offense of possession of any controlled substance except thirty-five grams or
5 less of marijuana or any synthetic cannabinoid **or a psychoactive substance** is a class D
6 felony.

7 3. **The offense of possession of a psychoactive substance for the first offense is a**
8 **class A misdemeanor. Any second or subsequent offense of possession of a psychoactive**
9 **substance is a class E felony.**

10 4. The offense of possession of more than ten grams but thirty-five grams or less of
11 marijuana or any synthetic cannabinoid is a class A misdemeanor.

12 **[4.] 5.** The offense of possession of not more than ten grams of marijuana or any
13 synthetic cannabinoid is a class D misdemeanor. If the defendant has previously been found
14 guilty of any offense of the laws related to controlled substances of this state, or of the United
15 States, or any state, territory, or district, the offense is a class A misdemeanor. Prior findings
16 of guilt shall be **[pleaded]** **pled** and proven in the same manner as required by section
17 558.021.

18 **6. If a person under eighteen years of age violates the provisions of this section
19 by possessing a psychoactive substance, such person shall be guilty of an infraction.**

20 **[5-] 7.** In any complaint, information, or indictment, and in any action or proceeding
21 brought for the enforcement of any provision of this chapter or chapter 195, it shall not be
22 necessary to include any exception, excuse, proviso, or exemption contained in this chapter or
23 chapter 195, and the burden of proof of any such exception, excuse, proviso or exemption
24 shall be upon the defendant.

25 **8. As used in this section, "psychoactive substance" means the substances listed
26 in paragraphs (a), (b), (c), and (g) of subdivision (6) of subsection 1 of section 195.017.**

27 579.020. 1. A person commits the offense of delivery of a controlled substance if,
2 except as authorized in this chapter or chapter 195, he or she:

3 (1) Knowingly distributes or delivers a controlled substance;
4 (2) Attempts to distribute or deliver a controlled substance;
5 (3) Knowingly possesses a controlled substance with the intent to distribute or deliver
6 any amount of a controlled substance; or

7 (4) Knowingly permits a minor to purchase or transport illegally obtained controlled
8 substances.

9 2. Except when the controlled substance is thirty-five grams or less of marijuana or
10 synthetic cannabinoid **or a psychoactive substance** or as otherwise provided under
11 subsection 5 of this section, the offense of delivery of a controlled substance is a class C
12 felony.

13 3. Except as otherwise provided under subsection 4 **or 6** of this section, the offense of
14 delivery of thirty-five grams or less of marijuana or synthetic cannabinoid **or a psychoactive**
15 **substance** is a class E felony.

16 4. The offense of delivery of thirty-five grams or less of marijuana or synthetic
17 cannabinoid to a person less than seventeen years of age who is at least two years younger
18 than the defendant is a class C felony.

19 5. The offense of delivery of a controlled substance is a class B felony if:

20 (1) The delivery or distribution is any amount of a controlled substance except thirty-
21 five grams or less of marijuana or synthetic cannabinoid, to a person less than seventeen years
22 of age who is at least two years younger than the defendant; or

23 (2) The person knowingly permits a minor to purchase or transport illegally obtained
24 controlled substances.

25 **6. The offense of delivery of a psychoactive substance to a person under eighteen
26 years of age is a class D felony.**

27 **7. As used in this section, "psychoactive substance" means the substances listed
28 in paragraphs (a), (b), (c), and (g) of subdivision (6) of subsection 1 of section 195.017.**

✓