

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 523

AN ACT

To repeal sections 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

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2 579.065, and 579.068, RSMo, are repealed and seven new sections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

6 195.015. 1. The department of health and senior services
7 shall administer this chapter and may add substances to the
8 schedules after public notice and hearing. In making a
9 determination regarding a substance, the department of health and
10 senior services shall consider the following:

- 11 (1) The actual or relative potential for abuse;
- 12 (2) The scientific evidence of its pharmacological effect,
13 if known;
- 14 (3) The state of current scientific knowledge regarding the
15 substance;
- 16 (4) The history and current pattern of abuse;

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

2 (6) The risk to the public health;

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

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

7 2. After considering the factors enumerated in subsection 1
8 of this section the department of health and senior services
9 shall make findings with respect thereto and issue a rule
10 controlling the substance if it finds the substance has a
11 potential for abuse.

12 3. If the department of health and senior services
13 designates a substance as an immediate precursor, substances
14 which are precursors of the controlled precursor shall not be
15 subject to control solely because they are precursors of the
16 controlled precursor.

17 4. If any substance is designated, rescheduled, or deleted
18 as a controlled substance under federal law and notice thereof is
19 given to the department of health and senior services, the
20 department of health and senior services shall similarly control
21 the substance under this chapter [after the expiration of] and
22 shall submit emergency rules to the secretary of state under
23 section 536.025 within thirty days [from] of publication in the
24 federal register of a final order designating a substance as a
25 controlled substance or rescheduling or deleting a substance,
26 unless within that thirty-day period, the department of health
27 and senior services objects to inclusion, rescheduling, or
28 deletion. In that case, the department of health and senior

1 services shall publish the reasons for objection and afford all
2 interested parties an opportunity to be heard. At the conclusion
3 of the hearing, the department of health and senior services
4 shall publish its decision, which shall be final unless altered
5 by statute. Upon publication of objection to inclusion,
6 rescheduling or deletion under this chapter by the department of
7 health and senior services, control under this chapter is stayed
8 as to the substance in question until the department of health
9 and senior services publishes its decision. If the department
10 promulgates emergency rules under this subsection, such rules
11 may, notwithstanding the provisions of subsection 7 of section
12 536.025, remain in effect until the general assembly concludes
13 its next regular session following the imposition of any such
14 rules. The department shall clearly state if the rules shall be
15 in effect pursuant to this subsection or subsection 7 of section
16 536.025 in the emergency statement filed with the secretary of
17 state.

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

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

27 195.017. 1. The department of health and senior services
28 shall place a substance in Schedule I if it finds that the

1 substance:

2 (1) Has high potential for abuse; and

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

6 2. Schedule I:

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

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

14 (a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-
15 phenethyl)-4-piperidinyl)-N-phenylacetamide);

16 (b) Acetylmethadol;

17 (c) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
18 phenylacetamide);

19 (d) Acryl fentanyl (- (1-phenethylpiperidin-4-yl)-N-
20 phenylacrylamide);

21 (e) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)
22 cyclohexylmethyl] benzamide);

23 (f) Allylprodine;

24 [(d)] (g) Alphacetylmethadol (except
25 levoalphacetylmethadol, also known as levo-alpha-acetylmethadol
26 levothadyl acetate or LAAM);

27 [(e)] (h) Alphameprodine;

28 [(f)] (i) Alphamethadol;

1 [(g)] (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-
2 phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-
3 phenylethyl)-4 ((N-propanilido) piperidine);
4 [(h)] (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-
5 thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide);
6 [(i)] (l) Benzethidine;
7 [(j)] (m) Betacetylmethadol;
8 [(k)] (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-
9 phenethyl)-4-piperidinyl)-N-phenylpropanamide);
10 [(l)] (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-
11 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
12 [(m)] (p) Betameprodine;
13 [(n)] (q) Betamethadol;
14 [(o)] (r) Betaprodine;
15 [(p)] (s) Clonitazene;
16 [(q)] (t) Dextromoramide;
17 [(r)] (u) Diampromide;
18 [(v)] Cyclopropyl fentanyl;
19 [(s)] (w) Diethylthiambutene;
20 [(t)] (x) Difenoxyin;
21 [(u)] (y) Dimenoxadol;
22 [(v)] (z) Dimepheptanol;
23 [(w)] (aa) Dimethylthiambutene;
24 [(x)] (bb) Dioxaphetyl butyrate;
25 [(y)] (cc) Dipipanone;
26 [(z)] (dd) Ethylmethylthiambutene;
27 [(aa)] (ee) Etonitazene;

1 [(bb)] (ff) Etoxeridine;

2 [(gg)] 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-

3 phenethylpiperidin-4-yl)isobutyramide;

4 [(hh)] Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-

5 phenylfuran-2-carboxamide;

6 [(cc)] (ii) Furethidine;

7 [(dd)] (jj) Hydroxypethidine;

8 [(ee)] (kk) Ketobemidone;

9 [(ff)] (ll) Levomoramide;

10 [(gg)] (mm) Levophenacylmorphan;

11 [(hh)] (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-

12 phenylethyl)-4-piperidyl)-N-phenylproanamide), its optical and

13 geometric isomers, salts, and salts of isomers;

14 [(ii)] (oo) 3-Methylthiofentanyl (N-(3-methyl-1-(2-

15 thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide);

16 [(pp)] Methoxyacetyl fentanyl (2-methoxy-N-(1-

17 phenethylpiperidin-4-yl)-N-phenylacetamide);

18 [(jj)] (qq) Morpheridine;

19 [(kk)] (rr) MPPP (1-methyl-4-phenyl-4-

20 propionoxypiperidine);

21 [(ss)] MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);

22 [(ll)] (tt) Noracymethadol;

23 [(mm)] (uu) Norlevorphanol;

24 [(nn)] (vv) Normethadone;

25 [(oo)] (ww) Norpipanone;

26 [(xx)] Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-

27 phenethylpiperidin-4-yl)acetamide;

28 [(yy)] Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-

1 yl)propionamide); other name 2-fluorofentanyl;
2 (zz) para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-
3 phenethylpiperidin-4-yl)butyramide;
4 [(pp)] (aaa) Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-
5 (2-phenethyl)-4-piperidinyl) propanamide;
6 [(qq)] (bbb) PEPAP (1-(2-phenethyl)-4-phenyl-4-
7 acetoxypiperidine);
8 [(rr)] (ccc) Phenadoxone;
9 [(ss)] (ddd) Phenampromide;
10 [(tt)] (eee) Phenomorphan;
11 [(uu)] (fff) Phenoperidine;
12 [(vv)] (ggg) Piritramide;
13 [(ww)] (hhh) Proheptazine;
14 [(xx)] (iii) Properidine;
15 [(yy)] (jjj) Propiram;
16 [(zz)] (kkk) Racemoramide;
17 (lll) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-
18 4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
19 [(aaa)] (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-
20 4-piperidinyl)-propanamide;
21 [(bbb)] (nnn) Tilidine;
22 [(ccc)] (ooo) Trimeperidine;
23 (3) Any of the following opium derivatives, their salts,
24 isomers and salts of isomers unless specifically excepted,
25 whenever the existence of these salts, isomers and salts of
26 isomers is possible within the specific chemical designation:
27 (a) Acetorphine;
28 (b) Acetyldihydrocodeine;

- 1 (c) Benzylmorphine;
2 (d) Codeine methylbromide;
3 (e) Codeine-N-Oxide;
4 (f) Cyprenorphine;
5 (g) Desomorphine;
6 (h) Dihydromorphine;
7 (i) Drotebanol;
8 (j) Etorphine (except hydrochloride salt);
9 (k) Heroin;
10 (l) Hydromorphenol;
11 (m) Methyldesorphine;
12 (n) Methyldihydromorphine;
13 (o) Morphine methylbromide;
14 (p) Morphine methylsulfonate;
15 (q) Morphine-N-Oxide;
16 (r) Myrophine;
17 (s) Nicocodeine;
18 (t) Nicomorphine;
19 (u) Normorphine;
20 (v) Pholcodine;
21 (w) Thebacon;
22 (4) Any of the following opiate similar synthetic
23 substances scheduled by the U.S. Drug Enforcement Administration
24 as substances that share a pharmacological profile similar to
25 fentanyl, morphine, and other synthetic opioids, unless
26 specifically excepted or unless listed in another schedule:
27 (a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
28 phenylbutyramide);

1 (b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-
2 -methyl benzamide).

3 (5) Any material, compound, mixture or preparation which
4 contains any quantity of the following hallucinogenic substances,
5 their salts, isomers and salts of isomers, unless specifically
6 excepted, whenever the existence of these salts, isomers, and
7 salts of isomers is possible within the specific chemical
8 designation:

9 (a) [4-bromo-2, 5-dimethoxyamphetamine;

10 (b) 4-bromo-2, 5-dimethoxyphenethylamine;

11 (c) 2,5-dimethoxyamphetamine;

12 (d) 2,5-dimethoxy-4-ethylamphetamine] Alpha-
13 ethyltryptamine;

14 (b) 4-bromo-2,5-dimethoxyamphetamine;

15 (c) 4-bromo-2,5-dimethoxyphenethylamine;

16 (d) 2,5-dimethoxyamphetamine;

17 [(d)] (e) 2,5-dimethoxy-4-ethylamphetamine;

18 [(e)] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;

19 [(f)] (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;

20 (h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;

21 (i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;

22 (j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;

23 (k) 2-(2,5-Dimethoxyphenyl) ethanamine;

24 (l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;

25 (m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;

26 (n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;

27 (o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;

28 (p) 4-methoxyamphetamine;

- 1 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;
- 2 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 3 [(i)] (s) 3,4-methylenedioxyamphetamine;
- 4 [(j)] (t) 3,4-methylenedioxymethamphetamine;
- 5 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;
- 6 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 7 [(m)] (w) 3,4,5-trimethoxyamphetamine;
- 8 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[,
9 its isomers, salts, and salts of isomers];
- 10 [(o) Alpha-ethyltryptamine;
- 11 (p)] (y) Alpha-methyltryptamine;
- 12 [(q)] (z) Bufotenine;
- 13 [(r)] (aa) Diethyltryptamine;
- 14 [(s)] (bb) Dimethyltryptamine;
- 15 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 16 [(u)] (dd) Ibogaine;
- 17 [(v)] (ee) Lysergic acid diethylamide;
- 18 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 19 [(x)] (gg) Mescaline;
- 20 [(y)] (hh) Parahexyl;
- 21 [(z)] (ii) Peyote, to include all parts of the plant
22 presently classified botanically as Lophophora [Williamsil]
23 williamsii Lemaire, whether growing or not; the seeds thereof;
24 any extract from any part of such plant; and every compound,
25 manufacture, salt, derivative, mixture or preparation of the
26 plant, its seed or extracts;
- 27 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;

1 [(bb)] (kk) N-methyl-3-piperidyl benzilate;

2 [(cc)] (ll) Psilocybin;

3 [(dd)] (mm) Psilocyn;

4 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a
5 plant of the genus Cannabis (cannabis plant), except industrial
6 hemp, as well as synthetic equivalents of the substances
7 contained in the cannabis plant, or in the resinous extractives
8 of such plant, or synthetic substances, derivatives[,] and their
9 isomers, or both, with similar chemical structure and
10 pharmacological activity to those substances contained in the
11 plant, such as the following:

12 a. 1 cis or trans tetrahydrocannabinol[,] and their optical
13 isomers;

14 b. 6 cis or trans tetrahydrocannabinol[,] and their optical
15 isomers;

16 c. 3,4 cis or trans tetrahydrocannabinol[,] and their
17 optical isomers;

18 d. Any compounds of these structures, regardless of
19 numerical designation of atomic positions covered;

20 [(ff)] (oo) Ethylamine analog of phencyclidine;

21 [(gg)] (pp) Pyrrolidine analog of phencyclidine;

22 [(hh)] (qq) Thiophene analog of phencyclidine;

23 [(ii)] (rr) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

24 [(jj)] (ss) Salvia divinorum;

25 [(kk)] (tt) Salvinorin A;

26 [(ll)] (uu) Synthetic cannabinoids:

27 a. Any compound structurally derived from
28 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by

1 substitution at the nitrogen atom of the indole ring by alkyl,
2 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
3 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
4 whether or not further substituted in the indole ring to any
5 extent, whether or not substituted in the naphthyl ring to any
6 extent. Including, but not limited to:

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

8 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

9 [(ii)] (iii) JWH-015, or

10 1-propyl-2-methyl-3-(1-naphthoyl)indole;

11 [(iii)] (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

12 [(iv)] (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

13 [(v)] (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

14 [(vi)] (vii) JWH-081, or

15 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

16 [(vii)] (viii) JWH-098, or

17 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;

18 [(viii)] (ix) JWH-122, or

19 1-pentyl-3-(4-methyl-1-naphthoyl)indole;

20 [(ix)] (x) JWH-164, or

21 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

22 [(x)] (xi) JWH-200, or

23 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

24 [(xi)] (xii) JWH-210, or

25 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;

26 [(xii)] (xiii) JWH-398, or

27 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

28 b. Any compound structurally derived from

1 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of
2 the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
3 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
4 2-(4-morpholinyl)ethyl group, whether or not further substituted
5 in the pyrrole ring to any extent, whether or not substituted in
6 the naphthyl ring to any extent;

7 c. Any compound structurally derived from
8 1-(1-naphthylmethyl)indene by substitution at the 3-position of
9 the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
10 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
11 2-(4-morpholinyl)ethyl group, whether or not further substituted
12 in the indene ring to any extent, whether or not substituted in
13 the naphthyl ring to any extent;

14 d. Any compound structurally derived from
15 3-phenylacetylindole by substitution at the nitrogen atom of the
16 indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
17 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
18 2-(4-morpholinyl)ethyl group, whether or not further substituted
19 in the indole ring to any extent, whether or not substituted in
20 the phenyl ring to any extent. Including, but not limited to:

- 21 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
- 22 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
- 23 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
- 24 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
- 25 (v) RCS-8, or
26 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

27 e. Any compound structurally derived from
28 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position

1 of the phenolic ring by alkyl, haloalkyl, alkenyl,
2 cycloalkylmethyl, cycloalkylethyl,
3 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
4 whether or not substituted in the cyclohexyl ring to any extent.
5 Including, but not limited to[:

6 (i)] CP 47, 497 [&] and homologues, or
7 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol),
8 where side chain n=5, and homologues where side chain n=4,6, or
9 7;

10 f. Any compound containing a 3-(benzoyl)indole structure
11 with substitution at the nitrogen atom of the indole ring by
12 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
13 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
14 whether or not further substituted in the indole ring to any
15 extent and whether or not substituted in the phenyl ring to any
16 extent. Including, but not limited to:

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

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

20 g. CP 50,556-1, or
21 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
22 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

23 h. HU-210, or
24 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
25 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

26 i. HU-211, or
27 Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyl
28 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

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

4 k.] Dimethylheptylpyran, or DMHP;

5 [(5)] (6) Any material, compound, mixture or preparation
6 containing any quantity of the following substances having a
7 depressant effect on the central nervous system, including their
8 salts, isomers and salts of isomers whenever the existence of
9 these salts, isomers and salts of isomers is possible within the
10 specific chemical designation:

11 (a) Gamma-hydroxybutyric acid;

12 (b) Mecloqualone;

13 (c) Methaqualone;

14 [(6)] (7) Any material, compound, mixture or preparation
15 containing any quantity of the following substances having a
16 stimulant effect on the central nervous system, including their
17 salts, isomers and salts of isomers:

18 (a) Aminorex;

19 (b) N-benzylpiperazine;

20 (c) Cathinone;

21 (d) Fenethylamine;

22 (e) 3-Fluoromethcathinone;

23 (f) 4-Fluoromethcathinone;

24 (g) Mephedrone, or 4-methylmethcathinone;

25 (h) Methcathinone;

26 (i) 4-methoxymethcathinone;

27 (j) (+,-)cis-4-methylaminorex

28 ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

- 1 (k) Methylendioxypropylvalerone, MDPV, or
2 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
3 (l) Methylone, or 3,4-Methylendioxymethcathinone;
4 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
5 (n) N-ethylamphetamine;
6 (o) N,N-dimethylamphetamine;
7 (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22;
8 QUPIC);
9 (q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-
10 carboxylate (5-fluoro-PB-22; 5F-PB-22);
11 (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
12 fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA);
13 (s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
14 indazole-3-carboxamide (ADB-PINACA);

15 [(7)] (8) A temporary listing of substances subject to
16 emergency scheduling under federal law shall include any
17 material, compound, mixture or preparation which contains any
18 quantity of the following substances:

- 19 (a) [N-(1-benzyl-4-piperidyl)-N phenylpropanamide
20 (benzylfentanyl), its optical isomers, salts and salts of
21 isomers;
22 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
23 (thenylfentanyl), its optical isomers, salts and salts of
24 isomers] (1-pentyl-1H-indol-3-yl) (2,2,3,3-
25 tetramethylcyclopropyl)methanone, its optical, positional, and
26 geometric isomers, salts, and salts of isomers;
27 (b) [1-(5-fluoro-pentyl)-1H-indol-3-yl] (2,2,3,3-
28 tetramethylcyclopropyl)methanone, its optical, positional, and

1 geometric isomers, salts, and salts of isomers;
2 (c) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its
3 optical, positional, and geometric isomers, salts, and salts of
4 isomers;
5 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
6 methoxybenzyl)ethanamine, its optical, positional, and geometric
7 isomers, salts, and salts of isomers;
8 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
9 methoxybenzyl)ethanamine, its optical, positional, and geometric
10 isomers, salts, and salts of isomers;
11 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
12 methoxybenzyl)ethanamine, its optical, positional, and geometric
13 isomers, salts, and salts of isomers;
14 (g) 4-methyl-N-ethylcathinone, its optical, positional, and
15 geometric isomers, salts, and salts of isomers;
16 (h) 4-methyl-alpha-pyrrolidinopropiophenone, its optical,
17 positional, and geometric isomers, salts, and salts of isomers;
18 (i) Alpha-pyrrolidinopentiophenone, its optical,
19 positional, and geometric isomers, salts, and salts of isomers;
20 (j) Butylone, its optical, positional, and geometric
21 isomers, salts, and salts of isomers;
22 (k) Pentedrone, its optical, positional, and geometric
23 isomers, salts, and salts of isomers;
24 (l) Pentylone, its optical, positional, and geometric
25 isomers, salts, and salts of isomers;
26 (m) Naphyrone, its optical, positional, and geometric
27 isomers, salts, and salts of isomers;
28 (n) Alpha-pyrrolidinobutiophenone, its optical, positional,

1 and geometric isomers, salts, and salts of isomers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (cc) N-(1-phenethylpiperidin-4-yl)-N-
17 phenylcyclopropanecarboxamide, its isomers, esters, ethers,
18 salts, and salts of isomers, esters, and ethers;

19 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its
20 isomers, esters, ethers, salts, and salts of isomers, esters, and
21 ethers;

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

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

28 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-

1 yl)isobutyramide, its isomers, esters, ethers, salts, and salts
2 of isomers, esters, and ethers;

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

6 (ii) N-(1-phenethylpiperidin-4-yl)-N-
7 phenylcyclopentanecarboxamide, its isomers, esters, ethers,
8 salts, and salts of isomers, esters, and ethers;

9 (jj) Fentanyl-related substances, their isomers, esters,
10 ethers, salts, and salts of isomers, esters, and ethers.

11 Fentanyl-related substance shall mean any substance not otherwise
12 listed under another Drug Enforcement Administration Controlled
13 Substance Code Number, and for which no exemption or approval is
14 in effect under section 505 of the Federal Food, Drug, and
15 Cosmetic Act, 21 U.S.C. Section 355, that is structurally related
16 to fentanyl by one or more of the following modifications:

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

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

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

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

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

1 group;
2 (kk) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
3 carboxylate, its optical, positional, and geometric isomers,
4 salts, and salts of isomers (NM2201; CBL2201);
5 (ll) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-
6 fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional,
7 and geometric isomers, salts, and salts of isomers (5F-AB-
8 PINACA);
9 (mm) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-
10 3-carboxamide, its optical, positional, and geometric isomers,
11 salts, and salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-
12 BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);
13 (nn) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
14 carboxamido)-3-methylbutanoate, its optical, positional, and
15 geometric isomers, salts, and salts of isomers (MMB-CHMICA, AMB-
16 CHMICA);
17 (oo) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
18 pyrrolo[2,3-b]pyridine-3-carboxamide, its optical, positional,
19 and geometric isomers, salts, and salts of isomers (5F-CUMYL-
20 P7AICA);
21 (pp) N-ethylpentylone, its optical, positional, and
22 geometric isomers, salts, and salts of isomers (ephylone, 1-(1,3-
23 benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one;
24 (qq) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
25 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
26 geometric isomers, salts, and salts of isomers (trivial name: 5F-
27 EDMB-PINACA);
28 (rr) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-

1 3,3-dimethylbutanoate, its optical, positional, and geometric
2 isomers, salts, and salts of isomers (trivial name: 5F-MDMB-
3 PICA);

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

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

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

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

19 (ww) α -pyrrolidinohexanophenone, its optical,
20 positional, and geometric isomers, salts, and salts of isomers
21 (Other names: α -PHP; α -pyrrolidinohexiophenone; 1-phenyl-2-
22 (pyrrolidin-1-yl)hexan-1-one);

23 (xx) 4-methyl- α -ethylaminopentiophenone, its optical,
24 positional, and geometric isomers, salts, and salts of isomers;
25 (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-
26 one);

27 (yy) 4'-methyl- α -pyrrolidinohexiophenone, its optical,
28 positional, and geometric isomers, salts, and salts of isomers

1 (Other names: MPHP; 4'-methyl-*alpha*-pyrrolidinohexanophenone; 1-
2 (4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

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

6 (aaa) 4'-chloro-*alpha*-pyrrolidinovalerophenone, its
7 optical, positional, and geometric isomers, salts, and salts of
8 isomers (Other names: 4-chloro- α -PVP; 4'-chloro-*alpha*-
9 pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-
10 yl)pentan-1-one);

11 [(8)] (9) Khat, to include all parts of the plant presently
12 classified botanically as *catha edulis*, whether growing or not;
13 the seeds thereof; any extract from any part of such plant; and
14 every compound, manufacture, salt, derivative, mixture, or
15 preparation of the plant, its seed or extracts.

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

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

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

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

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

26 (1) Any of the following substances whether produced
27 directly or indirectly by extraction from substances of vegetable
28 origin, or independently by means of chemical synthesis, or by

1 combination of extraction and chemical synthesis:

2 (a) Opium and opiate; and any salt, compound, derivative or
3 preparation of opium or opiate, excluding apomorphine,
4 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeffene,
5 naloxegol, naloxone, and naltrexone, and their respective salts,
6 but including the following:

- 7 a. Raw opium;
- 8 b. Opium extracts;
- 9 c. Opium fluid;
- 10 d. Powdered opium;
- 11 e. Granulated opium;
- 12 f. Tincture of opium;
- 13 g. Codeine;
- 14 h. Dihydroetorphine;
- 15 i. Ethylmorphine;
- 16 [i.] j. Etorphine hydrochloride;
- 17 [j.] k. Hydrocodone;
- 18 [k.] l. Hydromorphone;
- 19 [l.] m. Metopon;
- 20 [m.] n. Morphine;
- 21 [n.] o. Oripavine;
- 22 p. Oxycodone;
- 23 [o.] q. Oxymorphone;
- 24 [p.] r. Thebaine;

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

1 (c) Opium poppy and poppy straw;

2 (d) Coca leaves and any salt, compound, derivative, or
3 preparation of coca leaves, and any salt, compound, derivative,
4 or preparation thereof which is chemically equivalent or
5 identical with any of these substances, but not including the
6 following:

7 a. Decocainized coca leaves or extractions of coca leaves,
8 which extractions do not contain cocaine or ecgonine; or

9 b. Ioflupane;

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

13 (2) Any of the following opiates, including their isomers,
14 esters, ethers, salts, and salts of isomers, whenever the
15 existence of these isomers, esters, ethers, and salts is possible
16 within the specific chemical designation, dextrorphan and
17 levopropoxyphene excepted:

18 (a) Alfentanil;

19 (b) Alphaprodine;

20 (c) Anileridine;

21 (d) Bezitramide;

22 (e) Bulk dextropropoxyphene;

23 (f) Carfentanil;

24 (g) Dihydrocodeine;

25 (h) Diphenoxylate;

26 (i) Fentanyl;

27 (j) Isomethadone;

28 (k) Levo-alphaacetylmethadol;

- 1 (l) Levomethorphan;
- 2 (m) Levorphanol;
- 3 (n) Metazocine;
- 4 (o) Methadone;
- 5 (p) [Meperidine;
- 6 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
7 4-diphenylbutane;
- 8 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
9 1-diphenylpropane-carboxylic acid;
- 10 [(s)] (r) Pethidine (meperidine);
- 11 [(t)] (s) Pethidine-Intermediate-A,
12 4-cyano-1-methyl-4-phenylpiperidine;
- 13 [(u)] (t) Pethidine-Intermediate-B,
14 ethyl-4-phenylpiperidine-4-carboxylate;
- 15 [(v)] (u) Pethidine-Intermediate-C,
16 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 17 [(w)] (v) Phenazocine;
- 18 [(x)] (w) Piminodine;
- 19 [(y)] (x) Racemethorphan;
- 20 [(z)] (y) Racemorphan;
- 21 [(aa)] (z) Remifentanil;
- 22 [(bb)] (aa) Sufentanil;
- 23 [(cc)] (bb) Tapentadol;
- 24 (cc) Thiafentanil;
- 25 (3) Any material, compound, mixture, or preparation which
26 contains any quantity of the following substances having a
27 stimulant effect on the central nervous system:
- 28 (a) Amphetamine, its salts, optical isomers, and salts of

1 its optical isomers;

2 (b) Lisdexamfetamine, its salts, isomers, and salts of its
3 isomers;

4 (c) Methamphetamine, its salts, isomers, and salts of its
5 isomers;

6 (d) Phenmetrazine and its salts;

7 (e) Methylphenidate;

8 (4) Any material, compound, mixture, or preparation which
9 contains any quantity of the following substances having a
10 depressant effect on the central nervous system, including its
11 salts, isomers, and salts of isomers whenever the existence of
12 those salts, isomers, and salts of isomers is possible within the
13 specific chemical designation:

14 (a) Amobarbital;

15 (b) Glutethimide;

16 (c) Pentobarbital;

17 (d) Phencyclidine;

18 (e) Secobarbital;

19 (5) [Any material or compound which contains any quantity
20 of nabilone] Hallucinogenic substances:

21 (a) Any material or compound which contains any quantity of
22 nabilone;

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

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

28 (a) Immediate precursor to amphetamine and methamphetamine:

1 Phenylacetone;

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

3 a. 1-phenylcyclohexylamine;

4 b. 1-piperidinocyclohexanecarbonitrile (PCC);

5 (c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-
6 4-piperidine (ANPP);

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

9 (a) Amyl nitrite;

10 (b) Butyl nitrite.

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

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

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

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

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

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

25 (a) Benzphetamine;

26 (b) Chlorphentermine;

27 (c) Clortermine;

28 (d) Phendimetrazine;

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

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

- 7 a. Amobarbital;
- 8 b. Secobarbital;
- 9 c. Pentobarbital;

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

- 12 a. Amobarbital;
- 13 b. Secobarbital;
- 14 c. Pentobarbital;

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

17 (d) Chlorhexadol;

18 (e) Embutramide;

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

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

24 (h) Lysergic acid;

25 (i) Lysergic acid amide;

26 (j) Methyprylon;

27 (k) Perampanel, and its salts, isomers, and salts of
28 isomers;

1 (l) Sulfondiethylmethane;

2 [(1)] (m) Sulfonethylmethane;

3 [(m)] (n) Sulfonmethane;

4 [(n)] (o) Tiletamine and zolazepam or any salt thereof;

5 (3) Nalorphine;

6 (4) Any material, compound, mixture, or preparation

7 containing limited quantities of any of the following narcotic

8 drugs or their salts:

9 (a) Not more than 1.8 grams of codeine per one hundred

10 milliliters or not more than ninety milligrams per dosage unit,

11 with an equal or greater quantity of an isoquinoline alkaloid of

12 opium;

13 (b) Not more than 1.8 grams of codeine per one hundred

14 milliliters or not more than ninety milligrams per dosage unit

15 with one or more active, nonnarcotic ingredients in recognized

16 therapeutic amounts;

17 (c) [Not more than three hundred milligrams of hydrocodone

18 per one hundred milliliters or not more than fifteen milligrams

19 per dosage unit, with a fourfold or greater quantity of an

20 isoquinoline alkaloid of opium;

21 (d) Not more than three hundred milligrams of hydrocodone

22 per one hundred milliliters or not more than fifteen milligrams

23 per dosage unit, with one or more active nonnarcotic ingredients

24 in recognized therapeutic amounts;

25 (e)] Not more than 1.8 grams of dihydrocodeine per one

26 hundred milliliters or not more than ninety milligrams per dosage

27 unit, with one or more active, nonnarcotic ingredients in

28 recognized therapeutic amounts;

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

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

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

13 (5) Any material, compound, mixture, or preparation
14 containing any of the following narcotic drugs or their salts[,
15 as set forth in subdivision (6) of this subsection;];
16 Buprenorphine;

17 (6) Anabolic steroids. Any drug or hormonal substance,
18 chemically and pharmacologically related to testosterone (other
19 than estrogens, progestins, corticosteroids, and
20 dehydroepiandrosterone) that promotes muscle growth, except an
21 anabolic steroid which is expressly intended for administration
22 through implants to cattle or other nonhuman species and which
23 has been approved by the Secretary of Health and Human Services
24 for that administration. If any person prescribes, dispenses, or
25 distributes such steroid for human use, such person shall be
26 considered to have prescribed, dispensed, or distributed an
27 anabolic steroid within the meaning of this subdivision. Unless
28 specifically excepted or unless listed in another schedule, any

1 material, compound, mixture or preparation containing any
2 quantity of the following substances, including its salts, esters
3 and ethers:

4 (a) [3 β ,17-dihydroxy-5 α -androstande]

5 3 β ,17 β -dihydroxy-5 α -androstande;

6 (b) 3 α ,17 β -dihydroxy-5 α -androstande;

7 (c) 5 α -androstand-3,17-dione;

8 (d) 1-androstandediol (3 β ,17 β -dihydroxy-5 α -androstand-1-ene);

9 (e) 1-androstandediol (3 α ,17 β -dihydroxy-5 α -androstand-1-ene);

10 (f) 4-androstandediol (3 β ,17 β -dihydroxy-androstand-4-ene);

11 (g) 5-androstandediol (3 β ,17 β -dihydroxy-androstand-5-ene);

12 (h) 1-androstandedione ([5 α]-androstand-1-en-3,17-dione);

13 (i) 4-androstandedione (androstand-4-en-3,17-dione);

14 (j) 5-androstandedione (androstand-5-en-3,17-dione);

15 (k) Bolasterone (7 α ,

16 17 α -dimethyl-17 β -hydroxyandrostand-4-en-3-one);

17 (l) Boldenone (17 β -hydroxyandrostand-1,4,-diene-3-one);

18 (m) Boldione;

19 (n) Calusterone (7 β ,

20 17 α -dimethyl-17 β -hydroxyandrostand-4-en-3-one);

21 (o) Clostebol (4-chloro-17 β -hydroxyandrostand-4-en-3-one);

22 (p) Dehydrochloromethyltestosterone

23 (4-chloro-17 β -hydroxy-17 α -methyl-androstand-1,4-dien-3-one);

24 (q) Desoxymethyltestosterone;

25 (r) [Δ 1-dihydrotestosterone (a.k.a.

26 '1-testosterone') (17 β -hydroxy-5 α -androstand-1-en-3-one);

27 (s)] 4-dihydrotestosterone (17 β -hydroxy-androstand-3-one);

28 [(t)] (s) Drostanolone

1 (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
2 [(u)] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
3 [(v)] (u) Fluoxymesterone
4 (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
5 [(w)] (v) Formebolone
6 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
7 [(x)] (w) Furazabol
8 (17 α -methyl-17 β -hydroxyandrostan[2,3-c]-furazan);
9 [(y)] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
10 [(z)] (y) 4-hydroxytestosterone
11 (4,17 β -dihydroxy-androst-4-en-3-one);
12 [(aa)] (z) 4-hydroxy-19-nortestosterone
13 (4,17 β -dihydroxy-estr-4-en-3-one);
14 [(bb)] (aa) Mestanolone
15 [(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)]
16 (17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);
17 [(cc)] (bb) Mesterolone
18 [(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)] (1 α -
19 methyl-17 β -hydroxy-[5 α]-androstan-3-one);
20 [(dd)] (cc) Methandienone
21 (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
22 [(ee)] (dd) Methandriol
23 (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
24 [(ff)] (ee) Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -
25 ol-3-one);
26 (ff) Methenolone
27 (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
28 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one);

1 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
2 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
3 (jj) 17 α -methyl-4-hydroxynandrolone
4 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
5 (kk) Methyldienolone
6 (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
7 (ll) [Methyltrienolone
8 (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one)]
9 Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-
10 one));
11 (mm) Methyltestosterone
12 (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
13 (nn) Mibolerone
14 (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
15 (oo) 17 α -methyl- Δ 1-dihydrotestosterone
16 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a.
17 '17- α -methyl-1-testosterone');
18 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
19 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
20 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
21 (ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-
22 diene-3,17-dione));
23 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
24 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
25 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
26 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
27 (xx) Norbolethone
28 (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);

1 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
2 (zz) Norethandrolone
3 (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
4 (aaa) Normethandrolone
5 (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
6 (bbb) Oxandrolone
7 (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
8 (ccc) Oxymesterone
9 (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
10 (ddd) [Oxymethalone
11 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one)]
12 Oxymetholone
13 (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-one);
14 (eee) Prostanozol (17 β -hydroxy-5 α -androstan-3-one-2-
15 c]pyrazole);
16 (fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-
17 testosterone) (17 β -hydroxy-5 α -androst-1-en-3-one));
18 (ggg) Stanozolol
19 (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
20 [(fff)] (hhh) Stenbolone
21 (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);
22 [(ggg)] (iii) Testolactone
23 (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
24 lactone);
25 [(hhh)] (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);
26 [(iii)] (kkk) Tetrahydrogestrinone
27 (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
28 [(jjj)] (lll) Trenbolone

1 (17 β -hydroxyestr-4,9,11-trien-3-one);

2 [(kkk)] (mmm) Any salt, ester, or ether of a drug or
3 substance described or listed in this subdivision, except an
4 anabolic steroid which is expressly intended for administration
5 through implants to cattle or other nonhuman species and which
6 has been approved by the Secretary of Health and Human Services
7 for that administration;

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

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

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

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

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

28 (3) Abuse of the substance may lead to limited physical

1 dependence or psychological dependence relative to the substances
2 in Schedule III.

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

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

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

11 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
12 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

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

23 b. Not more than one hundred milligrams of dihydrocodeine
24 per one hundred milliliters or per one hundred grams;

25 c. Not more than one hundred milligrams of ethylmorphine
26 per one hundred milliliters or per one hundred grams;

27 (2) Any material, compound, mixture or preparation
28 containing any quantity of the following substances, including

1 their salts, isomers, and salts of isomers whenever the existence
2 of those salts, isomers, and salts of isomers is possible within
3 the specific chemical designation:

- 4 (a) Alfaxalone;
- 5 (b) Alprazolam;
- 6 [(b)] (c) Barbital;
- 7 [(c)] (d) Bromazepam;
- 8 [(d)] (e) Camazepam;
- 9 [(e)] (f) Carisoprodol;
- 10 (g) Chloral betaine;
- 11 [(f)] (h) Chloral hydrate;
- 12 [(g)] (i) Chlordiazepoxide;
- 13 [(h)] (j) Clobazam;
- 14 [(i)] (k) Clonazepam;
- 15 [(j)] (l) Clorazepate;
- 16 [(k)] (m) Clotiazepam;
- 17 [(l)] (n) Cloxazolam;
- 18 [(m)] (o) Delorazepam;
- 19 [(n)] (p) Diazepam;
- 20 [(o)] (q) Dichloralphenazone;
- 21 [(p)] (r) Estazolam;
- 22 [(q)] (s) Ethchlorvynol;
- 23 [(r)] (t) Ethinamate;
- 24 [(s)] (u) Ethyl loflazepate;
- 25 [(t)] (v) Fludiazepam;
- 26 [(u)] (w) Flunitrazepam;
- 27 [(v)] (x) Flurazepam;

1 [(w)] (y) Fospropofol;
2 [(x)] (z) Halazepam;
3 [(y)] (aa) Haloxazolam;
4 [(z)] (bb) Ketazolam;
5 [(aa)] (cc) Loprazolam;
6 [(bb)] (dd) Lorazepam;
7 [(cc)] (ee) Lormetazepam;
8 [(dd)] (ff) Mebutamate;
9 [(ee)] (gg) Medazepam;
10 [(ff)] (hh) Meprobamate;
11 [(gg)] (ii) Methohexital;
12 [(hh)] (jj) Methylphenobarbital (mephobarbital);
13 [(ii)] (kk) Midazolam;
14 [(jj)] (ll) Nimetazepam;
15 [(kk)] (mm) Nitrazepam;
16 [(ll)] (nn) Nordiazepam;
17 [(mm)] (oo) Oxazepam;
18 [(nn)] (pp) Oxazolam;
19 [(oo)] (qq) Paraldehyde;
20 [(pp)] (rr) Petrichloral;
21 [(qq)] (ss) Phenobarbital;
22 [(rr)] (tt) Pinazepam;
23 [(ss)] (uu) Prazepam;
24 [(tt)] (vv) Quazepam;
25 [(uu)] (ww) Suvorexant;
26 (xx) Temazepam;
27 [(vv)] (yy) Tetrazepam;

- 1 [(ww)] (zz) Triazolam;
- 2 [(xx)] (aaa) Zaleplon;
- 3 [(yy)] (bbb) Zolpidem;
- 4 [(zz)] (ccc) Zopiclone;

5 (3) Any material, compound, mixture, or preparation which
6 contains any quantity of the following substance including its
7 salts, isomers and salts of isomers whenever the existence of
8 such salts, isomers and salts of isomers is possible:
9 fenfluramine;

10 (4) Any material, compound, mixture, or preparation which
11 contains any quantity of the following substances, including its
12 salts, isomers, and salts of isomers, whenever the existence of
13 such salts, isomers, and salts of isomers is possible:
14 Lorcaserin;

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

- 19 (a) Cathine ((+)-norpseudoephedrine);
- 20 (b) Diethylpropion;
- 21 (c) Fencamfamin;
- 22 (d) Fenproporex;
- 23 (e) Mazindol;
- 24 (f) Mefenorex;
- 25 (g) Modafinil;
- 26 (h) Pemoline, including organometallic complexes and
27 chelates thereof;
- 28 (i) Phentermine;

- 1 (j) Pipradrol;
- 2 (k) Sibutramine;
- 3 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

4 [(5)] (6) Any material, compound, mixture or preparation
5 containing any quantity of the following substance, including its
6 salts:

- 7 (a) Butorphanol (including its optical isomers);
- 8 (b) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-
9 dimethylphenyl]-1-oxopropyl] [(1S)-1-(4-phenyl-1 H-imidazol-2-
10 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its
11 optical isomers) and its salts, isomers, and salts of isomers;
- 12 (c) Pentazocine;

13 [(6)] (7) Ephedrine, its salts, optical isomers and salts
14 of optical isomers, when the substance is the only active
15 medicinal ingredient;

16 [(7)] (8) The department of health and senior services may
17 except by rule any compound, mixture, or preparation containing
18 any depressant substance listed in subdivision (1) of this
19 subsection from the application of all or any part of sections
20 195.010 to 195.320 and sections 579.015 to 579.086 if the
21 compound, mixture, or preparation contains one or more active
22 medicinal ingredients not having a depressant effect on the
23 central nervous system, and if the admixtures are included
24 therein in combinations, quantity, proportion, or concentration
25 that vitiate the potential for abuse of the substances which have
26 a depressant effect on the central nervous system.

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

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

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

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

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

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

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

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

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

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

1 (3) Any compound, mixture, or preparation containing any
2 detectable quantity of pseudoephedrine or its salts or optical
3 isomers, or salts of optical isomers or any compound, mixture, or
4 preparation containing any detectable quantity of ephedrine or
5 its salts or optical isomers, or salts of optical isomers;

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

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

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

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

17 [(b)] (d) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic
18 acid];

19 (5) Any drug product in finished dosage formulation that
20 has been approved by the U.S. Food and Drug Administration that
21 contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-
22 cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis
23 and no more than 0.1 percent (w/w) residual tetrahydro
24 cannabinols.

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

28 (1) All packages of any compound, mixture, or preparation

1 containing any detectable quantity of pseudoephedrine, its salts
2 or optical isomers, or salts of optical isomers or ephedrine, its
3 salts or optical isomers, or salts of optical isomers, shall be
4 offered for sale only from behind a pharmacy counter where the
5 public is not permitted, and only by a registered pharmacist or
6 registered pharmacy technician; and

7 (2) Any person purchasing, receiving or otherwise acquiring
8 any compound, mixture, or preparation containing any detectable
9 quantity of pseudoephedrine, its salts or optical isomers, or
10 salts of optical isomers or ephedrine, its salts or optical
11 isomers, or salts of optical isomers shall be at least eighteen
12 years of age; and

13 (3) The pharmacist, intern pharmacist, or registered
14 pharmacy technician shall require any person, prior to such
15 person's purchasing, receiving or otherwise acquiring such
16 compound, mixture, or preparation to furnish suitable photo
17 identification that is issued by a state or the federal
18 government or a document that, with respect to identification, is
19 considered acceptable and showing the date of birth of the
20 person;

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

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

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

28 (2) The amount of the compound, mixture, or preparation

1 purchased;

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

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

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

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

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

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

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

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

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

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

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

24 195.417. 1. The limits specified in this section shall not
25 apply to any quantity of such product, mixture, or preparation
26 which must be dispensed, sold, or distributed in a pharmacy
27 pursuant to a valid prescription.

28 2. Within any thirty-day period, no person shall sell,

1 dispense, or otherwise provide to the same individual, and no
2 person shall purchase, receive, or otherwise acquire more than
3 the following amount: any number of packages of any drug product
4 containing any detectable amount of ephedrine,
5 phenylpropanolamine, or pseudoephedrine, or any of their salts or
6 optical isomers, or salts of optical isomers, either as:

7 (1) The sole active ingredient; or

8 (2) One of the active ingredients of a combination drug; or

9 (3) A combination of any of the products specified in
10 subdivisions (1) and (2) of this subsection;

11
12 in any total amount greater than ~~[nine]~~ seven and two-tenths
13 grams, without regard to the number of transactions.

14 3. Within any twenty-four-hour period, no pharmacist,
15 intern pharmacist, or registered pharmacy technician shall sell,
16 dispense, or otherwise provide to the same individual, and no
17 person shall purchase, receive, or otherwise acquire more than
18 the following amount: any number of packages of any drug product
19 containing any detectable amount of ephedrine,
20 phenylpropanolamine, or pseudoephedrine, or any of their salts or
21 optical isomers, or salts of optical 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
25 subdivisions (1) and (2) of this subsection;

26
27 in any total amount greater than three and six-tenths grams
28 without regard to the number of transactions.

1 4. All packages of any compound, mixture, or preparation
2 containing any detectable quantity of ephedrine,
3 phenylpropanolamine, or pseudoephedrine, or any of their salts or
4 optical isomers, or salts of optical isomers, except those that
5 are excluded from Schedule V in subsection 17 or 18 of section
6 195.017, shall be offered for sale only from behind a pharmacy
7 counter where the public is not permitted, and only by a
8 registered pharmacist or registered pharmacy technician under
9 section 195.017.

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

14 6. No prescription shall be required for the dispensation,
15 sale, or distribution of any drug product containing any
16 detectable amount of ephedrine, phenylpropanolamine, or
17 pseudoephedrine, or any of their salts or optical isomers, or
18 salts of optical isomers, in an amount within the limits
19 described in subsections 2 and 3 of this section; provided, that
20 a valid prescription shall be required for amounts in excess of
21 such limits. The provisions of this subsection shall not apply
22 in any calendar year in which the methamphetamine laboratory
23 seizure incidents in this state, as reported by the division of
24 drug and crime control within the Missouri state highway patrol,
25 exceed three hundred incidents for the most recent calendar year
26 for which such data is reported by the division and made publicly
27 available.

28 7. This section shall supersede and preempt any local

1 ordinances or regulations, including any ordinances or
2 regulations enacted by any political subdivision of the state.
3 This section shall not apply to the sale of any animal feed
4 products containing ephedrine or any naturally occurring or
5 herbal ephedra or extract of ephedra.

6 [7.] 8. All logs, records, documents, and electronic
7 information maintained for the dispensing of these products shall
8 be open for inspection and copying by municipal, county, and
9 state or federal law enforcement officers whose duty it is to
10 enforce the controlled substances laws of this state or the
11 United States.

12 [8.] 9. All persons who dispense or offer for sale
13 pseudoephedrine and ephedrine products, except those that are
14 excluded from Schedule V in subsection 17 or 18 of section
15 195.017, shall ensure that all such products are located only
16 behind a pharmacy counter where the public is not permitted.

17 [9.] 10. The penalty for a knowing or reckless violation of
18 this section is found in section 579.060.

19 195.805. 1. No edible marijuana-infused product sold in
20 Missouri pursuant to Article XIV of the Missouri Constitution
21 shall be designed, produced, or marketed in a manner that is
22 designed to appeal to persons under eighteen years of age,
23 including, but not limited to, the following:

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

26 (2) Products in the shape of a human, animal, or fruit,
27 including realistic, artistic, caricature, or cartoon renderings.
28 However, geometric shapes, including, but not limited to,

1 circles, squares, rectangles, and triangles, shall be permitted.

2 2. Any licensed or certified entity regulated by the
3 department of health and senior services pursuant to Article XIV
4 of the Missouri Constitution found to have violated the
5 provisions of this section shall be subject to department
6 sanctions, including an administrative penalty, in accordance
7 with the regulations promulgated by the department pursuant to
8 Article XIV of the Missouri Constitution.

9 3. The department shall promulgate rules and regulations
10 regarding edible marijuana-infused products designed to appeal to
11 persons under eighteen years of age, as well as promulgate rules
12 and regulations to establish a process by which a licensed or
13 certified entity may seek approval of an edible product design,
14 package, or label prior to such product's manufacture or sale in
15 order to determine compliance with the provisions of this section
16 and any rules promulgated pursuant to this section. Any rule or
17 portion of a rule, as that term is defined in section 536.010
18 that is created under the authority delegated in this section
19 shall become effective only if it complies with and is subject to
20 all of the provisions of chapter 536 and, if applicable, section
21 536.028. This section and chapter 536 are nonseverable and if
22 any of the powers vested with the general assembly pursuant to
23 chapter 536 to review, to delay the effective date, or to
24 disapprove and annul a rule are subsequently held
25 unconstitutional, then the grant of rulemaking authority and any
26 rule proposed or adopted after August 28, 2020, shall be invalid
27 and void.

28 579.060. 1. A person commits the offense of unlawful sale,

1 distribution, or purchase of over-the-counter methamphetamine
2 precursor drugs if he or she knowingly:

3 (1) Sells, distributes, dispenses, or otherwise provides
4 any number of packages of any drug product containing detectable
5 amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or
6 any of their salts, optical isomers, or salts of optical isomers,
7 in a total amount greater than [nine] seven and two-tenths grams
8 to the same individual within a thirty-day period, unless the
9 amount is dispensed, sold, or distributed pursuant to a valid
10 prescription; or

11 (2) Purchases, receives, or otherwise acquires within a
12 thirty-day period any number of packages of any drug product
13 containing any detectable amount of ephedrine,
14 phenylpropanolamine, or pseudoephedrine, or any of their salts or
15 optical isomers, or salts of optical isomers in a total amount
16 greater than [nine] seven and two-tenths grams, without regard to
17 the number of transactions, unless the amount is purchased,
18 received, or acquired pursuant to a valid prescription; or

19 (3) Purchases, receives, or otherwise acquires within a
20 twenty-four-hour period any number of packages of any drug
21 product containing any detectable amount of ephedrine,
22 phenylpropanolamine, or pseudoephedrine, or any of their salts or
23 optical isomers, or salts of optical isomers in a total amount
24 greater than three and six-tenths grams, without regard to the
25 number of transactions, unless the amount is purchased, received,
26 or acquired pursuant to a valid prescription; or

27 (4) Dispenses or offers drug products that are not excluded
28 from Schedule V in subsection 17 or 18 of section 195.017 and

1 that contain detectable amounts of ephedrine,
2 phenylpropanolamine, or pseudoephedrine, or any of their salts,
3 optical isomers, or salts of optical isomers, without ensuring
4 that such products are located behind a pharmacy counter where
5 the public is not permitted and that such products are dispensed
6 by a registered pharmacist or pharmacy technician under
7 subsection 11 of section 195.017; or

8 (5) Holds a retail sales license issued under chapter 144
9 and knowingly sells or dispenses packages that do not conform to
10 the packaging requirements of section 195.418.

11 2. A pharmacist, intern pharmacist, or registered pharmacy
12 technician commits the offense of unlawful sale, distribution, or
13 purchase of over-the-counter methamphetamine precursor drugs if
14 he or she knowingly:

15 (1) Sells, distributes, dispenses, or otherwise provides
16 any number of packages of any drug product containing detectable
17 amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or
18 any of their salts or optical isomers, or salts of optical
19 isomers, in a total amount greater than three and six-tenth grams
20 to the same individual within a twenty-four hour period, unless
21 the amount is dispensed, sold, or distributed pursuant to a valid
22 prescription; or

23 (2) Fails to submit information under subsection 13 of
24 section 195.017 and subsection 5 of section 195.417 about the
25 sales of any compound, mixture, or preparation of products
26 containing detectable amounts of ephedrine, phenylpropanolamine,
27 or pseudoephedrine, or any of their salts, optical isomers, or
28 salts of optical isomers, in accordance with transmission methods

1 and frequency established by the department of health and senior
2 services; or

3 (3) Fails to implement and maintain an electronic log, as
4 required by subsection 12 of section 195.017, of each transaction
5 involving any detectable quantity of pseudoephedrine, its salts,
6 isomers, or salts of optical isomers or ephedrine, its salts,
7 optical isomers, or salts of optical isomers; or

8 (4) Sells, distributes, dispenses or otherwise provides to
9 an individual under eighteen years of age without a valid
10 prescription any number of packages of any drug product
11 containing any detectable quantity of pseudoephedrine, its salts,
12 isomers, or salts of optical isomers, or ephedrine, its salts or
13 optical isomers, or salts of optical isomers.

14 3. Any person who violates the packaging requirements of
15 section 195.418 and is considered the general owner or operator
16 of the outlet where ephedrine, pseudoephedrine, or
17 phenylpropanolamine products are available for sale shall not be
18 penalized if he or she documents that an employee training
19 program was in place to provide the employee who made the
20 unlawful retail sale with information on the state and federal
21 regulations regarding ephedrine, pseudoephedrine, or
22 phenylpropanolamine.

23 4. The offense of unlawful sale, distribution, or purchase
24 of over-the-counter methamphetamine precursor drugs is a class A
25 misdemeanor.

26 579.065. 1. A person commits the offense of trafficking
27 drugs in the first degree if, except as authorized by this
28 chapter or chapter 195, such person knowingly distributes,

1 delivers, manufactures, produces or attempts to distribute,
2 deliver, manufacture or produce:

3 (1) More than thirty grams [but less than ninety grams] of
4 a mixture or substance containing a detectable amount of heroin;

5 (2) More than one hundred fifty grams [but less than four
6 hundred fifty grams] of a mixture or substance containing a
7 detectable amount of coca leaves, except coca leaves and extracts
8 of coca leaves from which cocaine, ecgonine, and derivatives of
9 ecgonine or their salts have been removed; cocaine salts and
10 their optical and geometric isomers, and salts of isomers;
11 ecgonine, its derivatives, their salts, isomers, and salts of
12 isomers; or any compound, mixture, or preparation which contains
13 any quantity of any of the foregoing substances;

14 (3) More than eight grams [but less than twenty-four grams]
15 of a mixture or substance described in subdivision (2) of this
16 subsection which contains cocaine base;

17 (4) More than five hundred milligrams [but less than one
18 gram] of a mixture or substance containing a detectable amount of
19 lysergic acid diethylamide (LSD);

20 (5) More than thirty grams [but less than ninety grams] of
21 a mixture or substance containing a detectable amount of
22 phencyclidine (PCP);

23 (6) More than four grams [but less than twelve grams] of
24 phencyclidine;

25 (7) More than thirty kilograms [but less than one hundred
26 kilograms] of a mixture or substance containing marijuana;

27 (8) More than thirty grams [but less than ninety grams] of
28 any material, compound, mixture, or preparation containing any

1 quantity of the following substances having a stimulant effect on
2 the central nervous system: amphetamine, its salts, optical
3 isomers and salts of its optical isomers; methamphetamine, its
4 salts, optical isomers and salts of its optical isomers;
5 phenmetrazine and its salts; or methylphenidate; [or]

6 (9) More than thirty grams [but less than ninety grams] of
7 any material, compound, mixture, or preparation which contains
8 any quantity of 3,4-methylenedioxymethamphetamine;

9 (10) One gram or more of flunitrazepam for the first
10 offense;

11 (11) Any amount of gamma-hydroxybutyric acid for the first
12 offense; or

13 (12) More than ten milligrams of fentanyl or carfentanil,
14 or any derivative thereof, or any combination thereof, or any
15 compound, mixture, or substance containing a detectable amount of
16 fentanyl or carfentanil, or their optical isomers or analogues.

17 2. The offense of trafficking drugs in the first degree is
18 a class B felony.

19 3. The offense of trafficking drugs in the first degree is
20 a class A felony if the quantity involved is:

21 (1) Ninety grams or more of a mixture or substance
22 containing a detectable amount of heroin; or

23 (2) Four hundred fifty grams or more of a mixture or
24 substance containing a detectable amount of coca leaves, except
25 coca leaves and extracts of coca leaves from which cocaine,
26 ecgonine, and derivatives of ecgonine or their salts have been
27 removed; cocaine salts and their optical and geometric isomers,
28 and salts of isomers; ecgonine, its derivatives, their salts,

1 isomers, and salts of isomers; or any compound, mixture, or
2 preparation which contains any quantity of any of the foregoing
3 substances; or

4 (3) Twenty-four grams or more of a mixture or substance
5 described in subdivision (2) of this subsection which contains
6 cocaine base; or

7 (4) One gram or more of a mixture or substance containing a
8 detectable amount of lysergic acid diethylamide (LSD); or

9 (5) Ninety grams or more of a mixture or substance
10 containing a detectable amount of phencyclidine (PCP); or

11 (6) Twelve grams or more of phencyclidine; or

12 (7) One hundred kilograms or more of a mixture or substance
13 containing marijuana; or

14 (8) Ninety grams or more of any material, compound,
15 mixture, or preparation containing any quantity of the following
16 substances having a stimulant effect on the central nervous
17 system: amphetamine, its salts, optical isomers and salts of its
18 optical isomers; methamphetamine, its salts, optical isomers and
19 salts of its optical isomers; phenmetrazine and its salts; or
20 methylphenidate; or

21 (9) More than thirty grams of any material, compound,
22 mixture, or preparation containing any quantity of the following
23 substances having a stimulant effect on the central nervous
24 system: amphetamine, its salts, optical isomers, and salts of
25 its optical isomers; methamphetamine, its salts, optical isomers,
26 and salts of its optical isomers; phenmetrazine and its salts; or
27 methylphenidate, and the location of the offense was within two
28 thousand feet of real property comprising a public or private

1 elementary, vocational, or secondary school, college, community
2 college, university, or any school bus, in or on the real
3 property comprising public housing or any other governmental
4 assisted housing, or within a motor vehicle, or in any structure
5 or building which contains rooms furnished for the accommodation
6 or lodging of guests, and kept, used, maintained, advertised, or
7 held out to the public as a place where sleeping accommodations
8 are sought for pay or compensation to transient guests or
9 permanent guests; or

10 (10) Ninety grams or more of any material, compound,
11 mixture or preparation which contains any quantity of
12 3,4-methylenedioxymethamphetamine; or

13 (11) More than thirty grams of any material, compound,
14 mixture, or preparation which contains any quantity of
15 3,4-methylenedioxymethamphetamine and the location of the offense
16 was within two thousand feet of real property comprising a public
17 or private elementary, vocational, or secondary school, college,
18 community college, university, or any school bus, in or on the
19 real property comprising public housing or any other governmental
20 assisted housing, within a motor vehicle, or in any structure or
21 building which contains rooms furnished for the accommodation or
22 lodging of guests, and kept, used, maintained, advertised, or
23 held out to the public as a place where sleeping accommodations
24 are sought for pay or compensation to transient guests or
25 permanent guests; or

26 (12) One gram or more of flunitrazepam for a second or
27 subsequent offense; or

28 (13) Any amount of gamma-hydroxybutyric acid for a second

1 or subsequent offense; or

2 (14) Twenty milligrams or more of fentanyl or carfentanil,
3 or any derivative thereof, or any combination thereof, or any
4 compound, mixture, or substance containing a detectable amount of
5 fentanyl or carfentanil, or their optical isomers or analogues.

6 579.068. 1. A person commits the offense of trafficking
7 drugs in the second degree if, except as authorized by this
8 chapter or chapter 195, such person knowingly possesses or has
9 under his or her control, purchases or attempts to purchase, or
10 brings into this state:

11 (1) More than thirty grams [but less than ninety grams] of
12 a mixture or substance containing a detectable amount of heroin;

13 (2) More than one hundred fifty grams [but less than four
14 hundred fifty grams] of a mixture or substance containing a
15 detectable amount of coca leaves, except coca leaves and extracts
16 of coca leaves from which cocaine, ecgonine, and derivatives of
17 ecgonine or their salts have been removed; cocaine salts and
18 their optical and geometric isomers, and salts of isomers;
19 ecgonine, its derivatives, their salts, isomers, and salts of
20 isomers; or any compound, mixture, or preparation which contains
21 any quantity of any of the foregoing substances;

22 (3) More than eight grams [but less than twenty-four grams]
23 of a mixture or substance described in subdivision (2) of this
24 subsection which contains cocaine base;

25 (4) More than five hundred milligrams [but less than one
26 gram] of a mixture or substance containing a detectable amount of
27 lysergic acid diethylamide (LSD);

28 (5) More than thirty grams [but less than ninety grams] of

1 a mixture or substance containing a detectable amount of
2 phencyclidine (PCP);

3 (6) More than four grams [but less than twelve grams] of
4 phencyclidine;

5 (7) More than thirty kilograms [but less than one hundred
6 kilograms] of a mixture or substance containing marijuana;

7 (8) More than thirty grams [but less than ninety grams] of
8 any material, compound, mixture, or preparation containing any
9 quantity of the following substances having a stimulant effect on
10 the central nervous system: amphetamine, its salts, optical
11 isomers and salts of its optical isomers; methamphetamine, its
12 salts, optical isomers and salts of its optical isomers;
13 phenmetrazine and its salts; or methylphenidate; [or]

14 (9) More than thirty grams [but less than ninety grams] of
15 any material, compound, mixture, or preparation which contains
16 any quantity of 3,4-methylenedioxymethamphetamine; or

17 (10) More than ten milligrams of fentanyl or carfentanil,
18 or any derivative thereof, or any combination thereof, or any
19 compound, mixture, or substance containing a detectable amount of
20 fentanyl or carfentanil, or their optical isomers or analogues.

21 2. The offense of trafficking drugs in the second degree is
22 a class C felony.

23 3. The offense of trafficking drugs in the second degree is
24 a class B felony if the quantity involved is:

25 (1) Ninety grams or more of a mixture or substance
26 containing a detectable amount of heroin; or

27 (2) Four hundred fifty grams or more of a mixture or
28 substance containing a detectable amount of coca leaves, except

1 coca leaves and extracts of coca leaves from which cocaine,
2 ecgonine, and derivatives of ecgonine or their salts have been
3 removed; cocaine salts and their optical and geometric isomers,
4 and salts of isomers; ecgonine, its derivatives, their salts,
5 isomers, and salts of isomers; or any compound, mixture, or
6 preparation which contains any quantity of any of the foregoing
7 substances; or

8 (3) Twenty-four grams or more of a mixture or substance
9 described in subdivision (2) of this subsection which contains
10 cocaine base; or

11 (4) One gram or more of a mixture or substance containing a
12 detectable amount of lysergic acid diethylamide (LSD); or

13 (5) Ninety grams or more of a mixture or substance
14 containing a detectable amount of phencyclidine (PCP); or

15 (6) Twelve grams or more of phencyclidine; or

16 (7) One hundred kilograms or more of a mixture or substance
17 containing marijuana; or

18 (8) More than five hundred marijuana plants; or

19 (9) Ninety grams or more but less than four hundred fifty
20 grams of any material, compound, mixture, or preparation
21 containing any quantity of the following substances having a
22 stimulant effect on the central nervous system: amphetamine, its
23 salts, optical isomers and salts of its optical isomers;
24 methamphetamine, its salts, optical isomers and salts of its
25 optical isomers; phenmetrazine and its salts; or methylphenidate;
26 or

27 (10) Ninety grams or more but less than four hundred fifty
28 grams of any material, compound, mixture, or preparation which

1 contains any quantity of 3,4-methylenedioxymethamphetamine; or
2 (11) Twenty milligrams or more of fentanyl or carfentanil,
3 or any derivative thereof, or any combination thereof, or any
4 compound, mixture, or substance containing a detectable amount of
5 fentanyl or carfentanil, or their optical isomers or analogues.

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

10 (1) Any quantity of the following substances having a
11 stimulant effect on the central nervous system: amphetamine, its
12 salts, optical isomers and salts of its optical isomers;
13 methamphetamine, its salts, isomers and salts of its isomers;
14 phenmetrazine and its salts; or methylphenidate; or

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

16 5. The offense of drug trafficking in the second degree is
17 a class C felony for the first offense and a class B felony for
18 any second or subsequent offense for the trafficking of less than
19 one gram of flunitrazepam.