

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 6**  
100TH GENERAL ASSEMBLY

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Reported from the Committee on Health and Pensions, February 7, 2019, with recommendation that the Senate Committee Substitute do pass.

0363S.03C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal sections 195.015, 195.017, 565.021, 579.015, 579.065, and 579.068, RSMo, and to enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

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

Section A. Sections 195.015, 195.017, 565.021, 579.015, 579.065, and 579.068, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 195.015, 195.017, 195.805, 565.021, 579.015, 579.065, and 579.068, to read as follows:

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

- (1) The actual or relative potential for abuse;
- (2) The scientific evidence of its pharmacological effect, if known;
- (3) The state of current knowledge regarding the substance;
- (4) The history and current pattern of abuse;
- (5) The scope, duration, and significance of abuse;
- (6) The risk to the public health;
- (7) The potential of the substance to produce psychic or physiological dependence liability; and
- (8) Whether the substance is an immediate precursor of a substance already controlled under this chapter.

2. After considering the factors enumerated in subsection 1 of this section

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 the department of health and senior services shall make findings with respect  
17 thereto and issue a rule controlling the substance if it finds the substance has a  
18 potential for abuse.

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

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

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

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

195.017. 1. The department of health and senior services shall place a

2 substance in 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  
5 lacks accepted safety for use in treatment under medical supervision.

6 2. Schedule I:

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

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

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

15 (b) Acetylmethadol;

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

18 (d) **AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]**  
19 **benzamide**);

20 (e) Allylprodine;

21 [(d)] (f) Alphacetylmethadol (**except levoalphacetylmethadol, also**  
22 **known as levo-alpha-acetylmethadol levothadyl acetate or LAAM**);

23 [(e)] (g) Alphameprodine;

24 [(f)] (h) Alphamethadol;

25 [(g)] (i) Alpha-methylfentanyl (**N-1-(alphamethyl-beta-phenyl) ethyl-**  
26 **4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-**  
27 **propanilido) piperidine**);

28 [(h)] (j) Alpha-methylthiofentanyl (**N-(1-methyl-2-(2-thienyl) ethyl-4-**  
29 **piperidinyl)-N-phenylpropanamide**);

30 [(i)] (k) Benzethidine;

31 [(j)] (l) Betacetylmethadol;

32 [(k)] (m) Beta-hydroxyfentanyl (**N-(1-(2-hydroxy-2-phenethyl)-4-**  
33 **piperidinyl)-N-phenylpropanamide**);

34 [(l)] (n) Beta-hydroxy-3-methylfentanyl (**N-(1-(2-hydroxy-2-**  
35 **phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide**);

36 [(m)] (o) Betameprodine;

37 [(n)] (p) Betamethadol;

- 38 [(o)] **(q)** Betaprodine;
- 39 [(p)] **(r)** Clonitazene;
- 40 [(q)] **(s)** Dextromoramide;
- 41 [(r)] **(t)** Diampromide;
- 42 [(s)] **(u)** Diethylthiambutene;
- 43 [(t)] **(v)** Difenoxin;
- 44 [(u)] **(w)** Dimenoxadol;
- 45 [(v)] **(x)** Dimepheptanol;
- 46 [(w)] **(y)** Dimethylthiambutene;
- 47 [(x)] **(z)** Dioxaphetyl butyrate;
- 48 [(y)] **(aa)** Dipipanone;
- 49 [(z)] **(bb)** Ethylmethylthiambutene;
- 50 [(aa)] **(cc)** Etonitazene;
- 51 [(bb)] **(dd)** Etoxeridine;
- 52 [(cc)] **(ee)** Furethidine;
- 53 [(dd)] **(ff)** Hydroxypethidine;
- 54 [(ee)] **(gg)** Ketobemidone;
- 55 [(ff)] **(hh)** Levomoramide;
- 56 [(gg)] **(ii)** Levophenacymorphan;
- 57 [(hh)] **(jj)** 3-Methylfentanyl **(N-(3-methyl-1-(2-phenylethyl)-4-**
- 58 **piperidyl)-N-phenylpropanamide), its optical and geometric isomers,**
- 59 **salts, and salts of isomers;**
- 60 [(ii)] **(kk)** 3-Methylthiofentanyl **(N-((3-methyl-1-(2-thienyl)ethyl-4-**
- 61 **piperidinyl)-N-phenylpropanamide);**
- 62 [(jj)] **(ll)** Morpheridine;
- 63 [(kk)] **(mm)** MPPP **(1-methyl-4-phenyl-4-propionoxypiperidine);**
- 64 **(nn)** MT-45**(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);**
- 65 [(ll)] **(oo)** Noracymethadol;
- 66 [(mm)] **(pp)** Norlevorphanol;
- 67 [(nn)] **(qq)** Normethadone;
- 68 [(oo)] **(rr)** Norpipanone;
- 69 [(pp)] **(ss)** Para-fluorofentanyl **(N-(4-fluorophenyl)-N-(1-(2-**
- 70 **phenethyl)-4-piperidinyl) propanamide;**
- 71 [(qq)] **(tt)** PEPAP **(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);**
- 72 [(rr)] **(uu)** Phenadoxone;
- 73 [(ss)] **(vv)** Phenampromide;

- 74 [(tt)] (**ww**) Phenomorphan;  
75 [(uu)] (**xx**) Phenoperidine;  
76 [(vv)] (**yy**) Piritramide;  
77 [(ww)] (**zz**) Proheptazine;  
78 [(xx)] (**aaa**) Properidine;  
79 [(yy)] (**bbb**) Propiram;  
80 [(zz)] (**ccc**) Racemoramide;  
81 [(aaa)] (**ddd**) Thiofentanyl (**N-phenyl-N-(1-(2-thienyl)ethyl-4-**  
82 **piperidinyl)-propanamide**;  
83 [(bbb)] (**eee**) Tilidine;  
84 [(ccc)] (**fff**) Trimeperidine;  
85 (3) Any of the following opium derivatives, their salts, isomers and salts  
86 of isomers unless specifically excepted, whenever the existence of these salts,  
87 isomers and salts of isomers is possible within the specific chemical designation:  
88 (a) Acetorphine;  
89 (b) Acetyldihydrocodeine;  
90 (c) Benzylmorphine;  
91 (d) Codeine methylbromide;  
92 (e) Codeine-N-Oxide;  
93 (f) Cyprenorphine;  
94 (g) Desomorphine;  
95 (h) Dihydromorphine;  
96 (i) Drotebanol;  
97 (j) Etorphine (except hydrochloride salt);  
98 (k) Heroin;  
99 (l) Hydromorphenol;  
100 (m) Methyldesorphine;  
101 (n) Methyldihydromorphine;  
102 (o) Morphine methylbromide;  
103 (p) Morphine methylsulfonate;  
104 (q) Morphine-N-Oxide;  
105 (r) Myrophine;  
106 (s) Nicocodeine;  
107 (t) Nicomorphine;  
108 (u) Normorphine;  
109 (v) Pholcodine;

- 110 (w) Thebacon;
- 111 (4) Any of the following opiate similar synthetic substances  
112 scheduled by the U.S. Drug Enforcement Administration as substances  
113 that share a pharmacological profile similar to fentanyl, morphine, and  
114 other synthetic opioids, unless specifically excepted or unless listed in  
115 another schedule:
- 116 (a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-  
117 phenylbutyramide);
- 118 (b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-N-  
119 methyl benzamide);
- 120 (5) Any material, compound, mixture or preparation which contains any  
121 quantity of the following hallucinogenic substances, their salts, isomers and salts  
122 of isomers, unless specifically excepted, whenever the existence of these salts,  
123 isomers, and salts of isomers is possible within the specific chemical designation:
- 124 (a) **Alpha-ethyltryptamine;**
- 125 (b) 4-bromo-2, 5-dimethoxyamphetamine;
- 126 [(b) 4-bromo-2, 5-dimethoxyphenethylamine;]
- 127 (c) **4-bromo-2,5-dimethoxyphenethylamine;**
- 128 (d) 2,5-dimethoxyamphetamine;
- 129 [(d)] (e) 2,5-dimethoxy-4-ethylamphetamine;
- 130 [(e)] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 131 [(f)] (g) **2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**
- 132 (h) **2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**
- 133 (i) **2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**
- 134 (j) **2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**
- 135 (k) **2-(2,5-Dimethoxyphenyl) ethanamine;**
- 136 (l) **2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**
- 137 (m) **2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**
- 138 (n) **2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**
- 139 (o) **2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**
- 140 (p) 4-methoxyamphetamine;
- 141 [(g)] (q) 5-methoxy-3,4-methylenedioxyamphetamine;
- 142 [(h)] (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 143 [(i)] (s) 3,4-methylenedioxyamphetamine;
- 144 [(j)] (t) 3,4-methylenedioxymethamphetamine;
- 145 [(k)] (u) 3,4-methylenedioxy-N-ethylamphetamine;

- 146 [(l)] (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 147 [(m)] (w) 3,4,5-trimethoxyamphetamine;
- 148 [(n)] (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine[, its isomers,
- 149 salts, and salts of isomers];
- 150 [(o)] Alpha-ethyltryptamine;
- 151 [(p)] (y) Alpha-methyltryptamine;
- 152 [(q)] (z) Bufotenine;
- 153 [(r)] (aa) Diethyltryptamine;
- 154 [(s)] (bb) Dimethyltryptamine;
- 155 [(t)] (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 156 [(u)] (dd) Ibogaine;
- 157 [(v)] (ee) Lysergic acid diethylamide;
- 158 [(w)] (ff) Marijuana or marihuana, except industrial hemp;
- 159 [(x)] (gg) Mescaline;
- 160 [(y)] (hh) Parahexyl;
- 161 [(z)] (ii) Peyote, to include all parts of the plant presently classified
- 162 botanically as Lophophora [Williamsil] **williamsii** Lemaire, whether growing or
- 163 not; the seeds thereof; any extract from any part of such plant; and every
- 164 compound, manufacture, salt, derivative, mixture or preparation of the plant, its
- 165 seed or extracts;
- 166 [(aa)] (jj) N-ethyl-3-piperidyl benzilate;
- 167 [(bb)] (kk) N-methyl-3-piperidyl benzilate;
- 168 [(cc)] (ll) Psilocybin;
- 169 [(dd)] (mm) Psilocyn;
- 170 [(ee)] (nn) Tetrahydrocannabinols naturally contained in a plant of the
- 171 genus Cannabis (cannabis plant), except industrial hemp, as well as synthetic
- 172 equivalents of the substances contained in the cannabis plant, or in the resinous
- 173 extractives of such plant, or synthetic substances, derivatives[,] and their
- 174 isomers, **or both**, with similar chemical structure and pharmacological activity
- 175 to those substances contained in the plant, such as the following:
- 176 a. 1 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 177 b. 6 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 178 c. 3,4 cis or trans tetrahydrocannabinol[,] and their optical isomers;
- 179 d. Any compounds of these structures, regardless of numerical designation
- 180 of atomic positions covered;
- 181 [(ff)] (oo) Ethylamine analog of phencyclidine;

- 182 [(gg)] **(pp)** Pyrrolidine analog of phencyclidine;
- 183 [(hh)] **(qq)** Thiophene analog of phencyclidine;
- 184 [(ii)] **(rr)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 185 [(jj)] **(ss)** Salvia divinorum;
- 186 [(kk)] **(tt)** Salvinorin A;
- 187 [(ll)] **(uu)** Synthetic cannabinoids:
- 188 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 189 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the
- 190 indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 191 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not
- 192 further substituted in the indole ring to any extent, whether or not substituted
- 193 in the naphthyl ring to any extent. Including, but not limited to:
- 194 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**
- 195 (ii) **JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;**
- 196 [(ii)] **(iii)** **JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;**
- 197 [(iii)] **(iv)** **JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;**
- 198 [(iv)] **(v)** **JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;**
- 199 [(v)] **(vi)** **JWH-073, or 1-butyl-3-(1-naphthoyl)indole;**
- 200 [(vi)] **(vii)** **JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;**
- 201 [(vii)] **(viii)** **JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)**
- 202 **indole;**
- 203 [(viii)] **(ix)** **JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;**
- 204 [(ix)] **(x)** **JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;**
- 205 [(x)] **(xi)** **JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;**
- 206 [(xi)] **(xii)** **JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;**
- 207 [(xii)] **(xiii)** **JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;**
- 208 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by
- 209 substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
- 210 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 211 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole
- 212 ring to any extent, whether or not substituted in the naphthyl ring to any extent;
- 213 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene
- 214 by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl,
- 215 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 216 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene
- 217 ring to any extent, whether or not substituted in the naphthyl ring to any extent;

218 d. Any compound structurally derived from 3-phenylacetylindole by  
219 substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl,  
220 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
221 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole  
222 ring to any extent, whether or not substituted in the phenyl ring to any  
223 extent. Including, but not limited to:

224 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

225 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;

226 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;

227 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

228 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

229 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol  
230 by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl,  
231 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
232 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring  
233 to any extent. Including, but not limited to:

234 (i) CP 47, 497 **[&] and** homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-  
235 (2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side  
236 chain n=4,6, or 7;

237 f. Any compound containing a 3-(benzoyl)indole structure with  
238 substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,  
239 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
240 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole  
241 ring to any extent and whether or not substituted in the phenyl ring to any  
242 extent. Including, but not limited to:

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

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

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

247 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-  
248 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

249 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-  
250 3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

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

253 k.] Dimethylheptylpyran, or DMHP;

254            [(5)] **(6)** Any material, compound, mixture or preparation containing any  
 255 quantity of the following substances having a depressant effect on the central  
 256 nervous system, including their salts, isomers and salts of isomers whenever the  
 257 existence of these salts, isomers and salts of isomers is possible within the  
 258 specific chemical designation:

259            (a) Gamma-hydroxybutyric acid;

260            (b) Mecloqualone;

261            (c) Methaqualone;

262            [(6)] **(7)** Any material, compound, mixture or preparation containing any  
 263 quantity of the following substances having a stimulant effect on the central  
 264 nervous system, including their salts, isomers and salts of isomers:

265            (a) Aminorex;

266            (b) N-benzylpiperazine;

267            (c) Cathinone;

268            (d) Fenethylamine;

269            (e) 3-Fluoromethcathinone;

270            (f) 4-Fluoromethcathinone;

271            (g) Mephedrone, or 4-methylmethcathinone;

272            (h) Methcathinone;

273            (i) 4-methoxymethcathinone;

274            (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-  
 275 oxazolamine);

276            (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-  
 277 (1-pyrrolidinyl)-1-pentanone);

278            (l) Methylenedioxypropylamphetamine, or 3,4-Methylenedioxypropylamphetamine;

279            (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;

280            (n) N-ethylamphetamine;

281            (o) N,N-dimethylamphetamine;

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

284            **(q) Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-**  
 285 **fluoro-PB-22; 5F-PB-22);**

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

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

290 [(7)] (8) A temporary listing of substances subject to emergency  
291 scheduling under federal law shall include any material, compound, mixture or  
292 preparation which contains any quantity of the following substances:

293 (a) [N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its  
294 optical isomers, salts and salts of isomers;

295 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide  
296 (thenylfentanyl), its optical isomers, salts and salts of isomers;] **(1-pentyl-1H-**  
297 **indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, its optical,**  
298 **positional, and geometric isomers, salts, and salts of isomers;**

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

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

304 (d) **2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-**  
305 **methoxybenzyl)ethanamine, its optical, positional, and geometric**  
306 **isomers, salts, and salts of isomers;**

307 (e) **2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-**  
308 **methoxybenzyl)ethanamine, its optical, positional, and geometric**  
309 **isomers, salts, and salts of isomers;**

310 (f) **2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-**  
311 **methoxybenzyl)ethanamine, its optical, positional, and geometric**  
312 **isomers, salts, and salts of isomers;**

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

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

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

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

321 (k) Pentedrone, its optical, positional, and geometric isomers,  
322 salts, and salts of isomers;

323 (l) Pentylone, its optical, positional, and geometric isomers, salts,  
324 and salts of isomers;

325 (m) Naphyrone, its optical, positional, and geometric isomers,  
326 salts, and salts of isomers;

- 327 (n) Alpha-pyrrolidinobutiophenone, its optical, positional, and  
328 geometric isomers, salts, and salts of isomers;
- 329 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-  
330 indazole-3-carboxamide, its optical, positional, and geometric isomers,  
331 salts, and salts of isomers;
- 332 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-  
333 carboxamide, its optical, positional, and geometric isomers, salts, and  
334 salts of isomers;
- 335 (q) [1-(5-fluoropentyl)-1*H*-indazole-3-yl](naphthalen-1-  
336 yl)methanone, its optical, positional, and geometric isomers, salts, and  
337 salts of isomers;
- 338 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-yl]-N-  
339 phenylpropionamide, its isomers, esters, ethers, salts, and salts of  
340 isomers, esters, and ethers;
- 341 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical,  
342 positional, and geometric isomers, salts, and salts of isomers;
- 343 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-  
344 1*H*-indazole-3-carboxamide, its optical, positional, and geometric  
345 isomers, salts, and salts of isomers;
- 346 (u) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;
- 347 (v) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-  
348 dimethylbutanoate, its optical, positional, and geometric isomers, salts,  
349 and salts of isomers;
- 350 (w) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-  
351 methylbutanoate, its optical, positional, and geometric isomers, salts,  
352 and salts of isomers;
- 353 (x) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-  
354 carboxamide, its optical, positional, and geometric isomers, salts, and  
355 salts of isomers;
- 356 (y) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-  
357 1*H*-indazole-3-carboxamide, its optical, positional, and geometric  
358 isomers, salts, and salts of isomers;
- 359 (z) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-  
360 dimethylbutanoate, its optical, positional, and geometric isomers, salts,  
361 and salts of isomers;
- 362 (aa) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-  
363 dimethylbutanoate, its optical, positional, and geometric isomers, salts,

364 and salts of isomers;

365 (bb) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)  
366 isobutyramide, its isomers, esters, ethers, salts, and salts of isomers,  
367 esters, and ethers;

368 (cc) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its  
369 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

370 (dd) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-  
371 yl)propionamide, its isomers, esters, ethers, salts, and salts of isomers,  
372 esters, and ethers;

373 (ee) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-  
374 carboxamide, its isomers, esters, ethers, salts, and salts of isomers,  
375 esters, and ethers;

376 (ff) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide,  
377 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

378 (gg) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-  
379 methylbutanoate, its optical, positional, and geometric isomers, salts,  
380 and salts of isomers;

381 (hh) N-(1-phenethylpiperidin-4-yl)-N-  
382 phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts, and  
383 salts of isomers, esters, and ethers;

384 (ii) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its  
385 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

386 (jj) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide,  
387 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

388 (kk) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-  
389 yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers,  
390 esters, and ethers;

391 (ll) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-  
392 yl)isobutyramide, its isomers, esters, ethers, salts, and salts of isomers,  
393 esters, and ethers;

394 (mm) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its  
395 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;

396 (nn) N-(1-phenethylpiperidin-4-yl)-N-  
397 phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts, and  
398 salts of isomers, esters, and ethers;

399 (oo) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-  
400 yl)acetamide, its isomers, esters, ethers, salts, and salts of isomers,

401 esters, and ethers;

402 (pp) Fentanyl-related substances, their isomers, esters, ethers,  
403 salts, and salts of isomers, esters, and ethers. Fentanyl-related  
404 substance shall mean any substance not otherwise listed under another  
405 Drug Enforcement Administration Controlled Substance Code Number,  
406 and for which no exemption or approval is in effect under section 505  
407 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that  
408 is structurally related to fentanyl by one or more of the following  
409 modifications:

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

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

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

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

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

420 (qq) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate,  
421 its optical, positional, and geometric isomers, salts, and salts of isomers  
422 (NM2201; CBL2201);

423 (rr) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-  
424 indazole-3-carboxamide, its optical, positional, and geometric isomers,  
425 salts, and salts of isomers (5F-AB-PINACA);

426 (ss) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-  
427 carboxamide, its optical, positional, and geometric isomers, salts, and  
428 salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;  
429 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);

430 (tt) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-  
431 methylbutanoate, its optical, positional, and geometric isomers, salts,  
432 and salts of isomers (MMB-CHMICA, AMB-CHMICA);

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

436 (vv) *N*-Ethylpentylone, its optical, positional, and geometric  
437 isomers, salts, and salts of isomers (ephylone, 1-(1,3-benzodioxol-5-yl)-2-

438 **(ethylamino)-pentan-1-one);**

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

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

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

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

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

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

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

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

459 a. Raw opium;

460 b. Opium extracts;

461 c. Opium fluid;

462 d. Powdered opium;

463 e. Granulated opium;

464 f. Tincture of opium;

465 g. Codeine;

466 h. **Dihydroetorphine;**

467 i. Ethylmorphine;

468 [i.] j. Etorphine hydrochloride;

469 [j.] k. Hydrocodone;

470 [k.] l. Hydromorphone;

471 [l.] m. Metopon;

472 [m.] n. Morphine;

473 [n.] o. **Oripavine;**

- 474           **p.** Oxycodone;
- 475           [o.] **q.** Oxymorphone;
- 476           [p.] **r.** Thebaine;
- 477           (b) Any salt, compound, derivative, or preparation thereof which is
- 478 chemically equivalent or identical with any of the substances referred to in this
- 479 subdivision, but not including the isoquinoline alkaloids of opium;
- 480           (c) Opium poppy and poppy straw;
- 481           (d) Coca leaves and any salt, compound, derivative, or preparation of coca
- 482 leaves, and any salt, compound, derivative, or preparation thereof which is
- 483 chemically equivalent or identical with any of these substances, but not including
- 484 **the following:**
- 485           **a.** Decocainized coca leaves or extractions **of coca leaves**, which
- 486 **extractions** do not contain cocaine or ecgonine; **or**
- 487           **b. Ioflupane;**
- 488           (e) Concentrate of poppy straw (the crude extract of poppy straw in either
- 489 liquid, solid or powder form which contains the phenanthrene alkaloids of the
- 490 opium poppy);
- 491           (2) Any of the following opiates, including their isomers, esters, ethers,
- 492 salts, and salts of isomers, whenever the existence of these isomers, esters,
- 493 ethers, and salts is possible within the specific chemical designation, dextrorphan
- 494 and levopropoxyphene excepted:
- 495           (a) Alfentanil;
- 496           (b) Alphaprodine;
- 497           (c) Anileridine;
- 498           (d) Bezitramide;
- 499           (e) Bulk dextropropoxyphene;
- 500           (f) Carfentanil;
- 501           (g) Dihydrocodeine;
- 502           (h) Diphenoxylate;
- 503           (i) Fentanyl;
- 504           (j) Isomethadone;
- 505           (k) Levo-alphaacetylmethadol;
- 506           (l) Levomethorphan;
- 507           (m) Levorphanol;
- 508           (n) Metazocine;
- 509           (o) Methadone;

- 510 (p) [Meperidine;
- 511 (q)] Methadone-Intermediate, 4-cyano-2-dimethylamino-4,
- 512 4-diphenylbutane;
- 513 [(r)] (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
- 514 1-diphenylpropane-carboxylic acid;
- 515 [(s)] (r) Pethidine (meperidine);
- 516 [(t)] (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 517 [(u)] (t) Pethidine-Intermediate -B, ethyl-4-phenylpiperidine-4-
- 518 carboxylate;
- 519 [(v)] (u) Pethidine-Intermediate -C, 1-methyl-4-phenylpiperidine-4-
- 520 carboxylic acid;
- 521 [(w)] (v) Phenazocine;
- 522 [(x)] (w) Piminodine;
- 523 [(y)] (x) Racemethorphan;
- 524 [(z)] (y) Racemorphan;
- 525 [(aa)] (z) Remifentanyl;
- 526 [(bb)] (aa) Sufentanyl;
- 527 [(cc)] (bb) Tapentadol;
- 528 **(cc) Thiafentanyl;**
- 529 (3) Any material, compound, mixture, or preparation which contains any
- 530 quantity of the following substances having a stimulant effect on the central
- 531 nervous system:
- 532 (a) Amphetamine, its salts, optical isomers, and salts of its optical
- 533 isomers;
- 534 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 535 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 536 (d) Phenmetrazine and its salts;
- 537 (e) Methylphenidate;
- 538 (4) Any material, compound, mixture, or preparation which contains any
- 539 quantity of the following substances having a depressant effect on the central
- 540 nervous system, including its salts, isomers, and salts of isomers whenever the
- 541 existence of those salts, isomers, and salts of isomers is possible within the
- 542 specific chemical designation:
- 543 (a) Amobarbital;
- 544 (b) Glutethimide;
- 545 (c) Pentobarbital;

546 (d) Phencyclidine;

547 (e) Secobarbital;

548 (5) [Any material or compound which contains any quantity of nabilone]

549 **Hallucinogenic substances:**

550 (a) Any material or compound which contains any quantity of  
551 nabilone;

552 (b) Dronabinol [(-)- $\Delta$ -9-trans tetrahydrocannabinol] in an oral  
553 solution in a drug product approved for marketing by the U.S. Food and  
554 Drug Administration;

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

557 (a) Immediate precursor to amphetamine and methamphetamine:  
558 Phenylacetone;

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

560 a. 1-phenylcyclohexylamine;

561 b. 1-piperidinocyclohexanecarbonitrile (PCC);

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

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

566 (a) Amyl nitrite;

567 (b) Butyl nitrite.

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

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

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

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

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

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

581 (a) Benzphetamine;

- 582 (b) Chlorphentermine;
- 583 (c) Clortermine;
- 584 (d) Phendimetrazine;
- 585 (2) Any material, compound, mixture or preparation which contains any
- 586 quantity or salt of the following substances or salts having a depressant effect on
- 587 the central nervous system:
- 588 (a) Any material, compound, mixture or preparation which contains any
- 589 quantity or salt of the following substances combined with one or more active
- 590 medicinal ingredients:
- 591 a. Amobarbital;
- 592 b. Secobarbital;
- 593 c. Pentobarbital;
- 594 (b) Any suppository dosage form containing any quantity or salt of the
- 595 following:
- 596 a. Amobarbital;
- 597 b. Secobarbital;
- 598 c. Pentobarbital;
- 599 (c) Any substance which contains any quantity of a derivative of
- 600 barbituric acid or its salt;
- 601 (d) Chlorhexadol;
- 602 (e) Emбутрамиде;
- 603 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers
- 604 contained in a drug product for which an application has been approved under
- 605 Section 505 of the federal Food, Drug, and Cosmetic Act;
- 606 (g) Ketamine, its salts, isomers, and salts of isomers;
- 607 (h) Lysergic acid;
- 608 (i) Lysergic acid amide;
- 609 (j) Methyprylon;
- 610 (k) **Perampanel, and its salts, isomers, and salts of isomers;**
- 611 (l) Sulfondiethylmethane;
- 612 [(l)] (m) Sulfonethylmethane;
- 613 [(m)] (n) Sulfonmethane;
- 614 [(n)] (o) Tiletamine and zolazepam or any salt thereof;
- 615 (3) Nalorphine;
- 616 (4) Any material, compound, mixture, or preparation containing limited
- 617 quantities of any of the following narcotic drugs or their salts:

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

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

624 (c) [Not more than three hundred milligrams of hydrocodone per one  
625 hundred milliliters or not more than fifteen milligrams per dosage unit, with a  
626 fourfold or greater quantity of an isoquinoline alkaloid of opium;

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

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

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

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

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

643 (5) Any material, compound, mixture, or preparation containing any of the  
644 following narcotic drugs or their salts[, as set forth in subdivision (6) of this  
645 subsection;]: Buprenorphine;

646 (6) Anabolic steroids. Any drug or hormonal substance, chemically and  
647 pharmacologically related to testosterone (other than estrogens, progestins,  
648 corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except  
649 an anabolic steroid which is expressly intended for administration through  
650 implants to cattle or other nonhuman species and which has been approved by  
651 the Secretary of Health and Human Services for that administration. If any  
652 person prescribes, dispenses, or distributes such steroid for human use, such  
653 person shall be considered to have prescribed, dispensed, or distributed an

654 anabolic steroid within the meaning of this subdivision. Unless specifically  
655 excepted or unless listed in another schedule, any material, compound, mixture  
656 or preparation containing any quantity of the following substances, including its  
657 salts, esters and ethers:

- 658 (a) [3 $\beta$ ,17-dihydroxy-5 $\alpha$ -androstane] **3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane**;  
659 (b) 3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane;  
660 (c) 5 $\alpha$ -androstan-3,17-dione;  
661 (d) 1-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);  
662 (e) 1-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);  
663 (f) 4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-4-ene);  
664 (g) 5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-5-ene);  
665 (h) 1-androstenedione ([5 $\alpha$ ]-androst-1-en-3,17-dione);  
666 (i) 4-androstenedione (androst-4-en-3,17-dione);  
667 (j) 5-androstenedione (androst-5-en-3,17-dione);  
668 (k) Bolasterone (7 $\alpha$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
669 (l) Boldenone (17 $\beta$ -hydroxyandrost-1,4,-diene-3-one);  
670 (m) Boldione;  
671 (n) Calusterone (7 $\beta$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
672 (o) Clostebol (4-chloro-17 $\beta$ -hydroxyandrost-4-en-3-one);  
673 (p) Dehydrochloromethyltestosterone(4-chloro-17 $\beta$ -hydroxy -17 $\alpha$ -methyl-  
674 androst-1,4-dien-3-one);  
675 (q) Desoxymethyltestosterone;  
676 (r)  $\Delta$ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 $\beta$ -hydroxy-5 $\alpha$ -  
677 androst-1-en-3-one);  
678 (s) [4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);  
679 (t) Drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -androstan-3-one);  
680 [(u)] **(t)** Ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-ene);  
681 [(v)] **(u)** Fluoxymesterone (9-fluoro-17 $\alpha$ -methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost  
682 -4-en-3-one);  
683 [(w)] **(v)** Formebolone (2-formyl-17 $\alpha$ -methyl-11 $\alpha$ ,17 $\beta$ -dihydroxyandrost  
684 -1,4-dien-3-one);  
685 [(x)] **(w)** Furazabol (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrostano[2,3-c]-furazan);  
686 [(y)] **(x)** 13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;  
687 [(z)] **(y)** 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);  
688 [(aa)] **(z)** 4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);  
689 [(bb)] **(aa)** Mestanolone [(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one)]

- 690 **(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androstan-3-one)**;  
691 [(cc)] **(bb)** Mesterolone [(1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one)]  
692 **(1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one)**;  
693 [(dd)] **(cc)** Methandienone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost  
694 -1,4-dien-3-one);  
695 [(ee)] **(dd)** Methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);  
696 [(ff)] **(ee)** **Methasterone (2 $\alpha$ ,17 $\alpha$ -dimethyl-5 $\alpha$ -androstan-17 $\beta$ -ol-3-**  
697 **one)**;  
698 **(ff)** Methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);  
699 (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstan-3-one);  
700 (hh) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstan-3-one);  
701 (ii) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene);  
702 (jj) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -  
703 hydroxyestr-4-en-3-one);  
704 (kk) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);  
705 (ll) [Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9,11-trien-3-one)]  
706 **Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9,11-trien-3-one)**;  
707 (mm) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);  
708 (nn) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
709 (oo) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -  
710 androst-1-en-3-one) (a.k.a. '17- $\alpha$ -methyl-1-testosterone');  
711 (pp) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);  
712 (qq) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);  
713 (rr) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);  
714 (ss) 19-nor-4,9(10)-androstadienedione (**estra-4,9(10)-diene-3,17-dione**);  
715 (tt) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);  
716 (uu) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-5-ene);  
717 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);  
718 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);  
719 (xx) Norbolethone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);  
720 (yy) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);  
721 (zz) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
722 (aaa) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);  
723 (bbb) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);  
724 (ccc) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);  
725 (ddd) Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-

726 androstan-3-one);  
727 (eee) **Prostanazol (17 $\beta$ -hydroxy-5 $\alpha$ -androstan[3,2-c]pyrazole);**  
728 **(fff) Stanolone ( $\Delta$ 1-dihydrotestosterone (a.k.a. 1-**  
729 **testosterone)(17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one));**  
730 **(ggg) Stanazolol(17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-**  
731 **pyrazole);**  
732 [(fff)] **(hhh) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);**  
733 [(ggg)] **(iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien**  
734 **-17-oic acid lactone);**  
735 [(hhh)] **(jjj) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);**  
736 [(iii)] **(kkk) Tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon -4,**  
737 **9,11-trien-3-one);**  
738 [(jjj)] **(lll) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);**  
739 [(kkk)] **(mmm) Any salt, ester, or ether of a drug or substance described**  
740 **or listed in this subdivision, except an anabolic steroid which is expressly**  
741 **intended for administration through implants to cattle or other nonhuman species**  
742 **and which has been approved by the Secretary of Health and Human Services for**  
743 **that administration;**  
744 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin  
745 capsule in a United States Food and Drug Administration approved drug product;  
746 (8) The department of health and senior services may except by rule any  
747 compound, mixture, or preparation containing any stimulant or depressant  
748 substance listed in subdivisions (1) and (2) of this subsection from the application  
749 of all or any part of sections 195.010 to 195.320 if the compound, mixture, or  
750 preparation contains one or more active medicinal ingredients not having a  
751 stimulant or depressant effect on the central nervous system, and if the  
752 admixtures are included therein in combinations, quantity, proportion, or  
753 concentration that vitiate the potential for abuse of the substances which have  
754 a stimulant or depressant effect on the central nervous system.  
755 7. The department of health and senior services shall place a substance  
756 in Schedule IV if it finds that:  
757 (1) The substance has a low potential for abuse relative to substances in  
758 Schedule III;  
759 (2) The substance has currently accepted medical use in treatment in the  
760 United States; and  
761 (3) Abuse of the substance may lead to limited physical dependence or

762 psychological dependence relative to the substances in Schedule III.

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

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

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

770 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,  
771 2-diphenyl-3-methyl-2-propionoxybutane);

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

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

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

782 b. Not more than one hundred milligrams of dihydrocodeine per one  
783 hundred milliliters or per one hundred grams;

784 c. Not more than one hundred milligrams of ethylmorphine per one  
785 hundred milliliters or per one hundred grams;

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

790 (a) **Alfaxalone;**

791 (b) Alprazolam;

792 [(b)] (c) Barbital;

793 [(c)] (d) Bromazepam;

794 [(d)] (e) Camazepam;

795 [(e)] (f) **Carisoprodol;**

796 (g) Chloral betaine;

797 [(f)] (h) Chloral hydrate;

798 [(g)] (i) Chlordiazepoxide;  
799 [(h)] (j) Clobazam;  
800 [(i)] (k) Clonazepam;  
801 [(j)] (l) Clorazepate;  
802 [(k)] (m) Clotiazepam;  
803 [(l)] (n) Cloxazolam;  
804 [(m)] (o) Delorazepam;  
805 [(n)] (p) Diazepam;  
806 [(o)] (q) Dichloralphenazone;  
807 [(p)] (r) Estazolam;  
808 [(q)] (s) Ethchlorvynol;  
809 [(r)] (t) Ethinamate;  
810 [(s)] (u) Ethyl loflazepate;  
811 [(t)] (v) Fludiazepam;  
812 [(u)] (w) Flunitrazepam;  
813 [(v)] (x) Flurazepam;  
814 [(w)] (y) Fospropofol;  
815 [(x)] (z) Halazepam;  
816 [(y)] (aa) Haloxazolam;  
817 [(z)] (bb) Ketazolam;  
818 [(aa)] (cc) Loprazolam;  
819 [(bb)] (dd) Lorazepam;  
820 [(cc)] (ee) Lormetazepam;  
821 [(dd)] (ff) Mebutamate;  
822 [(ee)] (gg) Medazepam;  
823 [(ff)] (hh) Meprobamate;  
824 [(gg)] (ii) Methohexital;  
825 [(hh)] (jj) Methylphenobarbital (mephobarbital);  
826 [(ii)] (kk) Midazolam;  
827 [(jj)] (ll) Nimetazepam;  
828 [(kk)] (mm) Nitrazepam;  
829 [(ll)] (nn) Nordiazepam;  
830 [(mm)] (oo) Oxazepam;  
831 [(nn)] (pp) Oxazolam;  
832 [(oo)] (qq) Paraldehyde;  
833 [(pp)] (rr) Petrichloral;

834 [(qq)] **(ss)** Phenobarbital;

835 [(rr)] **(tt)** Pinazepam;

836 [(ss)] **(uu)** Prazepam;

837 [(tt)] **(vv)** Quazepam;

838 [(uu)] **(ww)** **Suvorexant**;

839 **(xx)** Temazepam;

840 [(vv)] **(yy)** Tetrazepam;

841 [(ww)] **(zz)** Triazolam;

842 [(xx)] **(aaa)** Zaleplon;

843 [(yy)] **(bbb)** Zolpidem;

844 [(zz)] **(ccc)** Zopiclone;

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

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

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

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

857 (b) Diethylpropion;

858 (c) Fencamfamin;

859 (d) Fenproporex;

860 (e) Mazindol;

861 (f) Mefenorex;

862 (g) Modafinil;

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

864 (i) Phentermine;

865 (j) Pipradrol;

866 (k) Sibutramine;

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

868 [(5)] (6) Any material, compound, mixture or preparation containing any  
869 quantity of the following substance, including its salts:

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

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

875 (c) Pentazocine;

876 [(6)] (7) Ephedrine, its salts, optical isomers and salts of optical isomers,  
877 when the substance is the only active medicinal ingredient;

878 [(7)] (8) The department of health and senior services may except by rule  
879 any compound, mixture, or preparation containing any depressant substance  
880 listed in subdivision (1) of this subsection from the application of all or any part  
881 of sections 195.010 to 195.320 and sections 579.015 to 579.086 if the compound,  
882 mixture, or preparation contains one or more active medicinal ingredients not  
883 having a depressant effect on the central nervous system, and if the admixtures  
884 are included therein in combinations, quantity, proportion, or concentration that  
885 vitiate the potential for abuse of the substances which have a depressant effect  
886 on the central nervous system.

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

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

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

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

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

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

903 (a) **Not more than two hundred milligrams of codeine per one**  
904 **hundred milliliters or per one hundred grams;**

905 (b) **Not more than one hundred milligrams of dihydrocodeine per**

906 **one hundred milliliters or per one hundred grams;**

907 **(c) Not more than one hundred milligrams of ethylmorphine per**  
908 **one hundred milliliters or per one hundred grams;**

909 **(d)** Not more than two and five-tenths milligrams of diphenoxylate and  
910 not less than twenty-five micrograms of atropine sulfate per dosage unit;

911 **[(b)] (e)** Not more than one hundred milligrams of opium per one  
912 hundred milliliters or per one hundred grams;

913 **[(c)] (f)** Not more than five-tenths milligram of difenoxin and not less  
914 than twenty-five micrograms of atropine sulfate per dosage unit;

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

918 (3) Any compound, mixture, or preparation containing any detectable  
919 quantity of pseudoephedrine or its salts or optical isomers, or salts of optical  
920 isomers or any compound, mixture, or preparation containing any detectable  
921 quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

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

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

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

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

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

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

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

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

942 detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of  
943 optical isomers or ephedrine, its salts or optical isomers, or salts of optical  
944 isomers, shall be offered for sale only from behind a pharmacy counter where the  
945 public is not permitted, and only by a registered pharmacist or registered  
946 pharmacy technician; and

947 (2) Any person purchasing, receiving or otherwise acquiring any  
948 compound, mixture, or preparation containing any detectable quantity of  
949 pseudoephedrine, its salts or optical isomers, or salts of optical isomers or  
950 ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least  
951 eighteen years of age; and

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

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

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

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

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

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

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

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

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

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

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

980           17. The scheduling of substances specified in subdivision (3) of subsection  
981 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply  
982 to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel  
983 capsule form or to any compound, mixture, or preparation specified in subdivision  
984 (3) of subsection 10 of this section which must be dispensed, sold, or distributed  
985 in a pharmacy pursuant to a prescription.

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

995           19. The department of health and senior services shall revise and  
996 republish the schedules annually.

997           20. The department of health and senior services shall promulgate rules  
998 under chapter 536 regarding the security and storage of Schedule V controlled  
999 substances, as described in subdivision (3) of subsection 10 of this section, for  
1000 distributors as registered by the department of health and senior services.

1001           21. Logs of transactions required to be kept and maintained by this  
1002 section and section 195.417 shall create a rebuttable presumption that the person  
1003 whose name appears in the logs is the person whose transactions are recorded in  
1004 the logs.

**195.805. 1. No marijuana for medical use sold in Missouri  
2 pursuant to Article XIV of the Missouri Constitution shall be designed,  
3 produced, or marketed in a manner that is designed to appeal to  
4 persons under eighteen years of age, including, but not limited to, the  
5 following:**

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

8           **(2) Products in the shape of a human, animal, or fruit, including  
9 realistic, artistic, caricature, or cartoon renderings.**

10           **2. Any licensed or certified entity regulated by the department**  
11 **of health and senior services pursuant to Article XIV of the Missouri**  
12 **Constitution found to have violated the provisions of this section shall**  
13 **be subject to department sanctions, including an administrative**  
14 **penalty, in accordance with the regulations promulgated by the**  
15 **department pursuant to Article XIV of the Missouri Constitution.**

          565.021. 1. A person commits the offense of murder in the second degree  
2 if he or she:

3           (1) Knowingly causes the death of another person or, with the purpose of  
4 causing serious physical injury to another person, causes the death of another  
5 person; [or]

6           (2) Commits or attempts to commit any felony, and, in the perpetration  
7 or the attempted perpetration of such felony or in the flight from the perpetration  
8 or attempted perpetration of such felony, another person is killed as a result of  
9 the perpetration or attempted perpetration of such felony or immediate flight  
10 from the perpetration of such felony or attempted perpetration of such felony; **or**

11           **(3) Knowingly manufactures, delivers, or distributes a Schedule**  
12 **I or II controlled substance, as described in section 195.017 and**  
13 **regulations promulgated by the department of health and senior**  
14 **services and excluding marijuana for medical use as authorized by**  
15 **article XVI of the Missouri Constitution, in violation of chapters 195 or**  
16 **579, and such controlled substance thereafter is the proximate cause of**  
17 **the death of another person who uses or consumes such controlled**  
18 **substance. It shall not be a defense that the defendant did not directly**  
19 **deliver or distribute the controlled substance to the decedent.**

20           2. The offense of murder in the second degree is a class A felony, and the  
21 punishment for second degree murder shall be in addition to the punishment for  
22 commission of a related felony or attempted felony, other than murder or  
23 manslaughter.

24           3. Notwithstanding section 556.046 and section 565.029, in any charge of  
25 murder in the second degree, the jury shall be instructed on, or, in a jury-waived  
26 trial, the judge shall consider, any and all of the subdivisions in subsection 1 of  
27 this section which are supported by the evidence and requested by one of the  
28 parties or the court.

          579.015. 1. A person commits the offense of possession of a controlled  
2 substance if he or she knowingly possesses a controlled substance, except as

3 authorized by this chapter or chapter 195.

4           2. The offense of possession of any controlled substance except thirty-five  
5 grams or less of marijuana or any synthetic cannabinoid is a class D felony. **If  
6 the defendant is an emergency care provider, as defined in section  
7 191.630, or a home health care employee, a hospice employee, an in-  
8 home care employee, a personal care assistant, or any other individual  
9 who provides home health services, as defined in section 197.400, or  
10 personal care assistance services, as defined in section 208.900, to  
11 patients and who knowingly and unlawfully possesses such controlled  
12 substance belonging to the patient or another member of the patient's  
13 household, the offense is a class C felony.**

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

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

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

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

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

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

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

49 foregoing substances; or

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

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

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

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

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

59 (8) Ninety grams or more of any material, compound, mixture, or  
60 preparation containing any quantity of the following substances having a  
61 stimulant effect on the central nervous system: amphetamine, its salts, optical  
62 isomers and salts of its optical isomers; methamphetamine, its salts, optical  
63 isomers and salts of its optical isomers; phenmetrazine and its salts; or  
64 methylphenidate; or

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

78 (10) Ninety grams or more of any material, compound, mixture or  
79 preparation which contains any quantity of  
80 3,4-methylenedioxymethamphetamine; or

81 (11) More than thirty grams of any material, compound, mixture, or  
82 preparation which contains any quantity of 3,4-methylenedioxymethamphetamine  
83 and the location of the offense was within two thousand feet of real property  
84 comprising a public or private elementary, vocational, or secondary school,

85 college, community college, university, or any school bus, in or on the real  
86 property comprising public housing or any other governmental assisted housing,  
87 within a motor vehicle, or in any structure or building which contains rooms  
88 furnished for the accommodation or lodging of guests, and kept, used, maintained,  
89 advertised, or held out to the public as a place where sleeping accommodations  
90 are sought for pay or compensation to transient guests or permanent guests; **or**  
91 **(12) Fifty milligrams or more of fentanyl or carfentanil, or any**  
92 **derivative thereof, or any combination thereof, or any mixture or**  
93 **substance containing a detectable amount of fentanyl or carfentanil.**

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

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

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

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

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

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

22 (6) More than four grams but less than twelve grams of phencyclidine;

23 (7) More than thirty kilograms but less than one hundred kilograms of a  
24 mixture or substance containing marijuana;

25 (8) More than thirty grams but less than ninety grams of any material,  
26 compound, mixture, or preparation containing any quantity of the following  
27 substances having a stimulant effect on the central nervous system:

28 amphetamine, its salts, optical isomers and salts of its optical isomers;  
29 methamphetamine, its salts, optical isomers and salts of its optical isomers;  
30 phenmetrazine and its salts; or methylphenidate; [or]

31 (9) More than thirty grams but less than ninety grams of any material,  
32 compound, mixture, or preparation which contains any quantity of  
33 3,4-methylenedioxymethamphetamine; or

34 **(10) More than ten milligrams but less than fifty milligrams of**  
35 **fentanyl or carfentanil, or any derivative thereof, or any combination**  
36 **thereof, or any mixture or substance containing a detectable amount of**  
37 **fentanyl or carfentanil.**

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

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

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

43 (2) Four hundred fifty grams or more of a mixture or substance containing  
44 a detectable amount of coca leaves, except coca leaves and extracts of coca leaves  
45 from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been  
46 removed; cocaine salts and their optical and geometric isomers, and salts of  
47 isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any  
48 compound, mixture, or preparation which contains any quantity of any of the  
49 foregoing substances; or

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

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

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

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

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

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

60 (9) Ninety grams or more but less than four hundred fifty grams of any  
61 material, compound, mixture, or preparation containing any quantity of the  
62 following substances having a stimulant effect on the central nervous system:  
63 amphetamine, its salts, optical isomers and salts of its optical isomers;

64 methamphetamine, its salts, optical isomers and salts of its optical isomers;  
65 phenmetrazine and its salts; or methylphenidate; or

66 (10) Ninety grams or more but less than four hundred fifty grams of any  
67 material, compound, mixture, or preparation which contains any quantity of  
68 3,4-methylenedioxymethamphetamine; **or**

69 **(11) Fifty milligrams or more of fentanyl or carfentanil, or any**  
70 **derivative thereof, or any combination thereof, or any mixture or**  
71 **substance containing a detectable amount of fentanyl or carfentanil.**

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

75 (1) Any quantity of the following substances having a stimulant effect on  
76 the central nervous system: amphetamine, its salts, optical isomers and salts of  
77 its optical isomers; methamphetamine, its salts, isomers and salts of its isomers;  
78 phenmetrazine and its salts; or methylphenidate; or

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

Bill ✓

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