

AMENDMENTS TO LB50

(Amendments to E and R amendments, ER35)

Introduced by DeBoer, 10.

1           1. Strike section 43 and insert the following new sections:

2           Sec. 3. (1) A health care provider, an emergency medical services  
3 provider, a laboratory, or a pharmacy providing medical services,  
4 transportation, medications, or other services related to the examination  
5 or treatment of injuries arising out of sexual assault as defined in  
6 section 29-4309, domestic assault under section 28-323, or child abuse  
7 under section 28-707 shall not:

8           (a) Refer a bill for such services to a collection agency or an  
9 attorney for collection against the victim or the victim's guardian or  
10 family;

11           (b) Distribute information regarding such services and status of  
12 payment in any way that would affect the credit rating of the victim or  
13 the victim's guardian or family; or

14           (c) Take any other action adverse to the victim or the victim's  
15 guardian or family on account of providing such services.

16           (2) This section shall not be construed to prevent an entity  
17 described in subsection (1) of this section from otherwise seeking  
18 payment for such services from the victim or any other source.

19           (3) If a collection agency or an attorney is referred a debt for a  
20 bill described in subsection (1) of this section, then upon notice of the  
21 applicability of this section, the collection agency or attorney shall  
22 return the debt to the referring health care provider, emergency medical  
23 services provider, laboratory, or pharmacy.

24           (4) No private cause of action shall exist under this section  
25 against a debt collector.

26           Sec. 6. Section 28-405, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 28-405 The following are the schedules of controlled substances  
3 referred to in the Uniform Controlled Substances Act, unless specifically  
4 contained on the list of exempted products of the Drug Enforcement  
5 Administration of the United States Department of Justice as the list  
6 existed on January 31, 2022 ~~2021~~:

7 Schedule I

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

- 12 (1) Acetylmethadol;
- 13 (2) Allylprodine;
- 14 (3) Alphacetylmethadol, except levo-alphacetylmethadol which is also  
15 known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 16 (4) Alphameprodine;
- 17 (5) Alphamethadol;
- 18 (6) Benzethidine;
- 19 (7) Betacetylmethadol;
- 20 (8) Betameprodine;
- 21 (9) Betamethadol;
- 22 (10) Betaprodine;
- 23 (11) Clonitazene;
- 24 (12) Dextromoramide;
- 25 (13) Difenoxyin;
- 26 (14) Diampromide;
- 27 (15) Diethylthiambutene;
- 28 (16) Dimenoxadol;
- 29 (17) Dimepheptanol;
- 30 (18) Dimethylthiambutene;
- 31 (19) Dioxaphetyl butyrate;

- 1 (20) Dipipanone;
- 2 (21) Ethylmethylthiambutene;
- 3 (22) Etonitazene;
- 4 (23) Etoxeridine;
- 5 (24) Furethidine;
- 6 (25) Hydroxypethidine;
- 7 (26) Ketobemidone;
- 8 (27) Levomoramide;
- 9 (28) Levophenacymorphan;
- 10 (29) Morpheridine;
- 11 (30) Noracymethadol;
- 12 (31) Norlevorphanol;
- 13 (32) Normethadone;
- 14 (33) Norpipanone;
- 15 (34) Phenadoxone;
- 16 (35) Phenampromide;
- 17 (36) Phenomorphan;
- 18 (37) Phenoperidine;
- 19 (38) Piritramide;
- 20 (39) Proheptazine;
- 21 (40) Properidine;
- 22 (41) Propiram;
- 23 (42) Racemoramide;
- 24 (43) Trimeperidine;
- 25 (44) Alpha-methylfentanyl, N-(1-(alpha-methyl-beta-phenyl)ethyl-4-
- 26 piperidyl) propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
- 27 piperidine;
- 28 (45) Tilidine;
- 29 (46) 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
- 30 phenylpropanamide, its optical and geometric isomers, salts, and salts of
- 31 isomers;

1 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical  
2 isomers, salts, and salts of isomers;

3 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its  
4 optical isomers, salts, and salts of isomers;

5 (49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-  
6 piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of  
7 isomers;

8 (50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-  
9 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts  
10 of isomers;

11 (51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide,  
12 its optical isomers, salts, and salts of isomers;

13 (52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-  
14 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts  
15 of isomers;

16 (53) Beta-hydroxy-3-methylfentanyl, (other name: N-(1-(2-hydroxy-2-  
17 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide), its optical and  
18 geometric isomers, salts, and salts of isomers;

19 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-  
20 piperidinyl)-N-phenylpropanamide, its optical and geometric isomers,  
21 salts, and salts of isomers;

22 (55) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide  
23 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

24 (56) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-  
25 propanamide, its optical isomers, salts, and salts of isomers;

26 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-  
27 piperidinyl)propanamide, its optical isomers, salts, and salts of  
28 isomers;

29 (58) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-  
30 methylbenzamide;

31 (59) 4-Fluoroisobutyryl Fentanyl;

- 1 (60) Acetyl Fentanyl;
- 2 (61) Acetyl fentanyl;
- 3 (62) AH-7921; 3, 4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]
- 4 benzamide;
- 5 (63) Butyryl fentanyl;
- 6 (64) Cyclopentyl fentanyl;
- 7 (65) Cyclopropyl fentanyl;
- 8 (66) Furanyl fentanyl;
- 9 (67) Isobutyryl fentanyl;
- 10 (68) Isotonitazene;
- 11 (69) Methoxyacetyl fentanyl;
- 12 (70) MT-45; 1-cyclohexyl-4-(1,2-diphenylethyl) piperazine;
- 13 (71) Tetrahydrofuranyl fentanyl;
- 14 (72) 2-fluorofentanyl; N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
- 15 yl) propionamide;
- 16 (73) Oxycodone;
- 17 (74) Ortho-Fluorofentanyl;
- 18 (75) Para-chloroisobutyryl fentanyl;
- 19 (76) Para-Fluorobutyryl Fentanyl;
- 20 (77) Valeryl fentanyl;
- 21 (78) Phenyl Fentanyl;
- 22 (79) Para-Methylfentanyl;
- 23 (80) Thiofuranyl Fentanyl;
- 24 (81) Beta-methyl Fentanyl;
- 25 (82) Beta'-Phenyl Fentanyl;
- 26 (83) Crotonyl Fentanyl;
- 27 (84) 2'-Fluoro Ortho-Fluorofentanyl;
- 28 (85) 4'-Methyl Acetyl Fentanyl;
- 29 (86) Ortho-Fluorobutyryl Fentanyl;
- 30 (87) Ortho-Methyl Acetylfentanyl;
- 31 (88) Ortho-Methyl Methoxyacetyl Fentanyl;

1 (89) Ortho-Fluoroacryl Fentanyl;

2 (90) Fentanyl Carbamate;

3 (91) Ortho-Fluoroisobutyryl Fentanyl;

4 (92) Para-Fluoro Furanyl Fentanyl;

5 (93) Para-Methoxybutyryl Fentanyl; ~~and~~

6 (94) Brorphine (other name: 1-(1-(1-(4-bromophenyl) ethyl)  
7 piperidin-4-yl-1,3-dihydro-2H-benzo[D]imidazole-2-one); and -

8 (95) Fentanyl-related substances, their isomers, esters, ethers,  
9 salts and salts of isomers, esters, and ethers. Unless specifically  
10 excepted, listed in another schedule, or specifically named in this  
11 schedule, this includes any substance that is structurally related to  
12 fentanyl by one or more of the following modifications:

13 (A) Replacement of the phenyl portion of the phenethyl group by any  
14 monocycle, whether or not further substituted in or on the monocycle;

15 (B) Substitution in or on the phenethyl group with alkyl, alkenyl,  
16 alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

17 (C) Substitution in or on the piperidine ring with alkyl, alkenyl,  
18 alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

19 (D) Replacement of the aniline ring with any aromatic monocycle  
20 whether or not further substituted in or on the aromatic monocycle; or

21 (E) Replacement of the N-propionyl group by another acyl group.

22 (b) Any of the following opium derivatives, their salts, isomers,  
23 and salts of isomers, unless specifically excepted, whenever the  
24 existence of such salts, isomers, and salts of isomers is possible within  
25 the specific chemical designation:

26 (1) Acetorphine;

27 (2) Acetyldihydrocodeine;

28 (3) Benzylmorphine;

29 (4) Codeine methylbromide;

30 (5) Codeine-N-Oxide;

31 (6) Cyprenorphine;

- 1 (7) Desomorphine;
- 2 (8) Dihydromorphine;
- 3 (9) Drotebanol;
- 4 (10) Etorphine, except hydrochloride salt;
- 5 (11) Heroin;
- 6 (12) Hydromorphinol;
- 7 (13) Methyldesorphine;
- 8 (14) Methyldihydromorphine;
- 9 (15) Morphine methylbromide;
- 10 (16) Morphine methylsulfonate;
- 11 (17) Morphine-N-Oxide;
- 12 (18) Myrophine;
- 13 (19) Nicocodeine;
- 14 (20) Nicomorphine;
- 15 (21) Normorphine;
- 16 (22) Pholcodine; and
- 17 (23) Thebacon.

18 (c) Any material, compound, mixture, or preparation which contains  
19 any quantity of the following hallucinogenic substances, their salts,  
20 isomers, and salts of isomers, unless specifically excepted, whenever the  
21 existence of such salts, isomers, and salts of isomers is possible within  
22 the specific chemical designation, and, for purposes of this subdivision  
23 only, isomer shall include the optical, position, and geometric isomers:

24 (1) Bufotenine. Trade and other names shall include, but are not  
25 limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-  
26 dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-  
27 dimethyltryptamine; and mappine;

28 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall  
29 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-  
30 methylphenethylamine; and 4-bromo-2,5-DMA;

31 (3) 4-methoxyamphetamine. Trade and other names shall include, but

1 are not limited to: 4-methoxy-alpha-methylphenethylamine; and  
2 paramethoxyamphetamine, PMA;

3 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall  
4 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-  
5 methylphenethylamine; DOM; and STP;

6 (5) Para-methoxymethamphetamine. Trade and other names shall  
7 include, but are not limited to: 1-(4-Methoxyphenyl)-N-methylpropan-2-  
8 amine, PMMA, and 4-MMA;

9 (6) Ibogaine. Trade and other names shall include, but are not  
10 limited to: 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-  
11 methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe  
12 iboga;

13 (7) Lysergic acid diethylamide;

14 (8) Marijuana;

15 (9) Mescaline;

16 (10) Methoxetamine (MXE);

17 (11) (10) Peyote. Peyote shall mean all parts of the plant presently  
18 classified botanically as *Lophophora williamsii* Lemaire, whether growing  
19 or not, the seeds thereof, any extract from any part of such plant, and  
20 every compound, manufacture, salts, derivative, mixture, or preparation  
21 of such plant or its seeds or extracts;

22 (12) (11) Psilocybin;

23 (13) (12) Psilocyn;

24 (14) (13) Tetrahydrocannabinols, including, but not limited to,  
25 synthetic equivalents of the substances contained in the plant or in the  
26 resinous extractives of cannabis, sp. or synthetic substances,  
27 derivatives, and their isomers with similar chemical structure and  
28 pharmacological activity such as the following: Delta 1 cis or trans  
29 tetrahydrocannabinol and their optical isomers, excluding dronabinol in a  
30 drug product approved by the federal Food and Drug Administration; Delta  
31 6 cis or trans tetrahydrocannabinol and their optical isomers; and Delta



1 3,4 cis or trans tetrahydrocannabinol and its optical isomers. Since  
2 nomenclature of these substances is not internationally standardized,  
3 compounds of these structures shall be included regardless of the  
4 numerical designation of atomic positions covered. Tetrahydrocannabinols  
5 does not include cannabidiol contained in a drug product approved by the  
6 federal Food and Drug Administration;

7 (15) ~~(14)~~ N-ethyl-3-piperidyl benzilate;

8 (16) ~~(15)~~ N-methyl-3-piperidyl benzilate;

9 (17) ~~(16)~~ Thiophene analog of phencyclidine. Trade and other names  
10 shall include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-  
11 piperidine; 2-thienyl analog of phencyclidine; TCP; and TCP;

12 (18) ~~(17)~~ Hashish or concentrated cannabis;

13 (19) ~~(18)~~ Parahexyl. Trade and other names shall include, but are  
14 not limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-  
15 dibenzo(b,d)pyran; and Synhexyl;

16 (20) ~~(19)~~ Ethylamine analog of phencyclidine. Trade and other names  
17 shall include, but are not limited to: N-ethyl-1-phenylcyclohexylamine;  
18 (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;  
19 cyclohexamine; and PCE;

20 (21) ~~(20)~~ Pyrrolidine analog of phencyclidine. Trade and other names  
21 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-  
22 pyrrolidine; PCPy; and PHP;

23 (22) ~~(21)~~ Alpha-ethyltryptamine. Some trade or other names:  
24 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)  
25 indole; alpha-ET; and AET;

26 (23) ~~(22)~~ 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

27 (24) ~~(23)~~ 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

28 (25) ~~(24)~~ Alpha-methyltryptamine, which is also known as AMT;

29 (26) ~~(25)~~ Salvia divinorum or Salvinorin A. Salvia divinorum or  
30 Salvinorin A includes all parts of the plant presently classified  
31 botanically as Salvia divinorum, whether growing or not, the seeds

1 thereof, any extract from any part of such plant, and every compound,  
2 manufacture, derivative, mixture, or preparation of such plant, its  
3 seeds, or its extracts, including salts, isomers, and salts of isomers  
4 whenever the existence of such salts, isomers, and salts of isomers is  
5 possible within the specific chemical designation;

6 (27) ~~(26)~~ Any material, compound, mixture, or preparation containing  
7 any quantity of synthetically produced cannabinoids as listed in  
8 subdivisions (A) through (L) of this subdivision, including their salts,  
9 isomers, salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic  
10 analogs, unless specifically excepted elsewhere in this section. Since  
11 nomenclature of these synthetically produced cannabinoids is not  
12 internationally standardized and may continually evolve, these structures  
13 or compounds of these structures shall be included under this  
14 subdivision, regardless of their specific numerical designation of atomic  
15 positions covered, so long as it can be determined through a recognized  
16 method of scientific testing or analysis that the substance contains  
17 properties that fit within one or more of the following categories:

18 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally  
19 contained in a plant of the genus cannabis (cannabis plant), as well as  
20 synthetic equivalents of the substances contained in the plant, or in the  
21 resinous extractives of cannabis, sp. and/or synthetic substances,  
22 derivatives, and their isomers with similar chemical structure and  
23 pharmacological activity such as the following: Delta 1 cis or trans  
24 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans  
25 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans  
26 tetrahydrocannabinol, and its optical isomers. This subdivision does not  
27 include cannabidiol contained in a drug product approved by the federal  
28 Food and Drug Administration;

29 (B) Naphthoylindoles: Any compound containing a 3-(1-  
30 naphthoyl)indole structure with substitution at the nitrogen atom of the  
31 indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,

1 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
2 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
3 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
4 tetrahydropyranylmethyl group, whether or not further substituted in or  
5 on any of the listed ring systems to any extent;

6 (C) Naphthylmethyloindoles: Any compound containing a 1 H-indol-3-  
7 yl-(1-naphthyl)methane structure with substitution at the nitrogen atom  
8 of the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,  
9 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
10 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
11 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
12 tetrahydropyranylmethyl group, whether or not further substituted in or  
13 on any of the listed ring systems to any extent;

14 (D) Naphthoylpyrroles: Any compound containing a 3-(1-  
15 naphthoyl)pyrrole structure with substitution at the nitrogen atom of the  
16 pyrrole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,  
17 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
18 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
19 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
20 tetrahydropyranylmethyl group, whether or not further substituted in or  
21 on any of the listed ring systems to any extent;

22 (E) Naphthylideneindenes: Any compound containing a  
23 naphthylideneindene structure with substitution at the 3-position of the  
24 indene ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,  
25 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
26 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
27 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
28 tetrahydropyranylmethyl group, whether or not further substituted in or  
29 on any of the listed ring systems to any extent;

30 (F) Phenylacetyloindoles: Any compound containing a 3-  
31 phenylacetyloindole structure with substitution at the nitrogen atom of

1 the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,  
2 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
3 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
4 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
5 tetrahydropyranylmethyl group, whether or not further substituted in or  
6 on any of the listed ring systems to any extent;

7 (G) Cyclohexylphenols: Any compound containing a 2-(3-  
8 hydroxycyclohexyl)phenol structure with substitution at the 5-position of  
9 the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,  
10 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,  
11 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-  
12 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
13 tetrahydropyranylmethyl group, whether or not substituted in or on any of  
14 the listed ring systems to any extent;

15 (H) Benzoylindoles: Any compound containing a 3-(benzoyl)indole  
16 structure with substitution at the nitrogen atom of the indole ring by an  
17 alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl,  
18 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-  
19 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
20 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not  
21 further substituted in or on any of the listed ring systems to any  
22 extent;

23 (I) Adamantoylindoles: Any compound containing a 3-adamantoylindole  
24 structure with substitution at the nitrogen atom of the indole ring by an  
25 alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl, benzyl,  
26 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,  
27 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
28 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not  
29 further substituted in or on any of the listed ring systems to any  
30 extent;

31 (J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-

1 tetramethylcyclopropanoylindole structure with substitution at the  
2 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,  
3 alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-  
4 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
5 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
6 tetrahydropyranylmethyl group, whether or not further substituted in or  
7 on any of the listed ring systems to any extent;

8 (K) Indole carboxamides: Any compound containing a 1-indole-3-  
9 carboxamide structure with substitution at the nitrogen atom of the  
10 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,  
11 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-  
12 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
13 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
14 tetrahydropyranylmethyl group, substitution at the carboxamide group by  
15 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,  
16 phenyl, aminoalkyl group, or quinolinyl group, whether or not further  
17 substituted in or on any of the listed ring systems to any extent or to  
18 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or  
19 propionaldehyde groups to any extent;

20 (L) Indole carboxylates: Any compound containing a 1-indole-3-  
21 carboxylate structure with substitution at the nitrogen atom of the  
22 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,  
23 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-  
24 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
25 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or  
26 tetrahydropyranylmethyl group, substitution at the carboxylate group by  
27 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,  
28 phenyl, aminoalkyl group, or quinolinyl group, whether or not further  
29 substituted in or on any of the listed ring systems to any extent or to  
30 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or  
31 propionaldehyde groups to any extent; and

1 (M) Any nonnaturally occurring substance, chemical compound,  
2 mixture, or preparation, not specifically listed elsewhere in these  
3 schedules and which is not approved for human consumption by the federal  
4 Food and Drug Administration, containing or constituting a cannabinoid  
5 receptor agonist as defined in section 28-401;

6 (28) Zipeprol 1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-  
7 yl]-1-phenylpropan-2-ol, including its isomers, esters, ethers, salts,  
8 and salts of isomers, esters, and ethers, whenever the existence of such  
9 isomers, esters, ethers, and salts is possible within the specific  
10 chemical designation;

11 (29) ~~(27)~~ Any material, compound, mixture, or preparation containing  
12 any quantity of a substituted phenethylamine as listed in subdivisions  
13 (A) through (C) of this subdivision, unless specifically excepted, listed  
14 in another schedule, or specifically named in this schedule, that is  
15 structurally derived from phenylethan-2-amine by substitution on the  
16 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a  
17 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by  
18 substitution with one alkoxy and either one fused furan, tetrahydrofuran,  
19 or tetrahydropyran ring system; or by substitution with two fused ring  
20 systems from any combination of the furan, tetrahydrofuran, or  
21 tetrahydropyran ring systems, whether or not the compound is further  
22 modified in any of the following ways:

23 (A) Substitution of the phenyl ring by any halo, hydroxyl, alkyl,  
24 trifluoromethyl, alkoxy, or alkylthio groups; (B) substitution at the 2-  
25 position by any alkyl groups; or (C) substitution at the 2-amino nitrogen  
26 atom with alkyl, dialkyl, benzyl, hydroxybenzyl, or methoxybenzyl groups,  
27 and including, but not limited to:

28 (i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine, which is also known  
29 as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine;

30 (ii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is also known  
31 as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine;

- 1 (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine, which is also known  
2 as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine;
- 3 (iv) 2-(2,5-Dimethoxyphenyl)ethanamine, which is also known as 2C-H  
4 or 2,5-Dimethoxyphenethylamine;
- 5 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as  
6 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;
- 7 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is also known  
8 as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;
- 9 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine, which is also  
10 known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;
- 11 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine, which is  
12 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;
- 13 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is  
14 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;
- 15 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known  
16 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;
- 17 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also  
18 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;
- 19 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also  
20 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;
- 21 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also  
22 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 23 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also  
24 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 25 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-  
26 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-  
27 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 28 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-  
29 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-  
30 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 31 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,

- 1 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-  
2 methoxybenzyl)phenethylamine;
- 3 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-  
4 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or  
5 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 6 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,  
7 which is also known as 2CB-5-hemiFLY;
- 8 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-  
9 yl)ethanamine, which is also known as 2C-B-FLY;
- 10 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-  
11 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 12 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-  
13 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-  
14 NBOMe;
- 15 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,  
16 which is also known as bromo-benzodifuranylisopropylamine or bromo-  
17 dragonFLY;
- 18 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which  
19 is also known as 2C-INBOH or 25I-NBOH;
- 20 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as 5-APB;
- 21 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
- 22 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known  
23 as 5-APDB;
- 24 (xxviii) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also  
25 known as 6-APDB;
- 26 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-  
27 dimethoxy-a-methylphenethylamine; 2, 5-DMA;
- 28 (xxx) 2,5-dimethoxy-4-ethylamphetamine, which is also known as DOET;
- 29 (xxxii) 2,5-dimethoxy-4-(n)-propylthiophenethylamine, which is also  
30 known as 2C-T-7;
- 31 (xxxiii) 5-methoxy-3,4-methylenedioxy-amphetamine;



- 1 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as  
2 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;
- 3 (xxxiv) 3,4-methylenedioxy amphetamine, which is also known as MDA;
- 4 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as  
5 MDMA;
- 6 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known  
7 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA;
- 8 (xxxvii) 3,4,5-trimethoxy amphetamine; and
- 9 (xxxviii) n-hydroxy-3,4-Methylenedioxy-N-Hydroxyamphetamine, which  
10 is also known as N-hydroxyMDA;
- 11 (30) ~~(28)~~ Any material, compound, mixture, or preparation containing  
12 any quantity of a substituted tryptamine unless specifically excepted,  
13 listed in another schedule, or specifically named in this schedule, that  
14 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also  
15 known as tryptamine, by mono- or di-substitution of the amine nitrogen  
16 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom  
17 in a cyclic structure whether or not the compound is further substituted  
18 at the alpha position with an alkyl group or whether or not further  
19 substituted on the indole ring to any extent with any alkyl, alkoxy,  
20 halo, hydroxyl, or acetoxy groups, and including, but not limited to:
- 21 (A) 5-methoxy-N,N-diallyltryptamine, which is also known as 5-MeO-  
22 DALT;
- 23 (B) 4-acetoxy-N,N-dimethyltryptamine, which is also known as 4-AcO-  
24 DMT or OAcetylpsilocin;
- 25 (C) 4-hydroxy-N-methyl-N-ethyltryptamine, which is also known as 4-  
26 HO-MET;
- 27 (D) 4-hydroxy-N,N-diisopropyltryptamine, which is also known as 4-  
28 HO-DIPT;
- 29 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as  
30 5-MeOMiPT;
- 31 (F) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-

1 DMT;

2 (G) 5-methoxy-N,N-diisopropyltryptamine, which is also known as 5-  
3 MeO-DiPT;

4 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,  
5 DET; and

6 (I) Dimethyltryptamine, which is also known as DMT; and

7 (31)(A) ~~(29)(A)~~ Any substance containing any quantity of the  
8 following materials, compounds, mixtures, or structures:

9 (i) 3,4-methylenedioxy methcathinone, or bk-MDMA, or methylone;

10 (ii) 3,4-methylenedioxy pyrovalerone, or MDPV;

11 (iii) 4-methylmethcathinone, or 4-MMC, or mephedrone;

12 (iv) 4-methoxymethcathinone, or bk-PMMA, or PMMC, or methedrone;

13 (v) Fluoromethcathinone, or FMC;

14 (vi) Naphthylpyrovalerone, or naphyrone; or

15 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or  
16 butylone; or

17 (B) Unless listed in another schedule, any substance which contains  
18 any quantity of any material, compound, mixture, or structure, other than  
19 bupropion, that is structurally derived by any means from 2-  
20 aminopropan-1-one by substitution at the 1-position with either phenyl,  
21 naphthyl, or thiophene ring systems, whether or not the compound is  
22 further modified in any of the following ways:

23 (i) Substitution in the ring system to any extent with alkyl,  
24 alkoxy, alkylendioxy, haloalkyl, hydroxyl, or halide substituents,  
25 whether or not further substituted in the ring system by one or more  
26 other univalent substituents;

27 (ii) Substitution at the 3-position with an acyclic alkyl  
28 substituent; or

29 (iii) Substitution at the 2-amino nitrogen atom with alkyl or  
30 dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic  
31 structure.

1 (d) Unless specifically excepted or unless listed in another  
2 schedule, any material, compound, mixture, or preparation which contains  
3 any quantity of the following substances having a depressant effect on  
4 the central nervous system, including its salts, isomers, and salts of  
5 isomers whenever the existence of such salts, isomers, and salts of  
6 isomers is possible within the specific chemical designation:

7 (1) Amineptine 7-[(10,11-dihydro-5H-dibenzo[a,d]-cyclohepten-5-  
8 yl)amino]heptanoic acid, including its salts, isomers, and salts of  
9 isomers;

10 (2) ~~(1)~~ Mecloqualone;

11 (3) ~~(2)~~ Methaqualone; and

12 (4) ~~(3)~~ Gamma-Hydroxybutyric Acid. Some other names include: GHB;  
13 Gamma-hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium  
14 Oxybate; and Sodium Oxybutyrate.

15 (e) Unless specifically excepted or unless listed in another  
16 schedule, any material, compound, mixture, or preparation which contains  
17 any quantity of the following substances having a stimulant effect on the  
18 central nervous system, including its salts, isomers, and salts of  
19 isomers:

20 (1) Fenethylamine;

21 (2) N-ethylamphetamine;

22 (3) Amphetamine; amphetamine; 2-amino-5-phenyl-2-oxazoline; or 4,5-  
23 dihydro-5-phenyl-2-oxazolamine;

24 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-  
25 aminopropiophenone; 2-aminopropiophenone; and norephedrine;

26 (5) Methcathinone, its salts, optical isomers, and salts of optical  
27 isomers. Some other names: 2-(methylamino)-propionophenone; alpha-  
28 (methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-  
29 N-methylaminopropionophenone; methylcathinone; monomethylpropion;  
30 ephedrine; N-methylcathinone; AL-464; AL-422; AL-463; UR1432; and 4-MEC;

31 (6) (+/-)-cis-4-methylamphetamine; and (+/-)-cis-4,5-dihydro-4-methyl-5-

1 phenyl-2-oxazolamine;

2 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;  
3 and N,N-alpha-trimethylphenethylamine;

4 (8) Benzylpiperazine, 1-benzylpiperazine;~~and~~

5 (9) 4,4'-dimethylaminorex (other names: 4,4'-DMAR, 4,5-dihydro-4-  
6 methyl-5-(4-methylphenyl)-2-oxazolamine); and -

7 (10) N-phenyl-N' -(3-(1- phenylpropan-2-yl)-1,2,3-oxadiazol-3-  
8 ium-5-yl)carbamimidate), including its salts, isomers, and salts of  
9 isomers.

10 (f) Any controlled substance analogue to the extent intended for  
11 human consumption.

12 Schedule II

13 (a) Any of the following substances except those narcotic drugs  
14 listed in other schedules whether produced directly or indirectly by  
15 extraction from substances of vegetable origin, independently by means of  
16 chemical synthesis, or by combination of extraction and chemical  
17 synthesis:

18 (1) Opium and opiate, and any salt, compound, derivative, or  
19 preparation of opium or opiate, excluding apomorphine, buprenorphine,  
20 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeferne,  
21 naloxone, and naltrexone and their salts, but including the following:

22 (A) Raw opium;

23 (B) Opium extracts;

24 (C) Opium fluid;

25 (D) Powdered opium;

26 (E) Granulated opium;

27 (F) Tincture of opium;

28 (G) Codeine;

29 (H) Ethylmorphine;

30 (I) Etorphine hydrochloride;

31 (J) Hydrocodone;

1 (K) Hydromorphone;

2 (L) Metopon;

3 (M) Morphine;

4 (N) Oxycodone;

5 (O) Oxymorphone;

6 (P) Oripavine;

7 (Q) Thebaine; and

8 (R) Dihydroetorphine;

9 (2) Any salt, compound, derivative, or preparation thereof which is  
10 chemically equivalent to or identical with any of the substances referred  
11 to in subdivision (1) of this subdivision, except that these substances  
12 shall not include the isoquinoline alkaloids of opium;

13 (3) Opium poppy and poppy straw;

14 (4) Coca leaves and any salt, compound, derivative, or preparation  
15 of coca leaves, and any salt, compound, derivative, or preparation  
16 thereof which is chemically equivalent to or identical with any of these  
17 substances, including cocaine or ecgonine and its salts, optical isomers,  
18 and salts of optical isomers, except that the substances shall not  
19 include decocainized coca leaves or extractions which do not contain  
20 cocaine or ecgonine; and

21 (5) Concentrate of poppy straw, the crude extract of poppy straw in  
22 either liquid, solid, or powder form which contains the phenanthrene  
23 alkaloids of the opium poppy.

24 (b) Unless specifically excepted or unless in another schedule any  
25 of the following opiates, including their isomers, esters, ethers, salts,  
26 and salts of their isomers, esters, and ethers whenever the existence of  
27 such isomers, esters, ethers, and salts is possible within the specific  
28 chemical designation, dextrorphan excepted:

29 (1) Alphaprodine;

30 (2) Anileridine;

31 (3) Bezitramide;

- 1 (4) Diphenoxylate;
- 2 (5) Fentanyl;
- 3 (6) Isomethadone;
- 4 (7) Levomethorphan;
- 5 (8) Levorphanol;
- 6 (9) Metazocine;
- 7 (10) Methadone;
- 8 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
- 9 butane;
- 10 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
- 11 diphenylpropane-carboxylic acid;
- 12 (13) Norfentanyl (N-phenyl-N-piperidin-4-yl) propionamide;
- 13 (14) Oliceridine;
- 14 (15) Pethidine or meperidine;
- 15 (16) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 16 (17) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
- 17 carboxylate;
- 18 (18) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
- 19 carboxylic acid;
- 20 (19) Phenazocine;
- 21 (20) Piminodine;
- 22 (21) Racemethorphan;
- 23 (22) Racemorphan;
- 24 (23) Dihydrocodeine;
- 25 (24) Bulk Propoxyphene in nondosage forms;
- 26 (25) Sufentanil;
- 27 (26) Alfentanil;
- 28 (27) Levo-alphaacetylmethadol which is also known as levo-alpha-
- 29 acetylmethadol, levomethadyl acetate, and LAAM;
- 30 (28) Carfentanil;
- 31 (29) Remifentanil;

1 (30) Tapentadol; and

2 (31) Thiafentanil.

3 (c) Any material, compound, mixture, or preparation which contains  
4 any quantity of the following substances having a potential for abuse  
5 associated with a stimulant effect on the central nervous system:

6 (1) Amphetamine, its salts, optical isomers, and salts of its  
7 optical isomers;

8 (2) Phenmetrazine and its salts;

9 (3) Methamphetamine, its salts, isomers, and salts of its isomers;

10 (4) Methylphenidate; and

11 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

12 (d) Any material, compound, mixture, or preparation which contains  
13 any quantity of the following substances having a potential for abuse  
14 associated with a depressant effect on the central nervous system,  
15 including their salts, isomers, and salts of isomers whenever the  
16 existence of such salts, isomers, and salts of isomers is possible within  
17 the specific chemical designations:

18 (1) Amobarbital;

19 (2) Secobarbital;

20 (3) Pentobarbital;

21 (4) Phencyclidine; and

22 (5) Glutethimide.

23 (e) Hallucinogenic substances known as:

24 (1) Nabilone. Another name for nabilone: (+/-)-trans-3-(1,1-  
25 dimethylheptyl)- 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-  
26 dibenzo(b,d)pyran-9-one; and

27 (2) Dronabinol in an oral solution in a drug product approved by the  
28 federal Food and Drug Administration.

29 (f) Unless specifically excepted or unless listed in another  
30 schedule, any material, compound, mixture, or preparation which contains  
31 any quantity of the following substances:

1 (1) Immediate precursor to amphetamine and methamphetamine:  
2 Phenylacetone. Trade and other names shall include, but are not limited  
3 to: Phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl  
4 ketone;

5 (2) Immediate precursors to phencyclidine, PCP:

6 (A) 1-phenylcyclohexylamine; or

7 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

8 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine  
9 (ANPP).

10 Schedule III

11 (a) Any material, compound, mixture, or preparation which contains  
12 any quantity of the following substances having a potential for abuse  
13 associated with a stimulant effect on the central nervous system,  
14 including their salts, isomers, whether optical, position, or geometric,  
15 and salts of such isomers whenever the existence of such salts, isomers,  
16 and salts of isomers is possible within the specific chemical  
17 designation:

18 (1) Benzphetamine;

19 (2) Chlorphentermine;

20 (3) Clortermine; and

21 (4) Phendimetrazine.

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

25 (1) Any substance which contains any quantity of a derivative of  
26 barbituric acid or any salt of a derivative of barbituric acid, except  
27 those substances which are specifically listed in other schedules of this  
28 section;

29 (2) Aprobarbital;

30 (3) Butabarbital;

31 (4) Butalbital;



- 1 (5) Butethal;
- 2 (6) Butobarbital;
- 3 (7) Chlorhexadol;
- 4 (8) Embutramide;
- 5 (9) Lysergic acid;
- 6 (10) Lysergic acid amide;
- 7 (11) Methyprylon;
- 8 (12) Perampanel;
- 9 (13) Secbutobarbital;
- 10 (14) Sulfondiethylmethane;
- 11 (15) Sulfonethylmethane;
- 12 (16) Sulfonmethane;
- 13 (17) Nalorphine;
- 14 (18) Talbutal;
- 15 (19) Thiamylal;
- 16 (20) Thiopental;
- 17 (21) Vinbarbital;
- 18 (22) Any compound, mixture, or preparation containing amobarbital,  
19 secobarbital, pentobarbital, or any salt thereof and one or more other  
20 active medicinal ingredients which are not listed in any schedule;
- 21 (23) Any suppository dosage form containing amobarbital,  
22 secobarbital, pentobarbital, or any salt of any of these drugs and  
23 approved by the federal Food and Drug Administration for marketing only  
24 as a suppository;
- 25 (24) Any drug product containing gamma-hydroxybutyric acid,  
26 including its salts, isomers, and salts of isomers, for which an  
27 application is approved under section 505 of the Federal Food, Drug, and  
28 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;
- 29 (25) Ketamine, its salts, isomers, and salts of isomers. Some other  
30 names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-  
31 cyclohexanone; and

1 (26) Tiletamine and zolazepam or any salt thereof. Trade or other  
2 names for a tiletamine-zolazepam combination product shall include, but  
3 are not limited to: telazol. Trade or other names for tiletamine shall  
4 include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-  
5 cyclohexanone. Trade or other names for zolazepam shall include, but are  
6 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-  
7 trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrzapon.

8 (c) Unless specifically excepted or unless listed in another  
9 schedule:

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

14 (A) Not more than one and eight-tenths grams of codeine per one  
15 hundred milliliters or not more than ninety milligrams per dosage unit,  
16 with an equal or greater quantity of an isoquinoline alkaloid of opium;

17 (B) Not more than one and eight-tenths grams of codeine per one  
18 hundred milliliters or not more than ninety milligrams per dosage unit,  
19 with one or more active, nonnarcotic ingredients in recognized  
20 therapeutic amounts;

21 (C) Not more than one and eight-tenths grams of dihydrocodeine per  
22 one hundred milliliters or not more than ninety milligrams per dosage  
23 unit, with one or more active, nonnarcotic ingredients in recognized  
24 therapeutic amounts;

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

29 (E) Not more than five hundred milligrams of opium per one hundred  
30 milliliters or per one hundred grams, or not more than twenty-five  
31 milligrams per dosage unit, with one or more active, nonnarcotic

1 ingredients in recognized therapeutic amounts; and

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

5 (2) Any material, compound, mixture, or preparation containing any  
6 of the following narcotic drug or its salts, as set forth below:

7 (A) Buprenorphine.

8 (d) Unless contained on the list of exempt anabolic steroids of the  
9 Drug Enforcement Administration of the United States Department of  
10 Justice as the list existed on January 31, 2022 ~~2021~~, any anabolic  
11 steroid, which shall include any material, compound, mixture, or  
12 preparation containing any quantity of the following substances,  
13 including its salts, isomers, and salts of isomers whenever the existence  
14 of such salts of isomers is possible within the specific chemical  
15 designation:

16 (1) 3-beta,17-dihydroxy-5a-androstane;

17 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;

18 (3) 5-alpha-androstan-3,17-dione;

19 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-  
20 ene);

21 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-  
22 ene);

23 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

24 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

25 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);

26 (9) 4-androstenedione (androst-4-en-3,17-dione);

27 (10) 5-androstenedione (androst-5-en-3,17-dione);

28 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-  
29 hydroxyandrost-4-en-3-one);

30 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one);

31 (13) Boldione (androsta-1,4-diene-3,17-3-one);

- 1 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-  
2 en-3-one);
- 3 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);
- 4 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-  
5 alpha-methyl-androst-1,4-dien-3-one);
- 6 (17) Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-  
7 en-17-beta-ol) (a.k.a. 'madol');
- 8 (18) Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-  
9 hydroxy-5-alpha-androst-1-en-3-one);
- 10 (19) 4-Dihydrotestosterone (17-beta-hydroxy-androstan-3-one);
- 11 (20) Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-  
12 androstan-3-one);
- 13 (21) Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestr-4-ene);
- 14 (22) Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-  
15 dihydroxyandrost-4-en-3-one);
- 16 (23) Formebolone (formebolone); (2-formyl-17-alpha-methyl-11-  
17 alpha,17-beta-dihydroxyandrost-1,4-dien-3-one);
- 18 (24) Furazabol (17-alpha-methyl-17-beta-hydroxyandrostano[2,3-c]-  
19 furazan);
- 20 (25) 13-beta-ethyl-17-beta-hydroxygon-4-en-3-one;
- 21 (26) 4-hydroxytestosterone (4,17-beta-dihydroxy-androst-4-en-3-one);
- 22 (27) 4-hydroxy-19-nortestosterone (4,17-beta-dihydroxy-estr-4-en-3-  
23 one);
- 24 (28) Mestanolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-  
25 one);
- 26 (29) Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-  
27 one);
- 28 (30) Methandienone (17-alpha-methyl-17-beta-hydroxyandrost-1,4-  
29 dien-3-one);
- 30 (31) Methandriol (17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-5-  
31 ene);

- 1 (32) Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstan-17-
- 2 beta-ol-3-one);
- 3 (33) Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androst-1-en-3-
- 4 one);
- 5 (34) 17-alpha-methyl-3-beta,17-beta-dihydroxy-5a-androstane;
- 6 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
- 7 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;
- 8 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
- 9 hydroxy-17-beta-hydroxyestr-4-en-3-one);
- 10 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
- 11 dien-3-one);
- 12 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
- 13 trien-3-one);
- 14 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
- 15 en-3-one);
- 16 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
- 17 en-3-one);
- 18 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
- 19 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
- 20 methyl-1-testosterone');
- 21 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
- 22 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
- 23 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
- 24 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
- 25 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
- 26 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
- 27 dione);
- 28 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 29 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 30 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
- 31 en-3-one);

- 1 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
- 2 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
- 3 one);
- 4 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
- 5 one);
- 6 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
- 7 androstan-3-one);
- 8 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
- 9 en-3-one);
- 10 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
- 11 hydroxy-[5-alpha]-androstan-3-one);
- 12 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
- 13 c]pyrazole);
- 14 (59) Stanozolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
- 15 androst-2-eno[3,2-c]-pyrazole);
- 16 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
- 17 one);
- 18 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
- 19 oic acid lactone);
- 20 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);
- 21 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
- 22 hydroxygon-4,9,11-trien-3-one);
- 23 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one);
- 24 (65) [3,2-c]-furazan-5 alpha-androstane-17 beta-ol;
- 25 (66) [3,2-c]pyrazole-androst-4-en-17 beta-ol;
- 26 (67) 17 alpha-methyl-androst-ene-3,17 beta-diol;
- 27 (68) 17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 28 (69) 17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
- 29 (70) 17 beta-hydroxy-androstano[2,3-d]isoxazole;
- 30 (71) 17 beta-hydroxy-androstano[3,2-c]isoxazole;
- 31 (72) 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;

1 (73) 2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androstan-17  
2 beta-ol;

3 (74) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3-one;

4 (75) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3,11-  
5 dione;

6 (76) 4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;

7 (77) 4-chloro-17 alpha-methyl-androsta-1,4,7,11-tetraene-3,17 beta-diol;

8 (78) 4-hydroxy-androst-4-ene-3,17-dione;

9 (79) 5 alpha-Androstan-3,6,17-trione;

10 (80) 6-bromo-androst-1,4-diene-3,17-dione;

11 (81) 6-bromo-androstan-3,17-dione;

12 (82) 6 alpha-methyl-androst-4-ene-3,17-dione;

13 (83) Delta 1-dihydrotestosterone;

14 (84) Estra-4,9,11-triene-3,17-dione; and

15 (85) Any salt, ester, or ether of a drug or substance described or  
16 listed in this subdivision if the salt, ester, or ether promotes muscle  
17 growth.

18 (e) Hallucinogenic substances known as:

19 (1) Dronabinol, synthetic, in sesame oil and encapsulated in a soft  
20 gelatin capsule in a drug product approved by the federal Food and Drug  
21 Administration. Some other names for dronabinol are (6aR-  
22 trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo  
23 (b,d)pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

24 Schedule IV

25 (a) Any material, compound, mixture, or preparation which contains  
26 any quantity of the following substances, including their salts, isomers,  
27 and salts of isomers whenever the existence of such salts, isomers, and  
28 salts of isomers is possible within the specific chemical designation:

29 (1) Barbital;

30 (2) Chloral betaine;

31 (3) Chloral hydrate;

- 1 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
- 2 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
- 3 water soluble esterified estrogens);
- 4 (5) Clonazepam;
- 5 (6) Clorazepate;
- 6 (7) Daridorexant;
- 7 (8) (7) Diazepam;
- 8 (9) (8) Ethchlorvynol;
- 9 (10) (9) Ethinamate;
- 10 (11) (10) Flurazepam;
- 11 (12) (11) Mebutamate;
- 12 (13) (12) Meprobamate;
- 13 (14) (13) Methohexital;
- 14 (15) (14) Methylphenobarbital;
- 15 (16) (15) Oxazepam;
- 16 (17) (16) Paraldehyde;
- 17 (18) (17) Petrichloral;
- 18 (19) (18) Phenobarbital;
- 19 (20) (19) Prazepam;
- 20 (21) (20) Alprazolam;
- 21 (22) (21) Bromazepam;
- 22 (23) (22) Camazepam;
- 23 (24) (23) Clobazam;
- 24 (25) (24) Clotiazepam;
- 25 (26) (25) Cloxazolam;
- 26 (27) (26) Delorazepam;
- 27 (28) (27) Estazolam;
- 28 (29) (28) Ethyl loflazepate;
- 29 (30) (29) Fludiazepam;
- 30 (31) (30) Flunitrazepam;
- 31 (32) (31) Halazepam;



- 1        ~~(33)~~ ~~(32)~~ Haloxazolam;
- 2        ~~(34)~~ ~~(33)~~ Ketazolam;
- 3        ~~(35)~~ ~~(34)~~ Loprazolam;
- 4        ~~(36)~~ ~~(35)~~ Lorazepam;
- 5        ~~(37)~~ ~~(36)~~ Lormetazepam;
- 6        ~~(38)~~ ~~(37)~~ Medazepam;
- 7        ~~(39)~~ ~~(38)~~ Nimetazepam;
- 8        ~~(40)~~ ~~(39)~~ Nitrazepam;
- 9        ~~(41)~~ ~~(40)~~ Nordiazepam;
- 10       ~~(42)~~ ~~(41)~~ Oxazolam;
- 11       ~~(43)~~ ~~(42)~~ Pinazepam;
- 12       ~~(44)~~ ~~(43)~~ Temazepam;
- 13       ~~(45)~~ ~~(44)~~ Tetrazepam;
- 14       ~~(46)~~ ~~(45)~~ Triazolam;
- 15       ~~(47)~~ ~~(46)~~ Midazolam;
- 16       ~~(48)~~ ~~(47)~~ Quazepam;
- 17       ~~(49)~~ ~~(48)~~ Zolpidem;
- 18       ~~(50)~~ ~~(49)~~ Dichloralphenazone;
- 19       ~~(51)~~ ~~(50)~~ Zaleplon;
- 20       ~~(52)~~ ~~(51)~~ Zopiclone;
- 21       ~~(53)~~ ~~(52)~~ Fospropofol;
- 22       ~~(54)~~ ~~(53)~~ Alfaxalone;
- 23       ~~(55)~~ ~~(54)~~ Suvorexant;
- 24       ~~(56)~~ ~~(55)~~ Carisoprodol;
- 25       ~~(57)~~ ~~(56)~~ Brexanolone; 3 alpha-hydroxy-5 alpha-pregnan-20-one;
- 26       ~~(58)~~ ~~(57)~~ Lemborexant;
- 27       ~~(59)~~ ~~(58)~~ Solriamfetol; 2-amino-3-phenylpropyl carbamate;
- 28       ~~(60)~~ ~~(59)~~ Remimazolam; and
- 29       ~~(61)~~ ~~(60)~~ Serdexmethylphenidate.
- 30       (b) Any material, compound, mixture, or preparation which contains
- 31 any quantity of the following substance, including its salts, isomers,

1 whether optical, position, or geometric, and salts of such isomers,  
2 whenever the existence of such salts, isomers, and salts of isomers is  
3 possible: Fenfluramine.

4 (c) Unless specifically excepted or unless listed in another  
5 schedule, any material, compound, mixture, or preparation which contains  
6 any quantity of the following substances having a stimulant effect on the  
7 central nervous system, including their salts, isomers, whether optical,  
8 position, or geometric, and salts of such isomers whenever the existence  
9 of such salts, isomers, and salts of isomers is possible within the  
10 specific chemical designation:

11 (1) Diethylpropion;

12 (2) Phentermine;

13 (3) Pemoline, including organometallic complexes and chelates  
14 thereof;

15 (4) Mazindol;

16 (5) Pipradrol;

17 (6) SPA, ((-)-1-dimethylamino--1,2-diphenylethane);

18 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);

19 (8) Fencamfamin;

20 (9) Fenproporex;

21 (10) Mefenorex;

22 (11) Modafinil; and

23 (12) Sibutramine.

24 (d) Unless specifically excepted or unless listed in another  
25 schedule, any material, compound, mixture, or preparation which contains  
26 any quantity of the following narcotic drugs, or their salts or isomers  
27 calculated as the free anhydrous base or alkaloid, in limited quantities  
28 as set forth below:

29 (1) Propoxyphene in manufactured dosage forms;

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

1           (3) 2-[[dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its  
2 salts, optical and geometric isomers, and salts of these isomers to  
3 include: Tramadol.

4           (e) Unless specifically excepted or unless listed in another  
5 schedule, any material, compound, mixture, or preparation which contains  
6 any quantity of the following substance, including its salts:

7           (1) Pentazocine; and

8           (2) Butorphanol (including its optical isomers).

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

13           (g)(1) Unless specifically excepted or unless listed in another  
14 schedule, any material, compound, mixture, or preparation which contains  
15 any quantity of the following substance, including its salts, optical  
16 isomers, and salts of such optical isomers: Ephedrine.

17           (2) The following drug products containing ephedrine, its salts,  
18 optical isomers, and salts of such optical isomers, are excepted from  
19 subdivision (g)(1) of Schedule IV if they (A) are stored behind a  
20 counter, in an area not accessible to customers, or in a locked case so  
21 that a customer needs assistance from an employee to access the drug  
22 product; (B) are sold by a person, eighteen years of age or older, in the  
23 course of his or her employment to a customer eighteen years of age or  
24 older with the following restrictions: No customer shall be allowed to  
25 purchase, receive, or otherwise acquire more than three and six-tenths  
26 grams of ephedrine base during a twenty-four-hour period; no customer  
27 shall purchase, receive, or otherwise acquire more than nine grams of  
28 ephedrine base during a thirty-day period; and the customer shall display  
29 a valid driver's or operator's license, a Nebraska state identification  
30 card, a military identification card, an alien registration card, or a  
31 passport as proof of identification; (C) are labeled and marketed in a

1 manner consistent with the pertinent OTC Tentative Final or Final  
2 Monograph; (D) are manufactured and distributed for legitimate medicinal  
3 use in a manner that reduces or eliminates the likelihood of abuse; and  
4 (E) are not marketed, advertised, or represented in any manner for the  
5 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or  
6 high, heightened sexual performance, or increased muscle mass:

7 (i) Primatene Tablets; and

8 (ii) Bronkaid Dual Action Caplets.

9 Schedule V

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

16 (1) Not more than two hundred milligrams of codeine per one hundred  
17 milliliters or per one hundred grams;

18 (2) Not more than one hundred milligrams of dihydrocodeine per one  
19 hundred milliliters or per one hundred grams;

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

22 (4) Not more than two and five-tenths milligrams of diphenoxylate  
23 and not less than twenty-five micrograms of atropine sulfate per dosage  
24 unit;

25 (5) Not more than one hundred milligrams of opium per one hundred  
26 milliliters or per one hundred grams; and

27 (6) Not more than five-tenths milligram of difenoxin and not less  
28 than twenty-five micrograms of atropine sulfate per dosage unit.

29 (b) Unless specifically exempted or excluded or unless listed in  
30 another schedule, any material, compound, mixture, or preparation which  
31 contains any quantity of the following substances having a stimulant

1 effect on the central nervous system, including its salts, isomers, and  
2 salts of isomers: Pyrovalerone.

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

8 (1) Ezogabine (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic  
9 acid ethyl ester);

10 (2) Ganaxolone;

11 (3) ~~(2)~~ Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-  
12 propionamide);

13 (4) ~~(3)~~ Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid);

14 (5) ~~(4)~~ Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]  
15 butanamide) (also referred to as BRV; UCB-34714; Briviact), including its  
16 salts;

17 (6) ~~(5)~~ Cenobamate; and

18 (7) ~~(6)~~ Lasmiditan.

19 Sec. 7. Section 28-416, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 28-416 (1) Except as authorized by the Uniform Controlled Substances  
22 Act, it shall be unlawful for any person knowingly or intentionally: (a)  
23 To manufacture, distribute, deliver, dispense, or possess with intent to  
24 manufacture, distribute, deliver, or dispense a controlled substance; or  
25 (b) to create, distribute, or possess with intent to distribute a  
26 counterfeit controlled substance.

27 (2) Except as provided in subsections (4), (5), (7), (8), (9), and  
28 (10) of this section, any person who violates subsection (1) of this  
29 section with respect to: (a) A controlled substance classified in  
30 Schedule I, II, or III of section 28-405 which is an exceptionally  
31 hazardous drug shall be guilty of a Class II felony; (b) any other

1 controlled substance classified in Schedule I, II, or III of section  
2 28-405 shall be guilty of a Class IIA felony; or (c) a controlled  
3 substance classified in Schedule IV or V of section 28-405 shall be  
4 guilty of a Class IIIA felony.

5 (3) A person knowingly or intentionally possessing a controlled  
6 substance, except marijuana or any substance containing a quantifiable  
7 amount of the substances, chemicals, or compounds described, defined, or  
8 delineated in subdivision (c)(27) ~~(e)(26)~~ of Schedule I of section  
9 28-405, unless such substance was obtained directly or pursuant to a  
10 medical order issued by a practitioner authorized to prescribe while  
11 acting in the course of his or her professional practice, or except as  
12 otherwise authorized by the act, shall be guilty of a Class IV felony. A  
13 person shall not be in violation of this subsection if section 28-472 or  
14 28-1701 applies.

15 (4)(a) Except as authorized by the Uniform Controlled Substances  
16 Act, any person eighteen years of age or older who knowingly or  
17 intentionally manufactures, distributes, delivers, dispenses, or  
18 possesses with intent to manufacture, distribute, deliver, or dispense a  
19 controlled substance or a counterfeit controlled substance (i) to a  
20 person under the age of eighteen years, (ii) in, on, or within one  
21 thousand feet of the real property comprising a public or private  
22 elementary, vocational, or secondary school, a community college, a  
23 public or private college, junior college, or university, or a  
24 playground, or (iii) within one hundred feet of a public or private youth  
25 center, public swimming pool, or video arcade facility shall be punished  
26 by the next higher penalty classification than the penalty prescribed in  
27 subsection (2), (7), (8), (9), or (10) of this section, depending upon  
28 the controlled substance involved, for the first violation and for a  
29 second or subsequent violation shall be punished by the next higher  
30 penalty classification than that prescribed for a first violation of this  
31 subsection, but in no event shall such person be punished by a penalty

1 greater than a Class IB felony.

2 (b) For purposes of this subsection:

3 (i) Playground means any outdoor facility, including any parking lot  
4 appurtenant to the facility, intended for recreation, open to the public,  
5 and with any portion containing three or more apparatus intended for the  
6 recreation of children, including sliding boards, swingsets, and  
7 teeterboards;

8 (ii) Video arcade facility means any facility legally accessible to  
9 persons under eighteen years of age, intended primarily for the use of  
10 pinball and video machines for amusement, and containing a minimum of ten  
11 pinball or video machines; and

12 (iii) Youth center means any recreational facility or gymnasium,  
13 including any parking lot appurtenant to the facility or gymnasium,  
14 intended primarily for use by persons under eighteen years of age which  
15 regularly provides athletic, civic, or cultural activities.

16 (5)(a) Except as authorized by the Uniform Controlled Substances  
17 Act, it shall be unlawful for any person eighteen years of age or older  
18 to knowingly and intentionally employ, hire, use, cause, persuade, coax,  
19 induce, entice, seduce, or coerce any person under the age of eighteen  
20 years to manufacture, transport, distribute, carry, deliver, dispense,  
21 prepare for delivery, offer for delivery, or possess with intent to do  
22 the same a controlled substance or a counterfeit controlled substance.

23 (b) Except as authorized by the Uniform Controlled Substances Act,  
24 it shall be unlawful for any person eighteen years of age or older to  
25 knowingly and intentionally employ, hire, use, cause, persuade, coax,  
26 induce, entice, seduce, or coerce any person under the age of eighteen  
27 years to aid and abet any person in the manufacture, transportation,  
28 distribution, carrying, delivery, dispensing, preparation for delivery,  
29 offering for delivery, or possession with intent to do the same of a  
30 controlled substance or a counterfeit controlled substance.

31 (c) Any person who violates subdivision (a) or (b) of this

1 subsection shall be punished by the next higher penalty classification  
2 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of  
3 this section, depending upon the controlled substance involved, for the  
4 first violation and for a second or subsequent violation shall be  
5 punished by the next higher penalty classification than that prescribed  
6 for a first violation of this subsection, but in no event shall such  
7 person be punished by a penalty greater than a Class IB felony.

8 (6) It shall not be a defense to prosecution for violation of  
9 subsection (4) or (5) of this section that the defendant did not know the  
10 age of the person through whom the defendant violated such subsection.

11 (7) Any person who violates subsection (1) of this section with  
12 respect to cocaine or any mixture or substance containing a detectable  
13 amount of cocaine in a quantity of:

14 (a) One hundred forty grams or more shall be guilty of a Class IB  
15 felony;

16 (b) At least twenty-eight grams but less than one hundred forty  
17 grams shall be guilty of a Class IC felony; or

18 (c) At least ten grams but less than twenty-eight grams shall be  
19 guilty of a Class ID felony.

20 (8) Any person who violates subsection (1) of this section with  
21 respect to base cocaine (crack) or any mixture or substance containing a  
22 detectable amount of base cocaine in a quantity of:

23 (a) One hundred forty grams or more shall be guilty of a Class IB  
24 felony;

25 (b) At least twenty-eight grams but less than one hundred forty  
26 grams shall be guilty of a Class IC felony; or

27 (c) At least ten grams but less than twenty-eight grams shall be  
28 guilty of a Class ID felony.

29 (9) Any person who violates subsection (1) of this section with  
30 respect to heroin or any mixture or substance containing a detectable  
31 amount of heroin in a quantity of:



1 (a) One hundred forty grams or more shall be guilty of a Class IB  
2 felony;

3 (b) At least twenty-eight grams but less than one hundred forty  
4 grams shall be guilty of a Class IC felony; or

5 (c) At least ten grams but less than twenty-eight grams shall be  
6 guilty of a Class ID felony.

7 (10) Any person who violates subsection (1) of this section with  
8 respect to amphetamine, its salts, optical isomers, and salts of its  
9 isomers, or with respect to methamphetamine, its salts, optical isomers,  
10 and salts of its isomers, in a quantity of:

11 (a) One hundred forty grams or more shall be guilty of a Class IB  
12 felony;

13 (b) At least twenty-eight grams but less than one hundred forty  
14 grams shall be guilty of a Class IC felony; or

15 (c) At least ten grams but less than twenty-eight grams shall be  
16 guilty of a Class ID felony.

17 (11) Any person knowingly or intentionally possessing marijuana  
18 weighing more than one ounce but not more than one pound shall be guilty  
19 of a Class III misdemeanor.

20 (12) Any person knowingly or intentionally possessing marijuana  
21 weighing more than one pound shall be guilty of a Class IV felony.

22 (13) Except as provided in section 28-1701, any person knowingly or  
23 intentionally possessing marijuana weighing one ounce or less or any  
24 substance containing a quantifiable amount of the substances, chemicals,  
25 or compounds described, defined, or delineated in subdivision (c)(27) ~~(e)~~  
26 ~~(26)~~ of Schedule I of section 28-405 shall:

27 (a) For the first offense, be guilty of an infraction, receive a  
28 citation, be fined three hundred dollars, and be assigned to attend a  
29 course as prescribed in section 29-433 if the judge determines that  
30 attending such course is in the best interest of the individual  
31 defendant;

1 (b) For the second offense, be guilty of a Class IV misdemeanor,  
2 receive a citation, and be fined four hundred dollars and may be  
3 imprisoned not to exceed five days; and

4 (c) For the third and all subsequent offenses, be guilty of a Class  
5 IIIA misdemeanor, receive a citation, be fined five hundred dollars, and  
6 be imprisoned not to exceed seven days.

7 (14) Any person convicted of violating this section, if placed on  
8 probation, shall, as a condition of probation, satisfactorily attend and  
9 complete appropriate treatment and counseling on drug abuse provided by a  
10 program authorized under the Nebraska Behavioral Health Services Act or  
11 other licensed drug treatment facility.

12 (15) Any person convicted of violating this section, if sentenced to  
13 the Department of Correctional Services, shall attend appropriate  
14 treatment and counseling on drug abuse.

15 (16) Any person knowingly or intentionally possessing a firearm  
16 while in violation of subsection (1) of this section shall be punished by  
17 the next higher penalty classification than the penalty prescribed in  
18 subsection (2), (7), (8), (9), or (10) of this section, but in no event  
19 shall such person be punished by a penalty greater than a Class IB  
20 felony.

21 (17) A person knowingly or intentionally in possession of money used  
22 or intended to be used to facilitate a violation of subsection (1) of  
23 this section shall be guilty of a Class IV felony.

24 (18) In addition to the existing penalties available for a violation  
25 of subsection (1) of this section, including any criminal attempt or  
26 conspiracy to violate subsection (1) of this section, a sentencing court  
27 may order that any money, securities, negotiable instruments, firearms,  
28 conveyances, or electronic communication devices as defined in section  
29 28-833 or any equipment, components, peripherals, software, hardware, or  
30 accessories related to electronic communication devices be forfeited as a  
31 part of the sentence imposed if it finds by clear and convincing evidence

1 adduced at a separate hearing in the same prosecution, following  
2 conviction for a violation of subsection (1) of this section, and  
3 conducted pursuant to section 28-1601, that any or all such property was  
4 derived from, used, or intended to be used to facilitate a violation of  
5 subsection (1) of this section.

6 (19) In addition to the penalties provided in this section:

7 (a) If the person convicted or adjudicated of violating this section  
8 is eighteen years of age or younger and has one or more licenses or  
9 permits issued under the Motor Vehicle Operator's License Act:

10 (i) For the first offense, the court may, as a part of the judgment  
11 of conviction or adjudication, (A) impound any such licenses or permits  
12 for thirty days and (B) require such person to attend a drug education  
13 class;

14 (ii) For a second offense, the court may, as a part of the judgment  
15 of conviction or adjudication, (A) impound any such licenses or permits  
16 for ninety days and (B) require such person to complete no fewer than  
17 twenty and no more than forty hours of community service and to attend a  
18 drug education class; and

19 (iii) For a third or subsequent offense, the court may, as a part of  
20 the judgment of conviction or adjudication, (A) impound any such licenses  
21 or permits for twelve months and (B) require such person to complete no  
22 fewer than sixty hours of community service, to attend a drug education  
23 class, and to submit to a drug assessment by a licensed alcohol and drug  
24 counselor; and

25 (b) If the person convicted or adjudicated of violating this section  
26 is eighteen years of age or younger and does not have a permit or license  
27 issued under the Motor Vehicle Operator's License Act:

28 (i) For the first offense, the court may, as part of the judgment of  
29 conviction or adjudication, (A) prohibit such person from obtaining any  
30 permit or any license pursuant to the act for which such person would  
31 otherwise be eligible until thirty days after the date of such order and

1 (B) require such person to attend a drug education class;

2 (ii) For a second offense, the court may, as part of the judgment of  
3 conviction or adjudication, (A) prohibit such person from obtaining any  
4 permit or any license pursuant to the act for which such person would  
5 otherwise be eligible until ninety days after the date of such order and  
6 (B) require such person to complete no fewer than twenty hours and no  
7 more than forty hours of community service and to attend a drug education  
8 class; and

9 (iii) For a third or subsequent offense, the court may, as part of  
10 the judgment of conviction or adjudication, (A) prohibit such person from  
11 obtaining any permit or any license pursuant to the act for which such  
12 person would otherwise be eligible until twelve months after the date of  
13 such order and (B) require such person to complete no fewer than sixty  
14 hours of community service, to attend a drug education class, and to  
15 submit to a drug assessment by a licensed alcohol and drug counselor.

16 A copy of an abstract of the court's conviction or adjudication  
17 shall be transmitted to the Director of Motor Vehicles pursuant to  
18 sections 60-497.01 to 60-497.04 if a license or permit is impounded or a  
19 juvenile is prohibited from obtaining a license or permit under this  
20 subsection.

21 Sec. 21. Section 30-24,125, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 30-24,125 (a) Thirty days after the death of a decedent, any person  
24 indebted to the decedent or having possession of tangible personal  
25 property or an instrument evidencing a debt, obligation, stock, or chose  
26 in action belonging to the decedent shall make payment of the  
27 indebtedness or deliver the tangible personal property or an instrument  
28 evidencing a debt, obligation, stock, or chose in action to a person  
29 claiming to be the successor of the decedent upon being presented an  
30 affidavit made by or on behalf of the successor stating:

31 (1) the value of all of the personal property in the decedent's

1 estate, wherever located, less liens and encumbrances, does not exceed  
2 one hundred thousand dollars;

3 (2) thirty days have elapsed since the death of the decedent as  
4 shown in a certified or authenticated copy of the decedent's death  
5 certificate attached to the affidavit;

6 (3) the claiming successor's relationship to the decedent or, if  
7 there is no relationship, the basis of the successor's claim to the  
8 personal property;

9 (4) the person or persons claiming as successors under the affidavit  
10 swear or affirm that all statements in the affidavit are true and  
11 material and further acknowledge that any false statement may subject the  
12 person or persons to penalties relating to perjury under section 28-915;

13 (5) no application or petition for the appointment of a personal  
14 representative is pending or has been granted in any jurisdiction; and

15 (6) the claiming successor is entitled to payment or delivery of the  
16 property.

17 (b) A transfer agent of any security shall change the registered  
18 ownership on the books of a corporation from the decedent to the  
19 successor or successors upon the presentation of an affidavit as provided  
20 in subsection (a).

21 (c) Upon the presentation of an affidavit as provided in subsection  
22 (a), the claiming successor may endorse or negotiate any instrument  
23 evidencing a debt belonging to the decedent that is a check, draft, or  
24 other negotiable instrument that is payable to the decedent or the  
25 decedent's estate. Notwithstanding the provisions of section 3-403,  
26 3-417, or 3-420, Uniform Commercial Code, a financial institution  
27 accepting such a check, draft, or other negotiable instrument presented  
28 for deposit in such manner is discharged from all claims for the amount  
29 accepted.

30 (d) ~~(e)~~ In addition to compliance with the requirements of  
31 subsection (a), a person seeking a transfer of a certificate of title to

1 a motor vehicle, motorboat, all-terrain vehicle, utility-type vehicle, or  
2 minibike shall be required to furnish to the Department of Motor Vehicles  
3 an affidavit showing applicability of this section and compliance with  
4 the requirements of this section to authorize the department to issue a  
5 new certificate of title.

6 Sec. 22. Section 30-2626, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 30-2626 (a)(1) ~~(a)~~ If a person alleged to be incapacitated has no  
9 guardian and an emergency exists, the court may, pending notice and  
10 hearing, exercise the power of a guardian or enter an ex parte order  
11 appointing a temporary guardian to address the emergency. The order and  
12 letters of temporary guardianship shall specify the powers and duties of  
13 the temporary guardian, limiting the powers and duties to those necessary  
14 to address the emergency.

15 (2)(i) For purposes of this subdivision (a)(2):

16 (A) Benefits means private or government benefits to which a person  
17 alleged to be incapacitated may be entitled; and

18 (B) Covered county means a county containing a city of the  
19 metropolitan class or a city of the primary class.

20 (ii) Subject to subsection (k) of this section, if a person alleged  
21 to be incapacitated has no guardian and an emergency exists, the court in  
22 a covered county may, pending notice and hearing, enter an ex parte order  
23 appointing a temporary guardian for the limited purpose of assisting the  
24 person in applying for, validating, and facilitating eligibility for  
25 benefits.

26 (iii) The limited temporary guardian may access personal and  
27 financial records of such person as necessary to apply for, validate, and  
28 facilitate eligibility for benefits. The order and letters of limited  
29 temporary guardianship shall limit the powers and duties to those  
30 necessary to carry out this subdivision (a)(2).

31 (iv) Third parties, including, but not limited to, financial

1 institutions, in possession of such person's financial and personal  
2 records related to eligibility for benefits shall provide the limited  
3 temporary guardian access to such records. Records to which a limited  
4 temporary guardian may be entitled include, but are not limited to,  
5 records relating to: Checking, savings, or other bank accounts; household  
6 expenses; health, life, or other insurance; wages; pensions; annuities;  
7 real property; trusts; burial plans; retirement accounts; stocks and  
8 bonds; farm and business equipment; motor vehicles, boats, and motor  
9 homes; immigration status; land contracts; promissory notes and loans;  
10 social security benefits; credit cards; taxes; or any other asset.

11 (b) When the court takes action to exercise the powers of a guardian  
12 or to appoint a temporary guardian under subsection (a) of this section,  
13 an expedited hearing shall be held if requested by the person alleged to  
14 be incapacitated, or by any interested person, if the request is filed  
15 more than ten business days prior to the date set for the hearing on the  
16 petition for appointment of the guardian. If an expedited hearing is to  
17 be held, the hearing shall be held within ten business days after the  
18 request is received. At the hearing on the temporary appointment, the  
19 petitioner shall have the burden of showing by a preponderance of the  
20 evidence that temporary guardianship continues to be necessary to address  
21 the emergency situation. Unless the person alleged to be incapacitated  
22 has counsel of his or her own choice, the court may appoint an attorney  
23 to represent the person alleged to be incapacitated at the hearing as  
24 provided in section 30-2619.

25 (c) If an expedited hearing is requested, notice shall be served as  
26 provided in section 30-2625. The notice shall specify that a temporary  
27 guardian has been appointed and shall be given at least twenty-four hours  
28 prior to the expedited hearing.

29 (d) At the expedited hearing, the court may render a judgment  
30 authorizing the temporary guardianship to continue beyond the original  
31 ten-day period. The judgment shall prescribe the specific powers and

1 duties of the temporary guardian in the letters of temporary guardianship  
2 and shall be effective for a single ninety-day period. For good cause  
3 shown, the court may extend the temporary guardianship for successive  
4 ninety-day periods.

5 ~~(e)(1) (e)~~ The temporary guardianship shall terminate at the end of  
6 the ninety-day period in which the temporary guardianship is valid or at  
7 any time prior thereto if the court deems the circumstances leading to  
8 the order for temporary guardianship no longer exist or if an order has  
9 been entered as a result of a hearing pursuant to section 30-2619 which  
10 has been held during the ninety-day period.

11 (2) When the duties of a limited temporary guardian appointed  
12 pursuant to subdivision (a)(2) of this section have not been completed  
13 within ninety days, the court shall accept notification by such guardian  
14 as good cause for extending the limited temporary guardianship for an  
15 additional ninety days.

16 (f) If the court denies the request for the ex parte order, the  
17 court may, in its discretion, enter an order for an expedited hearing  
18 pursuant to subsections (b) through (e) of this section.

19 (g) If the petitioner requests the entry of an order of temporary  
20 guardianship pursuant to subsection (a) of this section without  
21 requesting an ex parte order, the court may hold an expedited hearing  
22 pursuant to subsections (b) through (e) of this section.

23 (h) If an appointed guardian is not effectively performing his or  
24 her duties and the court further finds that the welfare of the  
25 incapacitated person requires immediate action, it may, pending notice  
26 and hearing in accordance with section 30-2220, appoint a temporary  
27 guardian for the incapacitated person for a specified period not to  
28 exceed ninety days. For good cause shown, the court may extend the  
29 temporary guardianship for successive ninety-day periods. A temporary  
30 guardian appointed pursuant to this subsection has only the powers and  
31 duties specified in the previously appointed guardian's letters of



1 guardianship, and the authority of any permanent guardian previously  
2 appointed by the court is suspended so long as a temporary guardian has  
3 authority.

4 (i) A temporary guardian may be removed at any time. A temporary  
5 guardian shall make any report the court requires, except that a  
6 temporary guardian shall not be required to provide the check or report  
7 under section 30-2602.02. In other respects the provisions of the  
8 Nebraska Probate Code concerning guardians apply to temporary guardians.

9 (j) The court may appoint the Public Guardian as the temporary  
10 guardian pursuant to the Public Guardianship Act.

11 (k)(1) If the Public Guardian is unable to accept appointment as a  
12 limited temporary guardian for the purposes described in subdivision (a)  
13 (2) of this section because the Public Guardian has exceeded the average  
14 ratio described in subsection (2) of section 30-4115, the court shall  
15 appoint an individual to serve as a limited temporary guardian.  
16 Appointments of such limited temporary guardians shall be subject to the  
17 availability of funds appropriated as described in section 23 of this  
18 act. When such funds have been exhausted in a fiscal year, no further  
19 appointments shall be made.

20 (2) An individual appointed as a limited temporary guardian pursuant  
21 to subdivision (a)(2) of this section shall apply to the court for  
22 expenses and fees for services performed. The court, upon hearing the  
23 application, shall fix reasonable expenses and fees, and the county board  
24 shall pay such guardian in the full amount determined by the court. The  
25 court shall set such expenses and fees at levels that: (i) Are similar to  
26 expenses and fees paid to guardians and guardians ad litem for comparable  
27 work in other legal proceedings in the county; and (ii) are intended to  
28 incentivize qualified individuals to provide high-quality services as  
29 limited temporary guardians.

30 (3) A county that has paid expenses and fees as provided in  
31 subdivision (k)(2) of this section may apply under section 23 of this act

1 for reimbursement.

2 Sec. 23. (1) For purposes of this section:

3 (a) Covered county means a county containing a city of the  
4 metropolitan class or a city of the primary class; and

5 (b) Department means the Department of Health and Human Services.

6 (2) There is created a separate and distinct budgetary program  
7 within the department to be known as the Limited Temporary Guardian Aid  
8 Program. Funds appropriated to the program shall be used to provide state  
9 aid to counties in the form of reimbursement to covered counties as  
10 provided in this section.

11 (3) A covered county that has paid expenses and fees for limited  
12 temporary guardians as provided in subdivision (k)(2) of section 30-2626  
13 may apply to the department for reimbursement for such amounts and for  
14 reasonable administrative fees incurred by the county in paying such  
15 amounts and applying for reimbursement. The application shall be in a  
16 form and manner prescribed by the department and shall be submitted on a  
17 quarterly basis.

18 (4) It is the intent of the Legislature to appropriate the following  
19 amounts to the department to carry out the Limited Temporary Guardian Aid  
20 Program:

21 (a) For fiscal year 2024-25:

22 (i) One hundred sixty thousand dollars for state aid under the  
23 program to covered counties containing a city of the metropolitan class;  
24 and

25 (ii) Ninety thousand dollars for state aid under the program to  
26 covered counties containing a city of the primary class; and

27 (b) For fiscal year 2025-26:

28 (i) One hundred sixty thousand dollars for state aid under the  
29 program to covered counties containing a city of the metropolitan class;  
30 and

31 (ii) Ninety thousand dollars for state aid under the program to

1 covered counties containing a city of the primary class.

2 (5) The department may adopt and promulgate rules and regulations as  
3 necessary to carry out this section.

4 Sec. 29. Section 52-401, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 52-401 (1) Whenever any person employs a physician, nurse,  
7 chiropractor, ~~or~~ hospital, or provider of emergency medical service to  
8 perform professional service~~s~~ or services of any nature, in the treatment  
9 of or in connection with an injury, and such injured person claims  
10 damages from the party causing the injury, such physician, nurse,  
11 chiropractor, ~~or~~ hospital, or provider of emergency medical service as  
12 the case may be, shall have a lien upon any sum awarded the injured  
13 person in judgment or obtained by settlement or compromise on the amount  
14 due for the usual and customary charges of such physician, nurse,  
15 chiropractor, ~~or~~ hospital, or provider of emergency medical service  
16 applicable at the time ~~times~~ services are performed, except that no such  
17 lien shall be valid against anyone covered ~~coming~~ under the Nebraska  
18 Workers' Compensation Act. For persons covered under private medical  
19 insurance or another private health benefit plan, the amount of the lien  
20 shall be reduced by the contracted discount or other limitation which  
21 would have been applied had the claim been submitted for reimbursement to  
22 the medical insurer or administrator of such other health benefit plan.  
23 The measure of damages for medical expenses in personal injury claims  
24 shall be the private party rate, not the discounted amount.

25 (2) In order to prosecute such lien, it shall be necessary for such  
26 physician, nurse, chiropractor, ~~or~~ hospital, or provider of emergency  
27 medical service to serve a written notice upon the person or corporation  
28 from whom damages are claimed that such physician, nurse, chiropractor,  
29 ~~or~~ hospital, or provider of emergency medical service claims a lien for  
30 such services and stating the amount due and the nature of such services,  
31 except that whenever an action is pending in court for the recovery of

1 such damages, it shall be sufficient to file the notice of such lien in  
2 the pending action.

3 (3) A physician, nurse, chiropractor, or hospital, or provider of  
4 emergency medical service claiming a lien under this section shall not be  
5 liable for attorney's fees and costs incurred by the injured person in  
6 securing the judgment, settlement, or compromise, but the lien of the  
7 injured person's attorney shall have precedence over the lien created by  
8 this section.

9 (4) Upon a written request and with the injured person's consent, a  
10 lienholder shall provide medical records, answers to interrogatories,  
11 depositions, or any expert medical testimony related to the recovery of  
12 damages within its custody and control at a reasonable charge to the  
13 injured person.

14 (5) For purposes of this section, provider of emergency medical  
15 service means a public entity that provides emergency medical service as  
16 defined in section 38-1207.

17 Sec. 39. Section 81-1821, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 81-1821 (1) Except as provided in subsections (3) and (4) ~~subsection~~  
20 ~~(2)~~ of this section, no order for the payment of compensation shall be  
21 entered under the Nebraska Crime Victim's Reparations Act unless:

22 (a) The application has been submitted to the committee within  
23 the deadline provided in subsection (2) of this section; and

24 (b) The ~~within two years after the date of the personal injury or~~  
25 ~~death and the personal injury or death was the result of an incident or~~  
26 offense which had been reported to the police within five ~~three~~ days of  
27 its occurrence or, if the incident or offense could not reasonably have  
28 been reported within that period, within five ~~three~~ days of the time when  
29 a report could reasonably have been made.

30 (2) An application shall be submitted to the committee:

31 (a) For a victim who was nineteen years of age or older at the time

1 of the personal injury or death, within two years after the date of the  
2 personal injury or death;

3 (b) For a victim who was under nineteen years of age at the time of  
4 death, within three years after the date of death; and

5 (c) For a victim who was under nineteen years of age at the time of  
6 the personal injury, on or before the victim's twenty-second birthday.

7 (3) The committee may evaluate applications submitted beyond the  
8 deadline established in this section if the committee finds that good  
9 cause existed for missing such deadline.

10 (4) ~~(2)~~ An application submitted by or for a victim of sexual  
11 assault, domestic assault, child abuse, or sex trafficking is not subject  
12 to the ~~five-day~~ ~~three-day~~ reporting requirement in subsection (1) of this  
13 section if, prior to submitting the application the:

14 (a) Applicant or victim has reported such crime to the police;

15 (b) Applicant or victim has obtained a protection order related to  
16 such incident or offense; or

17 (c) Victim has presented for a forensic medical exam.

18 Sec. 51. Section 83-4,114, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20 83-4,114 (1) There shall be no corporal punishment or disciplinary  
21 restrictions on diet.

22 (2) Disciplinary restrictions on clothing, bedding, mail,  
23 visitations, use of toilets, washbowls, or scheduled showers shall be  
24 imposed only for abuse of such privilege or facility and only as  
25 authorized by written directives, guidance documents, and operational  
26 manuals.

27 (3) No person shall be placed in solitary confinement.

28 (4) The director shall issue an annual report on or before September  
29 15 to the Governor and the Clerk of the Legislature. The report to the  
30 Clerk of the Legislature shall be issued electronically. For all inmates  
31 who were held in restrictive housing during the prior year, the report

1 shall contain the race, gender, age, and length of time each inmate has  
2 continuously been held in restrictive housing. ~~Prior to releasing the~~  
3 ~~report, the director shall meet with the long-term restrictive housing~~  
4 ~~work group to share the contents of the report.~~ The report shall also  
5 contain:

6 (a) The number of inmates held in restrictive housing;

7 (b) The reason or reasons each inmate was held in restrictive  
8 housing;

9 (c) The number of inmates held in restrictive housing who have been  
10 diagnosed with a mental illness or behavioral disorder and the type of  
11 mental illness or behavioral disorder by inmate;

12 (d) The number of inmates who were released from restrictive housing  
13 directly to parole or into the general public and the reason for such  
14 release;

15 (e) The number of inmates who were placed in restrictive housing for  
16 his or her own safety and the underlying circumstances for each  
17 placement;

18 (f) To the extent reasonably ascertainable, comparable statistics  
19 for the nation and each of the states that border Nebraska pertaining to  
20 subdivisions (4)(a) through (e) of this section; ~~and~~

21 (g) The mean and median length of time for all inmates held in  
22 restrictive housing; ~~and -~~

23 (h) A description of all inmate housing areas that hold inmates in a  
24 setting that is neither general population nor restrictive housing,  
25 including the purpose of each setting, data on how many inmates were held  
26 in such settings, the average length of stay in such settings,  
27 information on programs provided in each setting, data on program  
28 completions in each setting, staffing levels and types of staff in each  
29 setting, and any other information or data relevant to the operation of  
30 such settings. For the purposes of this subdivision, general population  
31 means an inmate housing area that allows out-of-cell movement without the

1 use of restraints, a minimum of six hours per day of out-of-cell time,  
2 regular access to programming areas outside the living unit, and access  
3 to services available to the broader population.

4 ~~(5)(a) There is hereby established within the department a long-term~~  
5 ~~restrictive housing work group. The work group shall consist of one~~  
6 ~~member of the Judiciary Committee of the Legislature appointed by the~~  
7 ~~Executive Board of the Legislative Council who shall be a nonvoting, ex~~  
8 ~~officio member and the following voting members:~~

9 ~~(i) The director and all deputy directors who have oversight over~~  
10 ~~inmate health services or correctional facilities. The director or his or~~  
11 ~~her designee shall serve as the chairperson of the work group;~~

12 ~~(ii) The behavioral health administrator within the department;~~

13 ~~(iii) Two employees of the department who currently work with~~  
14 ~~inmates held in restrictive housing as designated by the director;~~

15 ~~(iv) Additional department staff as designated by the director; and~~

16 ~~(v) Six members appointed by the Governor who have demonstrated an~~  
17 ~~interest in correctional issues. Of these members at least one shall be~~  
18 ~~an individual who was previously incarcerated in Nebraska's correctional~~  
19 ~~system. The remaining members shall consist of individuals who are mental~~  
20 ~~health professionals, have been employed in a restrictive housing unit in~~  
21 ~~a correctional facility, have advocated for the rights of incarcerated~~  
22 ~~individuals, or have otherwise been engaged in activities related to~~  
23 ~~Nebraska's correctional system.~~

24 ~~(b) The work group shall advise the department on policies and~~  
25 ~~procedures related to the proper treatment and care of offenders in long-~~  
26 ~~term restrictive housing.~~

27 ~~(c) The director shall convene the work group's first meeting no~~  
28 ~~later than September 15, 2015, and the work group shall meet at least~~  
29 ~~semiannually thereafter. The chairperson shall schedule and convene the~~  
30 ~~work group's meetings.~~

31 ~~(d) The director shall provide the work group with quarterly updates~~

1 ~~on the department's policies related to the work group's subject matter~~  
2 ~~and with any other information related to long-term restrictive housing~~  
3 ~~that is requested by members of the work group.~~

4 ~~(e) The work group shall terminate on December 31, 2021.~~

5 Sec. 52. Section 83-918, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 83-918 (1) For each ~~the biennium ending June 30, 2019, and the~~  
8 ~~biennium ending June 30, 2021,~~ the Department of Correctional Services  
9 shall, as part of the appropriations request process pursuant to  
10 subsection (1) of section 81-132, include a strategic plan that  
11 identifies the main purpose or purposes of each program, verifiable and  
12 auditable key goals that the department believes are fair measures of its  
13 progress in meeting each program's main purpose or purposes, and  
14 benchmarks for improving performance on the key goals. The department  
15 shall also report whether the benchmarks are being met and, if not, the  
16 expected timeframes for meeting them.

17 (2) On or before ~~Not later than~~ September 15 of each year ~~in 2017,~~  
18 ~~2018, 2019, 2020, and 2021,~~ the Department of Correctional Services shall  
19 report electronically to the Judiciary Committee of the Legislature and  
20 the Appropriations Committee of the Legislature on the progress towards  
21 the key goals identified pursuant to this section that occurred in the  
22 previous twelve months. Upon request ~~In calendar years 2017, 2018, 2019,~~  
23 ~~2020, and 2021,~~ the department shall appear at a joint hearing of the  
24 Judiciary Committee and Appropriations Committee and present the report.

25 Sec. 53. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
26 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,  
27 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52,  
28 55, and 56 of this act become operative three calendar months after the  
29 adjournment of this legislative session. The other sections of this act  
30 become operative on their effective date.

31 Sec. 54. Original section 30-24,125, Revised Statutes Cumulative



1 Supplement, 2022, is repealed.

2 Sec. 55. Original sections 24-1302, 27-902, 28-518, 29-2221,  
3 29-2263, 29-2269, 29-2281, 29-2315.02, 29-2318, 29-3001, 30-2626, 43-279,  
4 43-280, 50-434, 52-401, 69-2426, 69-2432, 71-5661, 71-5662, 71-5663,  
5 71-5665, 71-5666, 71-5669.01, and 83-1,110, Reissue Revised Statutes of  
6 Nebraska, and sections 27-803, 28-405, 28-416, 29-2252, 29-2262, 38-2136,  
7 43-2,108, 71-5668, 81-1821, 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01,  
8 83-1,125.01, 83-1,135, 83-1,135.02, 83-4,114, and 83-918, Revised  
9 Statutes Cumulative Supplement, 2022, are repealed.

10 Sec. 56. The following section is outright repealed: Section  
11 83-173.02, Revised Statutes Cumulative Supplement, 2022.

12 Sec. 57. Since an emergency exists, this act takes effect when  
13 passed and approved according to law.

14 2. On page 50, lines 16 and 20, strike "effective date of this act"  
15 and insert "operative date of this section".

16 3. On page 57, line 30, strike "effective date of this act" and  
17 insert "operative date of this section".

18 4. Renumber the remaining sections and correct internal references  
19 accordingly.