

SECOND REGULAR SESSION

[CORRECTED]

[TRULY AGREED TO AND FINALLY PASSED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

HOUSE BILL NO. 1896

100TH GENERAL ASSEMBLY

4303S.07T

2020

AN ACT

To repeal sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and
2 579.068, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as
3 sections 191.1146, 195.015, 195.017, 195.417, 195.805, 195.815, 579.060, 579.065, and
4 579.068, to read as follows:

191.1146. 1. Physicians licensed under chapter 334 who use telemedicine shall ensure
2 that a properly established physician-patient relationship exists with the person who receives the
3 telemedicine services. The physician-patient relationship may be established by:

4 (1) An in-person encounter through a medical interview and physical examination;

5 (2) Consultation with another physician, or that physician's delegate, who has an
6 established relationship with the patient and an agreement with the physician to participate in the
7 patient's care; or

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.

8 (3) A telemedicine encounter, if the standard of care does not require an in-person
9 encounter, and in accordance with evidence-based standards of practice and telemedicine
10 practice guidelines that address the clinical and technological aspects of telemedicine.

11 2. In order to establish a physician-patient relationship through telemedicine:

12 (1) The technology utilized shall be sufficient to establish an informed diagnosis as
13 though the medical interview and physical examination has been performed in person; and

14 (2) Prior to providing treatment, including issuing prescriptions **or physician**
15 **certifications under article XIV of the Missouri constitution**, a physician who uses
16 telemedicine shall interview the patient, collect or review relevant medical history, and perform
17 an examination sufficient for the diagnosis and treatment of the patient. A questionnaire
18 completed by the patient, whether via the internet or telephone, does not constitute an acceptable
19 medical interview and examination for the provision of treatment by telehealth.

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

5 (1) The actual or relative potential for abuse;

6 (2) The scientific evidence of its pharmacological effect, if known;

7 (3) The state of current scientific knowledge regarding the substance;

8 (4) The history and current pattern of abuse;

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

10 (6) The risk to the public health;

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

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

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

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

21 4. If any substance is designated, rescheduled, or deleted as a controlled substance under
22 federal law and notice thereof is given to the department of health and senior services, the
23 department of health and senior services shall similarly control the substance under this chapter
24 ~~after the expiration of~~ **and shall submit emergency rules to the secretary of state under**

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

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

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

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

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

6 2. Schedule I:

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

- 11 (a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-
12 phenylacetamide);
13 (b) Acetylmethadol;
14 (c) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);
15 (d) Acryl fentanyl (-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide);

- 16 (e) **AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide);**
 17 (f) Allylprodine;
 18 ~~(g)~~ (g) Alphacetylmethadol (**except levoalphacetylmethadol, also known as levo-**
 19 **alpha-acetylmethadol levothadyl acetate or LAAM);**
 20 ~~(h)~~ (h) Alphameprodine;
 21 ~~(i)~~ (i) Alphamethadol;
 22 ~~(j)~~ (j) Alpha-methylfentanyl (**N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl)**
 23 **propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine);**
 24 ~~(k)~~ (k) Alpha-methylthiofentanyl (**N-(1-methyl-2-(2-thienyl) ethyl-4-piperidiny)-N-**
 25 **phenylpropanamide);**
 26 ~~(l)~~ (l) Benzethidine;
 27 ~~(m)~~ (m) Betacetylmethadol;
 28 ~~(n)~~ (n) Beta-hydroxyfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-4-piperidiny)-N-**
 29 **phenylpropanamide);**
 30 ~~(o)~~ (o) Beta-hydroxy-3-methylfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-**
 31 **piperidiny)-N-phenylpropanamide);**
 32 ~~(p)~~ (p) Betameprodine;
 33 ~~(q)~~ (q) Betamethadol;
 34 ~~(r)~~ (r) Betaprodine;
 35 ~~(s)~~ (s) Clonitazene;
 36 ~~(t)~~ (t) Dextromoramide;
 37 ~~(u)~~ (u) Diampromide;
 38 (v) **Cyclopropyl fentanyl;**
 39 ~~(w)~~ (w) Diethylthiambutene;
 40 ~~(x)~~ (x) Difenoxy;
 41 ~~(y)~~ (y) Dimenoxadol;
 42 ~~(z)~~ (z) Dimepheptanol;
 43 ~~(aa)~~ (aa) Dimethylthiambutene;
 44 ~~(bb)~~ (bb) Dioxaphetyl butyrate;
 45 ~~(cc)~~ (cc) Dipipanone;
 46 ~~(dd)~~ (dd) Ethylmethylthiambutene;
 47 ~~(ee)~~ (ee) Etonitazene;
 48 ~~(ff)~~ (ff) Etoxidine;
 49 (gg) **4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-phenethylpiperidin-4-**
 50 **yl)isobutyramide;**
 51 (hh) **Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;**

- 52 [~~ee~~] **(ii)** Furethidine;
- 53 [~~ed~~] **(jj)** Hydroxypethidine;
- 54 [~~ee~~] **(kk)** Ketobemidone;
- 55 [~~ff~~] **(ll)** Levomoramide;
- 56 [~~gg~~] **(mm)** Levophenacymorphan;
- 57 [~~hh~~] **(nn)** 3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
- 58 **phenylpropanamide), its optical and geometric isomers, salts, and salts of isomers;**
- 59 [~~ii~~] **(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 [~~jj~~] **(qq)** Morpheridine;
- 64 [~~kk~~] **(rr)** MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 65 **(ss)** MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);
- 66 [~~ll~~] **(tt)** Noracymethadol;
- 67 [~~mm~~] **(uu)** Norlevorphanol;
- 68 [~~nn~~] **(vv)** Normethadone;
- 69 [~~oo~~] **(ww)** Norpipanone;
- 70 **(xx)** Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-
- 71 **yl)acetamide;**
- 72 **(yy)** Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-yl)propionamide); other
- 73 **name 2-fluorofentanyl;**
- 74 **(zz)** para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-phenethylpiperidin-4-
- 75 **yl)butyramide;**
- 76 [~~pp~~] **(aaa)** Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
- 77 **piperidinyl) propanamide;**
- 78 [~~qq~~] **(bbb)** PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 79 [~~rr~~] **(ccc)** Phenadoxone;
- 80 [~~ss~~] **(ddd)** Phenampromide;
- 81 [~~tt~~] **(eee)** Phenomorphan;
- 82 [~~uu~~] **(fff)** Phenoperidine;
- 83 [~~vv~~] **(ggg)** Piritramide;
- 84 [~~ww~~] **(hhh)** Proheptazine;
- 85 [~~xx~~] **(iii)** Properidine;
- 86 [~~yy~~] **(jjj)** Propiram;
- 87 [~~zz~~] **(kkk)** Racemoramide;

88 (III) Tetrahydrofuryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
89 phenyltetrahydrofuran-2-carboxamide);

90 [~~(aaa)~~] (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-4-piperidiny)-
91 propanamide;

92 [~~(bbb)~~] (nnn) Tilidine;

93 [~~(ccc)~~] (ooo) Trimeperidine;

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

97 (a) Acetorphine;

98 (b) Acetyldihydrocodeine;

99 (c) Benzylmorphine;

100 (d) Codeine methylbromide;

101 (e) Codeine-N-Oxide;

102 (f) Cyprenorphine;

103 (g) Desomorphine;

104 (h) Dihydromorphine;

105 (i) Drotebanol;

106 (j) Etorphine (except hydrochloride salt);

107 (k) Heroin;

108 (l) Hydromorphinol;

109 (m) Methyldesorphine;

110 (n) Methyldihydromorphine;

111 (o) Morphine methylbromide;

112 (p) Morphine methylsulfonate;

113 (q) Morphine-N-Oxide;

114 (r) Myrophine;

115 (s) Nicocodeine;

116 (t) Nicomorphine;

117 (u) Normorphine;

118 (v) Pholcodine;

119 (w) Thebacon;

120 (4) Any of the following opiate similar synthetic substances scheduled by the U.S.
121 Drug Enforcement Administration as substances that share a pharmacological profile
122 similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or
123 unless listed in another schedule:

- 124 **(a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);**
 125 **(b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-methyl benzamide).**
 126 **(5) Any material, compound, mixture or preparation which contains any quantity of the**
 127 **following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically**
 128 **excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within**
 129 **the specific chemical designation:**
- 130 ~~(a) 4-bromo-2,5-dimethoxyamphetamine;~~
 131 ~~————(b) 4-bromo-2,5-dimethoxyphenethylamine;~~
 132 ~~————(c) 2,5-dimethoxyamphetamine;~~
 133 ~~————(d) 2,5-dimethoxy-4-ethylamphetamine]~~ **Alpha-ethyltryptamine;**
 134 **(b) 4-bromo-2,5-dimethoxyamphetamine;**
 135 **(c) 4-bromo-2,5-dimethoxyphenethylamine;**
 136 **(d) 2,5-dimethoxyamphetamine;**
 137 ~~[(e)]~~ **(e) 2,5-dimethoxy-4-ethylamphetamine;**
 138 ~~[(e)]~~ **(f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;**
 139 ~~[(f)]~~ **(g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**
 140 **(h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**
 141 **(i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**
 142 **(j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**
 143 **(k) 2-(2,5-Dimethoxyphenyl) ethanamine;**
 144 **(l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**
 145 **(m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**
 146 **(n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**
 147 **(o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**
 148 **(p) 4-methoxyamphetamine;**
 149 ~~[(g)]~~ **(q) 5-methoxy-3,4-methylenedioxyamphetamine;**
 150 ~~[(h)]~~ **(r) 4-methyl-2,5-dimethoxyamphetamine;**
 151 ~~[(i)]~~ **(s) 3,4-methylenedioxyamphetamine;**
 152 ~~[(j)]~~ **(t) 3,4-methylenedioxymethamphetamine;**
 153 ~~[(k)]~~ **(u) 3,4-methylenedioxy-N-ethylamphetamine;**
 154 ~~[(l)]~~ **(v) N-hydroxy-3,4-methylenedioxyamphetamine;**
 155 ~~[(m)]~~ **(w) 3,4,5-trimethoxyamphetamine;**
 156 ~~[(n)]~~ **(x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[~~its isomers, salts, and~~**
 157 **salts of isomers];**
 158 ~~[(o)]~~ **Alpha-ethyltryptamine;**
 159 ~~————~~ ~~[(p)]~~ **(y) Alpha-methyltryptamine;**

- 160 [(q)] (z) Bufotenine;
- 161 [(r)] (aa) Diethyltryptamine;
- 162 [(s)] (bb) Dimethyltryptamine;
- 163 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 164 [(u)] (dd) Ibogaine;
- 165 [(v)] (ee) Lysergic acid diethylamide;
- 166 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 167 [(x)] (gg) Mescaline;
- 168 [(y)] (hh) Parahexyl;
- 169 [(z)] (ii) Peyote, to include all parts of the plant presently classified botanically as
- 170 Lophophora ~~[Williamsii]~~ **williamsii** Lemaire, whether growing or not; the seeds thereof; any
- 171 extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture
- 172 or preparation of the plant, its seed or extracts;
- 173 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;
- 174 [(bb)] (kk) N-methyl-3-piperidyl benzilate;
- 175 [(cc)] (ll) Psilocybin;
- 176 [(dd)] (mm) Psilocyn;
- 177 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 178 (cannabis plant), except industrial hemp, as well as synthetic equivalents of the substances
- 179 contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic
- 180 substances, derivatives[,] and their isomers, **or both**, with similar chemical structure and
- 181 pharmacological activity to those substances contained in the plant, such as the following:
- 182 a. 1 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 183 b. 6 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 184 c. 3,4 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 185 d. Any compounds of these structures, regardless of numerical designation of atomic
- 186 positions covered;
- 187 [(ff)] (oo) Ethylamine analog of phencyclidine;
- 188 [(gg)] (pp) Pyrrolidine analog of phencyclidine;
- 189 [(hh)] (qq) Thiophene analog of phencyclidine;
- 190 [(ii)] (rr) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 191 [(jj)] (ss) Salvia divinorum;
- 192 [(kk)] (tt) Salvinorin A;
- 193 [(ll)] (uu) Synthetic cannabinoids:
- 194 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 195 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by

196 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl
197 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
198 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
199 to:

- 200 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**
201 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
202 [~~(ii)~~] (iii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
203 [~~(iii)~~] (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
204 [~~(iv)~~] (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
205 [~~(v)~~] (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
206 [~~(vi)~~] (vii) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
207 [~~(vii)~~] (viii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
208 [~~(viii)~~] (ix) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
209 [~~(ix)~~] (x) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
210 [~~(x)~~] (xi) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;
211 [~~(xi)~~] (xii) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
212 [~~(xii)~~] (xiii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
213 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
214 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
215 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
216 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
217 extent;
218 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
219 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
220 cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or
221 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
222 ring to any extent;
223 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
224 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
225 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
226 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
227 extent. Including, but not limited to:
228 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
229 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
230 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
231 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

- 232 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- 233 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
 234 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
 235 cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or
 236 not substituted in the cyclohexyl ring to any extent. Including, but not limited to[:
- 237 ~~————(i)—~~ C P 4 7 , 4 9 7 [&] a n d h o m o l o g u e s , o r
 238 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and
 239 homologues where side chain n=4,6, or 7;
- 240 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
 241 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
 242 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
 243 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
 244 any extent. Including, but not limited to:
- 245 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
- 246 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole **(SR-19 and RCS-4)**;
- 247 g . C P 5 0 , 5 5 6 - 1 , o r
 248 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
 249 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
- 250 h . H U - 2 1 0 , o r
 251 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrob
 252 enzo[c]chromen-1-ol;
- 253 i . H U - 2 1 1 , o r
 254 Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a
 255 -tetrahydrobenzo[c]chromen-1-ol;
- 256 j . [C P 5 0 , 5 5 6 - 1 , o r
 257 ~~[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
 258 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;~~
- 259 ~~————k—~~] Dimethylheptylpyran, or DMHP;
- 260 [(5)] (6) Any material, compound, mixture or preparation containing any quantity of the
 261 following substances having a depressant effect on the central nervous system, including their
 262 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
 263 isomers is possible within the specific chemical designation:
- 264 (a) Gamma-hydroxybutyric acid;
- 265 (b) Mecloqualone;
- 266 (c) Methaqualone;

267 [(6)] (7) Any material, compound, mixture or preparation containing any quantity of the
 268 following substances having a stimulant effect on the central nervous system, including their
 269 salts, isomers and salts of isomers:

- 270 (a) Aminorex;
- 271 (b) N-benzylpiperazine;
- 272 (c) Cathinone;
- 273 (d) Fenethylamine;
- 274 (e) 3-Fluoromethcathinone;
- 275 (f) 4-Fluoromethcathinone;
- 276 (g) Mephedrone, or 4-methylmethcathinone;
- 277 (h) Methcathinone;
- 278 (i) 4-methoxymethcathinone;
- 279 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 280 (k) Methylene dioxypropylone, MDPV, or
 281 (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone;
- 282 (l) Methylone, or 3,4-Methylenedioxymethcathinone;
- 283 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
- 284 (n) N-ethylamphetamine;
- 285 (o) N,N-dimethylamphetamine;
- 286 (p) **Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate (PB-22; QUPIC);**
- 287 (q) **Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-fluoro-PB-22; 5F-**
 288 **PB-22);**
- 289 (r) **N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-**
 290 **carboxamide (AB-FUBINACA);**
- 291 (s) **N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide**
 292 **(ADB-PINACA);**

293 [(7)] (8) A temporary listing of substances subject to emergency scheduling under federal
 294 law shall include any material, compound, mixture or preparation which contains any quantity
 295 of the following substances:

- 296 (a) ~~[N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,~~
 297 ~~salts and salts of isomers;~~
- 298 ~~—(b)—N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thethylfentanyl), its~~
 299 ~~optical isomers, salts and salts of isomers]~~ **(1-pentyl-1*H*-indol-3-yl)(2,2,3,3-**
 300 **tetramethylcyclopropyl)methanone, its optical, positional, and geometric isomers, salts, and**
 301 **salts of isomers;**

- 302 (b) [1-(5-fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone,
303 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 304 (c) N-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide, its optical, positional,
305 and geometric isomers, salts, and salts of isomers;
- 306 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
307 positional, and geometric isomers, salts, and salts of isomers;
- 308 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
309 positional, and geometric isomers, salts, and salts of isomers;
- 310 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
311 positional, and geometric isomers, salts, and salts of isomers;
- 312 (g) 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts,
313 and salts of isomers;
- 314 (h) 4-methyl- α -pyrrolidinopropiophenone, its optical, positional, and geometric
315 isomers, salts, and salts of isomers;
- 316 (i) α -pyrrolidinopentiophenone, its optical, positional, and geometric isomers,
317 salts, and salts of isomers;
- 318 (j) Butylone, its optical, positional, and geometric isomers, salts, and salts of
319 isomers;
- 320 (k) Pentedrone, its optical, positional, and geometric isomers, salts, and salts of
321 isomers;
- 322 (l) Pentylone, its optical, positional, and geometric isomers, salts, and salts of
323 isomers;
- 324 (m) Naphyrone, its optical, positional, and geometric isomers, salts, and salts of
325 isomers;
- 326 (n) α -pyrrolidinobutiophenone, its optical, positional, and geometric isomers,
327 salts, and salts of isomers;
- 328 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
329 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 330 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide,
331 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 332 (q) [1-(5-fluoropentyl)-1*H*-indazole-3-yl](naphthalen-1-yl)methanone, its optical,
333 positional, and geometric isomers, salts, and salts of isomers;
- 334 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-yl]-N-phenylpropionamide,
335 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 336 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and
337 geometric isomers, salts, and salts of isomers;

- 338 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
339 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 340 (u) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-
341 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
342 isomers;
- 343 (v) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
344 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 345 (w) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide, its optical,
346 positional, and geometric isomers, salts, and salts of isomers;
- 347 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-
348 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 349 (y) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-
350 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
351 isomers;
- 352 (z) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-
353 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
354 isomers;
- 355 (aa) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers,
356 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 357 (bb) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
358 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 359 (cc) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide, its isomers,
360 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 361 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters,
362 ethers, salts, and salts of isomers, esters, and ethers;
- 363 (ee) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers,
364 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 365 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers,
366 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 367 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers,
368 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 369 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters,
370 ethers, salts, and salts of isomers, esters, and ethers;
- 371 (ii) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentane-carboxamide, its isomers,
372 esters, ethers, salts, and salts of isomers, esters, and ethers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

417 (uu) (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone,
418 its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: FUB-
419 144);

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

422 (ww) *alpha*-pyrrolidinohexanophenone, its optical, positional, and geometric
423 isomers, salts, and salts of isomers (Other names: *alpha*-PHP; *alpha*-pyrrolidinohexiophenone;
424 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

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

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

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

433 (aaa) 4'-chloro-*alpha*-pyrrolidinovalerophenone, its optical, positional, and
434 geometric isomers, salts, and salts of isomers (Other names: 4-chloro-*alpha*-PVP; 4'-chloro-
435 *alpha*-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);

436 [(8)] (9) Khat, to include all parts of the plant presently classified botanically as *catha*
437 *edulis*, whether growing or not; the seeds thereof; any extract from any part of such plant; and
438 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or
439 extracts.

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

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

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

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

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

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

450 (a) Opium and opiate; and any salt, compound, derivative or preparation of opium or
451 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
452 nalmeferene, **naloxegol**, naloxone, and naltrexone, and their respective salts, but including the
453 following:

454 a. Raw opium;

455 b. Opium extracts;

456 c. Opium fluid;

457 d. Powdered opium;

458 e. Granulated opium;

459 f. Tincture of opium;

460 g. Codeine;

461 h. **Dihydroetorphine**;

462 i. Ethylmorphine;

463 [~~i~~] j. Etorphine hydrochloride;

464 [~~j~~] k. Hydrocodone;

465 [~~k~~] l. Hydromorphone;

466 [~~l~~] m. Metopon;

467 [~~m~~] n. Morphine;

468 [~~n~~] o. **Oripavine**;

469 p. Oxycodone;

470 [~~o~~] q. Oxymorphone;

471 [~~p~~] r. Thebaine;

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

475 (c) Opium poppy and poppy straw;

476 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
477 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
478 with any of these substances, but not including **the following**:

- 479 **a.** Decocainized coca leaves or extractions **of coca leaves**, which **extractions** do not
 480 contain cocaine or ecgonine; **or**
- 481 **b. Ioflupane;**
- 482 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
 483 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 484 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
 485 of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within
 486 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 487 (a) Alfentanil;
- 488 (b) Alphaprodine;
- 489 (c) Anileridine;
- 490 (d) Bezitramide;
- 491 (e) Bulk dextropropoxyphene;
- 492 (f) Carfentanil;
- 493 (g) Dihydrocodeine;
- 494 (h) Diphenoxylate;
- 495 (i) Fentanyl;
- 496 (j) Isomethadone;
- 497 (k) Levo-alphacetylmethadol;
- 498 (l) Levomethorphan;
- 499 (m) Levorphanol;
- 500 (n) Metazocine;
- 501 (o) Methadone;
- 502 (p) ~~Meperidine~~;
- 503 ~~(q)~~ Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 504 [~~(+)~~] **(q)** Moramide-Intermediate, 2-methyl-3-morpholino-1,
 505 1-diphenylpropane-carboxylic acid;
- 506 [~~(s)~~] **(r)** Pethidine (meperidine);
- 507 [~~(t)~~] **(s)** Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 508 [~~(u)~~] **(t)** Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 509 [~~(v)~~] **(u)** Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 510 [~~(w)~~] **(v)** Phenazocine;
- 511 [~~(x)~~] **(w)** Piminodine;
- 512 [~~(y)~~] **(x)** Racemethorphan;
- 513 [~~(z)~~] **(y)** Racemorphan;
- 514 [~~(aa)~~] **(z)** Remifentanil;

- 515 ~~[(bb)]~~ **(aa)** Sufentanil;
- 516 ~~[(ee)]~~ **(bb)** Tapentadol;
- 517 **(cc) Thiafentanil;**
- 518 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 519 following substances having a stimulant effect on the central nervous system:
- 520 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 521 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 522 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 523 (d) Phenmetrazine and its salts;
- 524 (e) Methylphenidate;
- 525 (4) Any material, compound, mixture, or preparation which contains any quantity of the
- 526 following substances having a depressant effect on the central nervous system, including its salts,
- 527 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
- 528 is possible within the specific chemical designation:
- 529 (a) Amobarbital;
- 530 (b) Glutethimide;
- 531 (c) Pentobarbital;
- 532 (d) Phencyclidine;
- 533 (e) Secobarbital;
- 534 (5) ~~[Any material or compound which contains any quantity of nabilone]~~ **Hallucinogenic**
- 535 **substances:**
- 536 **(a) Any material or compound which contains any quantity of nabilone;**
- 537 **(b) Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an oral solution in a drug**
- 538 **product approved for marketing by the U.S. Food and Drug Administration;**
- 539 (6) Any material, compound, mixture, or preparation which contains any quantity of the
- 540 following substances:
- 541 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 542 (b) Immediate precursors to phencyclidine (PCP):
- 543 a. 1-phenylcyclohexylamine;
- 544 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 545 **(c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperidine (ANPP);**
- 546 (7) Any material, compound, mixture, or preparation which contains any quantity of the
- 547 following alkyl nitrites:
- 548 (a) Amyl nitrite;
- 549 (b) Butyl nitrite.

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

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

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

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

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

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

562 (a) Benzphetamine;

563 (b) Chlorphentermine;

564 (c) Clortermine;

565 (d) Phendimetrazine;

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

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

570 a. Amobarbital;

571 b. Secobarbital;

572 c. Pentobarbital;

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

574 a. Amobarbital;

575 b. Secobarbital;

576 c. Pentobarbital;

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

579 (d) Chlorhexadol;

580 (e) Embutramide;

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

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

585 (h) Lysergic acid;

- 586 (i) Lysergic acid amide;
- 587 (j) Methyprylon;
- 588 (k) **Perampanel, and its salts, isomers, and salts of isomers;**
- 589 (l) Sulfondiethylmethane;
- 590 [(f)] (m) Sulfonethylmethane;
- 591 [(m)] (n) Sulfonmethane;
- 592 [(n)] (o) Tiletamine and zolazepam or any salt thereof;
- 593 (3) Nalorphine;
- 594 (4) Any material, compound, mixture, or preparation containing limited quantities of any
- 595 of the following narcotic drugs or their salts:
- 596 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 597 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
- 598 of opium;
- 599 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 600 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
- 601 therapeutic amounts;
- 602 (c) ~~Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
- 603 ~~or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an~~
- 604 ~~isoquinoline alkaloid of opium;~~
- 605 ~~— (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
- 606 ~~or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic~~
- 607 ~~ingredients in recognized therapeutic amounts;~~
- 608 ~~— (e)] Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more~~
- 609 ~~than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in~~
- 610 ~~recognized therapeutic amounts;~~
- 611 [(f)] (d) Not more than three hundred milligrams of ethylmorphine per one hundred
- 612 milliliters or not more than fifteen milligrams per dosage unit, with one or more active,
- 613 nonnarcotic ingredients in recognized therapeutic amounts;
- 614 [(g)] (e) Not more than five hundred milligrams of opium per one hundred milliliters or
- 615 per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or
- 616 more active nonnarcotic ingredients in recognized therapeutic amounts;
- 617 [(h)] (f) Not more than fifty milligrams of morphine per one hundred milliliters or per
- 618 one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
- 619 amounts;
- 620 (5) Any material, compound, mixture, or preparation containing any of the following
- 621 narcotic drugs or their salts~~], as set forth in subdivision (6) of this subsection;~~ : Buprenorphine;

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

- 632 (a) ~~[3 β ,17-dihydroxy-5 α -androstane]~~ **3 β ,17 β -dihydroxy-5 α -androstane**;
- 633 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
- 634 (c) 5 α -androstane-3,17-dione;
- 635 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
- 636 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
- 637 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
- 638 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
- 639 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 640 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 641 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 642 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 643 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
- 644 (m) Boldione;
- 645 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
- 646 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
- 647 (p) D e h y d r o c h l o r o m e t h y l t e s t o s t e r o n e
- 648 (4-chloro-17 β -hydroxy-17 α -methyl-androst-1,4-dien-3-one);
- 649 (q) Desoxymethyltestosterone;
- 650 (r) ~~[Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')]~~(17 β -hydroxy-5 α -androst-1-en-3-one);
- 651 ~~(s)~~ 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);
- 652 [(\pm)] (s) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstane-3-one);
- 653 [(\pm)] (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
- 654 [(\pm)] (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost-4-en-3-one);
- 655 [(~~w~~)] (v) F o r m e b o l o n e
- 656 (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost-1,4-dien-3-one);
- 657 [(~~x~~)] (w) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-furan);

- 658 [(y)] (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
- 659 [(z)] (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
- 660 [(aa)] (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 661 [(bb)] (aa) Mestanolone [~~(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)]~~
- 662 **(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one);**
- 663 [(cc)] (bb) Mesterolone [~~(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)] **(1 α -**~~
- 664 **methyl-17 β -hydroxy-[5 α]-androstan-3-one);**
- 665 [(dd)] (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- 666 [(ee)] (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- 667 [(ff)] (ee) **Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one);**
- 668 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- 669 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
- 670 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
- 671 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
- 672 (j j) 1 7 α - m e t h y l - 4 - h y d r o x y n a n d r o l o n e
- 673 (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one);
- 674 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- 675 (ll) [~~Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)]~~
- 676 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one);**
- 677 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- 678 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- 679 (o o) 1 7 α - m e t h y l - Δ 1 - d i h y d r o t e s t o s t e r o n e
- 680 (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- 681 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- 682 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
- 683 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- 684 (ss) 19-nor-4,9(10)-androstadienedione **(estra-4,9(10)-diene-3,17-dione);**
- 685 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- 686 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- 687 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 688 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 689 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- 690 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- 691 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
- 692 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
- 693 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);

- 694 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
 695 (d d d) [~~O x y m e t h a l o n e~~
 696 (~~17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androst-3-one~~)] **Oxymetholone**
 697 **(17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androst-3-one)**;
 698 (eee) **Prostanozol (17 β -hydroxy-5 α -androstano[3,2-c]pyrazole)**;
 699 **(fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -**
 700 **androst-1-en-3-one))**;
 701 **(ggg) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole)**;
 702 ~~[(hhh) (hhh)~~ **Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one)**;
 703 ~~[(ggg) (iii)~~ **Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid**
 704 **lactone)**;
 705 ~~[(hhh) (jii)~~ **Testosterone (17 β -hydroxyandrost-4-en-3-one)**;
 706 ~~[(iii) (kkk)~~ **Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one)**;
 707 ~~[(jii) (lll)~~ **Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one)**;
 708 ~~[(kkk) (mmm)~~ Any salt, ester, or ether of a drug or substance described or listed in this
 709 subdivision, except an anabolic steroid which is expressly intended for administration through
 710 implants to cattle or other nonhuman species and which has been approved by the Secretary of
 711 Health and Human Services for that administration;
 712 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
 713 United States Food and Drug Administration approved drug product;
 714 (8) The department of health and senior services may except by rule any compound,
 715 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
 716 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
 717 195.320 if the compound, mixture, or preparation contains one or more active medicinal
 718 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
 719 admixtures are included therein in combinations, quantity, proportion, or concentration that
 720 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
 721 the central nervous system.
 722 7. The department of health and senior services shall place a substance in Schedule IV
 723 if it finds that:
 724 (1) The substance has a low potential for abuse relative to substances in Schedule III;
 725 (2) The substance has currently accepted medical use in treatment in the United States;
 726 and
 727 (3) Abuse of the substance may lead to limited physical dependence or psychological
 728 dependence relative to the substances in Schedule III.
 729 8. The controlled substances listed in this subsection are included in Schedule IV:

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

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

735 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
 736 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

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

745 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
 746 or per one hundred grams;

747 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
 748 or per one hundred grams;

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

752 (a) **Alfaxalone;**

753 (b) Alprazolam;

754 [~~(b)~~] (c) Barbitol;

755 [~~(c)~~] (d) Bromazepam;

756 [~~(d)~~] (e) Camazepam;

757 [~~(e)~~] (f) **Carisoprodol;**

758 (g) Chloral betaine;

759 [~~(g)~~] (h) Chloral hydrate;

760 [~~(h)~~] (i) Chlordiazepoxide;

761 [~~(i)~~] (j) Clobazam;

762 [~~(j)~~] (k) Clonazepam;

763 [~~(k)~~] (l) Clorazepate;

764 [~~(l)~~] (m) Clotiazepam;

765 [~~(m)~~] (n) Cloxazolam;

766	[(m)] (o) Delorazepam;
767	[(#)] (p) Diazepam;
768	[(e)] (q) Dichloralphenazone;
769	[(p)] (r) Estazolam;
770	[(q)] (s) Ethchlorvynol;
771	[(#)] (t) Ethinamate;
772	[(s)] (u) Ethyl loflazepate;
773	[(#)] (v) Fludiazepam;
774	[(#)] (w) Flunitrazepam;
775	[(#)] (x) Flurazepam;
776	[(w)] (y) Fospropofol;
777	[(x)] (z) Halazepam;
778	[(y)] (aa) Haloxazolam;
779	[(z)] (bb) Ketazolam;
780	[(aa)] (cc) Loprazolam;
781	[(bb)] (dd) Lorazepam;
782	[(ee)] (ee) Lormetazepam;
783	[(dd)] (ff) Mebutamate;
784	[(ee)] (gg) Medazepam;
785	[(#)] (hh) Meprobamate;
786	[(gg)] (ii) Methohexital;
787	[(hh)] (jj) Methylphenobarbital (mephobarbital);
788	[(ii)] (kk) Midazolam;
789	[(jj)] (ll) Nimetazepam;
790	[(kk)] (mm) Nitrazepam;
791	[(ll)] (nn) Nordiazepam;
792	[(mm)] (oo) Oxazepam;
793	[(nn)] (pp) Oxazolam;
794	[(oo)] (qq) Paraldehyde;
795	[(pp)] (rr) Petrichloral;
796	[(qq)] (ss) Phenobarbital;
797	[(#)] (tt) Pinazepam;
798	[(ss)] (uu) Prazepam;
799	[(#)] (vv) Quazepam;
800	[(uu)] (ww) Suvorexant;
801	(xx) Temazepam;

802 [~~(vv)~~] **(yy)** Tetrazepam;

803 [~~(ww)~~] **(zz)** Triazolam;

804 [~~(xx)~~] **(aaa)** Zaleplon;

805 [~~(yy)~~] **(bbb)** Zolpidem;

806 [~~(zz)~~] **(ccc)** Zopiclone;

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

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

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

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

817 (b) Diethylpropion;

818 (c) Fencamfamin;

819 (d) Fenproporex;

820 (e) Mazindol;

821 (f) Mefenorex;

822 (g) Modafinil;

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

824 (i) Phentermine;

825 (j) Pipradrol;

826 (k) Sibutramine;

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

828 [~~(5)~~] (6) Any material, compound, mixture or preparation containing any quantity of the
829 following substance, including its salts:

830 (a) Butorphanol **(including its optical isomers)**;

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

834 (c) Pentazocine;

835 [~~(6)~~] (7) Ephedrine, its salts, optical isomers and salts of optical isomers, when the
836 substance is the only active medicinal ingredient;

837 ~~[(7)]~~ (8) The department of health and senior services may except by rule any compound,
838 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
839 subsection from the application of all or any part of sections 195.010 to 195.320 and sections
840 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active
841 medicinal ingredients not having a depressant effect on the central nervous system, and if the
842 admixtures are included therein in combinations, quantity, proportion, or concentration that
843 vitiate the potential for abuse of the substances which have a depressant effect on the central
844 nervous system.

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

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

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

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

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

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

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

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

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

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

868 (3) Any compound, mixture, or preparation containing any detectable quantity of
869 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
870 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
871 isomers, or salts of optical isomers;

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

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

877 (b) **Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl**
878 **ester];**

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

880 [~~b~~] (d) **Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid];**

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

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

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

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

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

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

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

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

907 (2) The amount of the compound, mixture, or preparation purchased;

- 908 (3) The date and time of each purchase; and
- 909 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
910 technician who dispensed the compound, mixture, or preparation to the purchaser.
- 911 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
912 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
913 transmission methods and frequency established by the department by regulation;
- 914 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
915 greater than those specified in this chapter.
- 916 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
917 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
918 where the public is not permitted.
- 919 16. The penalties for a knowing or reckless violation of the provisions of subsections 11
920 to 15 of this section are found in section 579.060.
- 921 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
922 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
923 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
924 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
925 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.
- 926 18. The manufacturer of a drug product or another interested party may apply with the
927 department of health and senior services for an exemption from this section. The department of
928 health and senior services may grant an exemption by rule from this section if the department
929 finds the drug product is not used in the illegal manufacture of methamphetamine or other
930 controlled or dangerous substances. The department of health and senior services shall rely on
931 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
932 proposed product can be used to manufacture illicit controlled substances.
- 933 19. The department of health and senior services shall revise and republish the schedules
934 annually.
- 935 20. The department of health and senior services shall promulgate rules under chapter
936 536 regarding the security and storage of Schedule V controlled substances, as described in
937 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
938 of health and senior services.
- 939 21. Logs of transactions required to be kept and maintained by this section and section
940 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
941 the person whose transactions are recorded in the logs.

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

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

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than ~~nine~~ **seven and two-tenths** grams, without regard to the number of transactions.

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

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

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

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

- (1) The sole active ingredient; or**
- (2) One of the active ingredients of a combination drug; or**

36 **(3) A combination of any of the products specified in subdivisions (1) and (2) of this**
37 **subsection;**

38

39 **in any total amount greater than forty-three and two-tenths grams, without regard to the**
40 **number of transactions.**

41 **5.** All packages of any compound, mixture, or preparation containing any detectable
42 quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical
43 isomers, or salts of optical isomers, except those that are excluded from Schedule V in
44 subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy
45 counter where the public is not permitted, and only by a registered pharmacist or registered
46 pharmacy technician under section 195.017.

47 ~~5.~~ **6.** Each pharmacy shall submit information regarding sales of any compound,
48 mixture, or preparation as specified in this section in accordance with transmission methods and
49 frequency established by the department by regulation.

50 **7. No prescription shall be required for the dispensation, sale, or distribution of any**
51 **drug product containing any detectable amount of ephedrine, phenylpropanolamine, or**
52 **pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an**
53 **amount within the limits described in subsections 2, 3, and 4 of this section. The**
54 **superintendent of the Missouri state highway patrol shall report to the revisor of statutes**
55 **and the general assembly by February first when the statewide number of**
56 **methamphetamine laboratory seizure incidents exceeds three hundred incidents in the**
57 **previous calendar year. The provisions of this subsection shall expire on April first of the**
58 **calendar year in which the revisor of statutes receives such notification.**

59 ~~6.~~ **8.** This section shall supersede and preempt any local ordinances or regulations,
60 including any ordinances or regulations enacted by any political subdivision of the state. This
61 section shall not apply to the sale of any animal feed products containing ephedrine or any
62 naturally occurring or herbal ephedra or extract of ephedra.

63 **9. Any local ordinances or regulations enacted by any political subdivision of the**
64 **state prior to August 28, 2020, requiring a prescription for the dispensation, sale, or**
65 **distribution of any drug product containing any detectable amount of ephedrine,**
66 **phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts**
67 **of optical isomers, in an amount within the limits described in subsections 2, 3, and 4 of this**
68 **section shall be void and of no effect and no such political subdivision shall maintain or**
69 **enforce such ordinance or regulation.**

70 ~~7.~~ **10.** All logs, records, documents, and electronic information maintained for the
71 dispensing of these products shall be open for inspection and copying by municipal, county, and

72 state or federal law enforcement officers whose duty it is to enforce the controlled substances
73 laws of this state or the United States.

74 [8-] **11.** All persons who dispense or offer for sale pseudoephedrine and ephedrine
75 products, except those that are excluded from Schedule V in subsection 17 or 18 of section
76 195.017, shall ensure that all such products are located only behind a pharmacy counter where
77 the public is not permitted.

78 [9-] **12.** The penalty for a knowing or reckless violation of this section is found in section
79 579.060.

**195.805. 1. No edible marijuana-infused product, packaging, or logo sold in
2 Missouri pursuant to article XIV of the Missouri Constitution shall be designed in the
3 shape of a human, animal, or fruit, including realistic, artistic, caricature, or cartoon
4 renderings. However, geometric shapes, including, but not limited to, circles, squares,
5 rectangles, and triangles, shall be permitted.**

**6 2. Each package , or packages within a package, containing an edible marijuana-
7 infused product with ten or more milligrams of tetrahydrocannabinols (THC) shall be
8 stamped with a universal symbol for such products, which shall consist of the following:**

- 9 **(1) A diamond containing the letters "THC";**
10 **(2) The letter "M" located under the "THC" within the diamond, to signify that**
11 **the product is for medical purposes; and**
12 **(3) The number of milligrams of THC in the package.**

13

14 **The universal symbol shall be placed on the front of the package in red and white print**
15 **and shall measure one-half inch by one-half inch from point to point.**

16 **3. Any licensed or certified entity regulated by the department of health and senior**
17 **services pursuant to article XIV of the Missouri Constitution found to have violated the**
18 **provisions of this section shall be subject to department sanctions, including an**
19 **administrative penalty, in accordance with the regulations promulgated by the department**
20 **pursuant to article XIV of the Missouri Constitution.**

21 **4. The department shall promulgate rules and regulations prohibiting edible**
22 **marijuana-infused products designed to appeal to persons under eighteen years of age, as**
23 **well as promulgate rules and regulations to establish a process by which a licensed or**
24 **certified entity may seek approval of an edible product design, package, or label prior to**
25 **such product's manufacture or sale in order to determine compliance with the provisions**
26 **of this section and any rules promulgated pursuant to this section. Any rule or portion of**
27 **a rule, as that term is defined in section 536.010 that is created under the authority**
28 **delegated in this section shall become effective only if it complies with and is subject to all**

29 of the provisions of chapter 536 and, if applicable, section 536.028. This section and
30 chapter 536 are nonseverable and if any of the powers vested with the general assembly
31 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
32 a rule are subsequently held unconstitutional, then the grant of rule making authority and
33 any rule proposed or adopted after August 28, 2020, shall be invalid and void.

195.815. 1. The department of health and senior services shall require all officers,
2 managers, contractors, employees, and other support staff of licensed or certified medical
3 marijuana facilities, and all owners of such medical marijuana facilities who will have
4 access to the facilities or to the facilities' medical marijuana, to submit fingerprints to the
5 Missouri state highway patrol for the purpose of conducting a state and federal
6 fingerprint-based criminal background check.

7 2. The department may require that such fingerprint submissions be made as part
8 of a medical marijuana facility application for licensure or certification, a medical
9 marijuana facility application for renewal of licensure or certification, and an individual's
10 application for an identification card authorizing that individual to be an owner, officer,
11 manager, contractor, employee, or other support staff of a medical marijuana facility.

12 3. Fingerprint cards and any required fees shall be sent to the Missouri state
13 highway patrol's central repository. The fingerprints shall be used for searching the state
14 criminal records repository and shall also be forwarded to the Federal Bureau of
15 Investigation for a federal criminal records search under section 43.540. The Missouri
16 state highway patrol shall notify the department of any criminal history record
17 information or lack of criminal history record information discovered on the individual.
18 Notwithstanding the provisions of section 610.120 to the contrary, all records related to any
19 criminal history information discovered shall be accessible and available to the
20 department.

21 4. As used in this section, the following words shall mean:

22 (1) "Employee", any person performing work or service of any kind or character
23 for hire in a medical marijuana facility;

24 (2) "Medical marijuana facility", an entity licensed or certified by the department
25 of health and senior services, or its successor agency, to acquire, cultivate, process,
26 manufacture, test, store, sell, transport, or deliver medical marijuana;

27 (3) "Other support staff", any person performing work or service of any kind or
28 character, other than employees, on behalf of a medical marijuana facility if such a person
29 would have access to the medical marijuana facility or its medical marijuana or related
30 equipment or supplies.

579.060. 1. A person commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

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

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

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

(4) **Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in a total amount greater than forty-three and two-tenths grams to the same individual within a twelve-month period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or**

(5) **Purchases, receives, or otherwise acquires within a twelve-month period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than forty-three and two-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or**

(6) Dispenses or offers drug products that are not excluded from Schedule V in subsection 17 or 18 of section 195.017 and that contain detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, without ensuring that such products are located behind a pharmacy counter

37 where the public is not permitted and that such products are dispensed by a registered pharmacist
38 or pharmacy technician under subsection 11 of section 195.017; or

39 ~~[(5)]~~ (7) Holds a retail sales license issued under chapter 144 and knowingly sells or
40 dispenses packages that do not conform to the packaging requirements of section 195.418.

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

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

49 (2) Fails to submit information under subsection 13 of section 195.017 and subsection
50 ~~[5]~~ 6 of section 195.417 about the sales of any compound, mixture, or preparation of products
51 containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any
52 of their salts, optical isomers, or salts of optical isomers, in accordance with transmission
53 methods and frequency established by the department of health and senior services; or

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

58 (4) Sells, distributes, dispenses or otherwise provides to an individual under eighteen
59 years of age without a valid prescription any number of packages of any drug product containing
60 any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers, or
61 ephedrine, its salts or optical isomers, or salts of optical isomers.

62 3. Any person who violates the packaging requirements of section 195.418 and is
63 considered the general owner or operator of the outlet where ephedrine, pseudoephedrine, or
64 phenylpropanolamine products are available for sale shall not be penalized if he or she
65 documents that an employee training program was in place to provide the employee who made
66 the unlawful retail sale with information on the state and federal regulations regarding ephedrine,
67 pseudoephedrine, or phenylpropanolamine.

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

579.065. 1. A person commits the offense of trafficking drugs in the first degree if
2 except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,
3 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

- 4 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
5 containing a detectable amount of heroin;
- 6 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a
7 mixture or substance containing a detectable amount of coca leaves, except coca leaves and
8 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts
9 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;
10 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture,
11 or preparation which contains any quantity of any of the foregoing substances;
- 12 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
13 described in subdivision (2) of this subsection which contains cocaine base;
- 14 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
15 containing a detectable amount of lysergic acid diethylamide (LSD);
- 16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
17 containing a detectable amount of phencyclidine (PCP);
- 18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;
- 19 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
20 substance containing marijuana;
- 21 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
22 mixture, or preparation containing any quantity of the following substances having a stimulant
23 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
24 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
25 phenmetrazine and its salts; or methylphenidate; [or]
- 26 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
27 mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;
- 28 **(10) One gram or more of flunitrazepam for the first offense;**
29 **(11) Any amount of gamma-hydroxybutyric acid for the first offense; or**
30 **(12) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof,**
31 **or any combination thereof, or any compound, mixture, or substance containing a**
32 **detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.**
- 33 2. The offense of trafficking drugs in the first degree is a class B felony.
- 34 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
35 involved is:
- 36 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
37 heroin; or
- 38 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
39 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,

40 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
41 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
42 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
43 any of the foregoing substances; or

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

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

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

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

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

52 (8) Ninety grams or more of any material, compound, mixture, or preparation containing
53 any quantity of the following substances having a stimulant effect on the central nervous system:
54 amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its
55 salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
56 methylphenidate; or

57 (9) More than thirty grams of any material, compound, mixture, or preparation
58 containing any quantity of the following substances having a stimulant effect on the central
59 nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers;
60 methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and
61 its salts; or methylphenidate, and the location of the offense was within two thousand feet of real
62 property comprising a public or private elementary, vocational, or secondary school, college,
63 community college, university, or any school bus, in or on the real property comprising public
64 housing or any other governmental assisted housing, or within a motor vehicle, or in any
65 structure or building which contains rooms furnished for the accommodation or lodging of
66 guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping
67 accommodations are sought for pay or compensation to transient guests or permanent guests; or

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

70 (11) More than thirty grams of any material, compound, mixture, or preparation which
71 contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense
72 was within two thousand feet of real property comprising a public or private elementary,
73 vocational, or secondary school, college, community college, university, or any school bus, in
74 or on the real property comprising public housing or any other governmental assisted housing,
75 within a motor vehicle, or in any structure or building which contains rooms furnished for the

76 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the
77 public as a place where sleeping accommodations are sought for pay or compensation to transient
78 guests or permanent guests; or

79 **(12) One gram or more of flunitrazepam for a second or subsequent offense; or**

80 **(13) Any amount of gamma-hydroxybutyric acid for a second or subsequent**
81 **offense; or**

82 **(14) Twenty milligrams or more of fentanyl or carfentanil, or any derivative**
83 **thereof, or any combination thereof, or any compound, mixture, or substance containing**
84 **a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.**

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

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

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

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

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

16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
17 containing a detectable amount of phencyclidine (PCP);

18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;

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

21 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
22 mixture, or preparation containing any quantity of the following substances having a stimulant
23 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
24 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
25 phenmetrazine and its salts; or methylphenidate; [or]

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

29 **(10) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof,**
30 **or any combination thereof, or any compound, mixture, or substance containing a**
31 **detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.**

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

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

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

37 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
38 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
39 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
40 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
41 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
42 any of the foregoing substances; or

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

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

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

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

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

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

52 (9) Ninety grams or more but less than four hundred fifty grams of any material,
53 compound, mixture, or preparation containing any quantity of the following substances having
54 a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts
55 of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
56 phenmetrazine and its salts; or methylphenidate; or

57 (10) Ninety grams or more but less than four hundred fifty grams of any material,
58 compound, mixture, or preparation which contains any quantity of
59 3,4-methylenedioxymethamphetamine; or

60 **(11) Twenty milligrams or more of fentanyl or carfentanil, or any derivative**
61 **thereof, or any combination thereof, or any compound, mixture, or substance containing**
62 **a detectable amount of fentanyl or carfentanil, or their optical isomers or analogues.**

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

66 (1) Any quantity of the following substances having a stimulant effect on the central
67 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
68 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
69 methylphenidate; or

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

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

 Section B. Because immediate action is necessary to ensure that all owners, officers,
2 managers, contractors, employees, and other support staff of medical marijuana facilities be
3 subjected to state and federal fingerprint-based criminal background checks to insure the
4 integrity of the Missouri medical marijuana industry, the enactment of section 195.815 of this
5 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and
6 safety, and the enactment of section 195.815 of this act is hereby declared to be an emergency
7 act within the meaning of the constitution, and the enactment of section 195.815 of this act shall
8 be in full force and effect on July 1, 2020, or upon its passage and approval, whichever occurs
9 later.

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