

By: Moody

To: Judiciary A

HOUSE BILL NO. 642
(As Passed the House)

1 AN ACT TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE LIST OF SCHEDULE II CONTROLLED SUBSTANCES; TO AMEND
3 SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF
4 SCHEDULE III CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-119,
5 MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF SCHEDULE IV
6 CONTROLLED SUBSTANCES; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. Section 41-29-115, Mississippi Code of 1972, is
9 amended as follows:[JU1]

10 41-29-115. (A) The controlled substances listed in this
11 section are included in Schedule II.

12 **SCHEDULE II**

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

18 (1) Opium and opiate, and any salt, compound,
19 derivative, or preparation of opium or opiate, excluding naloxone
20 hydrochloride, apomorphine, dextrorphan, nalbuphine, nalmefene and
21 naltrexone, but including the following:

- 22 (i) Raw opium;
- 23 (ii) Opium extracts;
- 24 (iii) Opium fluid extracts;
- 25 (iv) Powdered opium;
- 26 (v) Granulated opium;
- 27 (vi) Tincture of opium;
- 28 (vii) Codeine;

- 29 (viii) Ethylmorphine;
30 (ix) Etorphine hydrochloride;
31 (x) Hydrocodone;
32 (xi) Hydromorphone;
33 (xii) Metopon;
34 (xiii) Morphine;
35 (xiv) Oxycodone;
36 (xv) Oxymorphone;
37 (xvi) Thebaine.

38 (2) Any salt, compound, isomer, derivative, or
39 preparation thereof which is chemically equivalent or identical
40 with any of the substances referred to in paragraph (1), but not
41 including the isoquinoline alkaloids of opium;

42 (3) Opium poppy and poppy straw;

43 (4) Cocaine, coca leaves and any salt, compound,
44 derivative, or preparation of cocaine or coca leaves, and any
45 salt, compound, derivative, isomer, or preparation thereof which
46 is chemically equivalent or identical with any of these
47 substances, but not including decocainized coca leaves or
48 extractions which do not contain cocaine or ecgonine.

49 (b) Any of the following opiates, including their
50 isomers, esters, ethers, salts, and salts of isomers, whenever the
51 existence of these isomers, esters, ethers and salts is possible
52 within the specified chemical designation, dextorphan excepted:

- 53 (1) Alfentanil;
54 (2) Alphaprodine;
55 (3) Anileridine;
56 (4) Bezitramide;
57 (5) Bulk dextropropoxyphene (nondosage forms);
58 (6) Carfentanil;
59 (7) Dihydrocodeine;
60 (8) Diphenoxylate;
61 (9) Fentanyl;

- 62 (10) Isomethadone;
- 63 (11) Levo-alpha-acetylmethadol
- 64 (levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
- 65 (12) Levomethorphan;
- 66 (13) Levorphanol;
- 67 (14) Metazocine;
- 68 (15) Methadone;
- 69 (16) Methadone-intermediate,
- 70 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- 71 (17) Moramide-intermediate,
- 72 2-methyl-3-morpholino-1, 1-diphenyl propane-carboxylic acid;
- 73 (18) Pethidine (meperidine);
- 74 (19) Pethidine-intermediate-A,
- 75 4-cyano-1-methyl-4-phenylpiperidine;
- 76 (20) Pethidine-intermediate-B,
- 77 ethyl-4-phenylpiperidine-4-carboxylate;
- 78 (21) Pethidine-intermediate-C,
- 79 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 80 (22) Phenazocine;
- 81 (23) Piminodine;
- 82 (24) Racemethorphan;
- 83 (25) Racemorphan;
- 84 (26) Remifentanil;
- 85 (27) Sufentanil.
- 86 (c) Any material, compound, mixture, or preparation
- 87 which contains any quantity of the following substances:
- 88 (1) Amphetamine, its salts, optical isomers, and
- 89 salts of its optical isomers;
- 90 (2) Phenmetrazine and its salts;
- 91 (3) Any substance which contains any quantity of
- 92 methamphetamine, including its salts, isomers, and salts of
- 93 isomers;
- 94 (4) Methylphenidate and its salts.

95 (d) Unless listed in another schedule, any material,
96 compound, mixture, or preparation which contains any quantity of
97 the following substances:

98 (1) Amobarbital;

99 (2) Secobarbital;

100 (3) Pentobarbital;

101 (4) Amphetamine and methamphetamine immediate
102 precursor: Phenylacetone (phenyl-2-propanone; P2P; benzyl methyl
103 ketone; and methyl benzyl ketone);

104 (5) Phencyclidine immediate precursors:

105 (i) 1-phenylcyclohexylamine;

106 (ii) 1-piperidinocyclohexanecarbonitrile

107 (PCC).

108 (6) Pentazocine and its salts in injectable dosage
109 form;

110 * * *

111 (7) Nabilone, other names include:

112 (+/-)-trans-3-(1,1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a -
113 hexahydro-1-1-hydroxy-6-6-dimethyl-9H-dibenzo (b,d) pyran-9-one;

114 (8) Glutethimide.

115 (B) Any material, compound, mixture or preparation which
116 contains any quantity of a Schedule II controlled substance and is
117 listed as an exempt substance in 21 C.F.R., Section 1308.24 or
118 1308.32, shall be exempted from the provisions of the Uniform
119 Controlled Substances Law.

120 SECTION 2. Section 41-29-117, Mississippi Code of 1972, is
121 amended as follows:[JU2]

122 41-29-117. (A) The controlled substances listed in this
123 section are included in Schedule III.

124 **SCHEDULE III**

125 (a) Any material, compound, mixture, or preparation
126 which contains any quantity of the following substances or their
127 salts, isomers, or salts of isomers, of the following substances:

- 128 (1) Benzphetamine;
129 (2) Chlorphentermine;
130 (3) Clortermine;
131 (4) Phendimetrazine.

132 (b) Unless listed in another schedule, any material,
133 compound, mixture, or preparation which contains any quantity of
134 the following substances:

135 (1) Any substance which contains any quantity of a
136 derivative of barbituric acid, or any salt of a derivative of
137 barbituric acid, except those substances which are specifically
138 listed in other schedules.

139 (2) Unless specifically excepted or unless listed
140 in another schedule, any compound, mixture or preparation
141 containing any of the following substances or any salt of the
142 substances specifically included in this subsection (2) and one or
143 more other active medicinal ingredients which are not listed in
144 any other schedule:

- 145 (i) Amobarbital;
146 (ii) Secobarbital;
147 (iii) Pentobarbital.

148 (3) Any suppository dosage form containing any of
149 the following substances or any salt of any of the substances
150 specifically included in this subsection (3) approved by the Food
151 and Drug Administration for marketing only as a suppository:

- 152 (i) Amobarbital;
153 (ii) Secobarbital;
154 (iii) Pentobarbital.

- 155 (4) Chlorhexadol;
156 (5) Lysergic acid;
157 (6) Lysergic acid amide;
158 (7) Methyprylon;
159 (8) Sulfondiethylmethane;
160 (9) Sulfonethylmethane;

161 (10) Sulphonmethane;

162 (11) Tiletamine and zolazepam or any salt thereof;

163 other names for the tiletamine and zolazepam combination product

164 include: telazol; other names for tiletamine include:

165 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for

166 zolazepam include: 4-(2-fluorophenyl)-6, 8-dihydro 1, 3,

167 8-trimethylpyrazolo - (3,4-e) (1,4)-diazepin-7 (1H)-one;

168 flupyrazapon.

169 (c) Nalorphine.

170 (d) Ketamine.

171 (e) Any material, compound, mixture, or preparation

172 containing limited quantities of any of the following narcotic

173 drugs, or any salts thereof:

174 (1) Not more than one and eight-tenths (1.8) grams

175 of codeine, or any of its salts, per one hundred (100) milliliters

176 or not more than ninety (90) milligrams per dosage unit, with an

177 equal or greater quantity of an isoquinoline alkaloid of opium;

178 (2) Not more than one and eight-tenths (1.8) grams

179 of codeine, or any of its salts, per one hundred (100) milliliters

180 or not more than ninety (90) milligrams per dosage unit, with one

181 or more active, nonnarcotic ingredients in recognized therapeutic

182 amounts;

183 (3) Not more than three hundred (300) milligrams

184 of dihydrocodeinone (also known as hydrocodone), or any of its

185 salts, per one hundred (100) milliliters or not more than fifteen

186 (15) milligrams per dosage unit, with a fourfold or greater

187 quantity of an isoquinoline alkaloid of opium;

188 (4) Not more than three hundred (300) milligrams

189 of dihydrocodeinone, or any of its salts, per one hundred (100)

190 milliliters or not more than fifteen (15) milligrams per dosage

191 unit, with one or more active nonnarcotic ingredients in

192 recognized therapeutic amounts;

193 (5) Not more than one and eight-tenths (1.8) grams

194 of dihydrocodeine, or any of its salts, per one hundred (100)
195 milliliters or not more than ninety (90) milligrams per dosage
196 unit, with one or more active, nonnarcotic ingredients in
197 recognized therapeutic amounts;

198 (6) Not more than three hundred (300) milligrams
199 of ethylmorphine, or any of its salts, per one hundred (100)
200 milliliters or not more than fifteen (15) milligrams per dosage
201 unit, with one or more active, nonnarcotic ingredients in
202 recognized therapeutic amounts;

203 (7) Not more than five hundred (500) milligrams of
204 opium per one hundred (100) milliliters or per one hundred (100)
205 grams, or not more than twenty-five (25) milligrams per dosage
206 unit, with one or more active, nonnarcotic ingredients in
207 recognized therapeutic amounts;

208 (8) Not more than fifty (50) milligrams of
209 morphine, or any of its salts, per one hundred (100) milliliters
210 or per one hundred (100) grams with one or more active,
211 nonnarcotic ingredients in recognized therapeutic amounts.

212 (e) Any material, compound, mixture or preparation
213 containing any quantity of any of the following anabolic steroids,
214 which means any drug or hormonal substance chemically and
215 pharmacologically related to testosterone (other than estrogens,
216 progestins and corticosteroids) that promotes muscle growth,
217 unless listed in another schedule or excepted:

218 (1) Boldenone (dehydrotestosterone);

219 (2) Chlorotestosterone (clostebol,
220 4-chlorotestosterone, 4-chlorotestosterone);

221 (3) Dehydrochlormethyltestosterone;

222 (4) Dihydrotestosterone (stanolone,
223 4-dihydrotestosterone);

224 (5) Drostanolone;

225 (6) Ethylestrenol;

226 (7) Fluoxymesterone;

227 (8) Formebolone (formebolone);
228 (9) Mesterolone;
229 (10) Methandienone (methandrostenolone);
230 (11) Methandriol;
231 (12) Methenolone;
232 (13) Methyltestosterone;
233 (14) Mibolerone;
234 (15) Nandrolone;
235 (16) Norethandrolone;
236 (17) Oxandrolone;
237 (18) Oxymesterone;
238 (19) Oxymetholone;
239 (20) Stanozolol;
240 (21) Testolactone;
241 (22) Testosterone;
242 (23) Trenbolone;
243 (24) Any salt, ester, or isomer of a drug or
244 substance described or listed in this paragraph, if that salt,
245 ester, or isomer promotes muscle growth;

246 (f) Any material compound, mixture or preparation which
247 contains any quantity of pentazocine or its salts in oral dosage
248 form;

249 (g) Dronabinol (synthetic) in sesame oil and
250 encapsulated in a soft gelatin capsule in a United States Food and
251 Drug Administration approved drug product.

252 (B) Any material, compound, mixture or preparation which
253 contains any quantity of a Schedule III controlled substance and
254 is listed as an exempt substance in 21 C.F.R., Section 1308.22,
255 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the
256 provisions of the Uniform Controlled Substances Law.

257 SECTION 3. Section 41-29-119, Mississippi Code of 1972, is
258 amended as follows:[JU3]

259 41-29-119. (A) The controlled substances listed in this

260 section are included in Schedule IV.

261 **SCHEDULE IV**

262 (a) Unless specifically excepted or unless listed in
263 another schedule, any material, compound, mixture or preparation
264 which contains limited quantities of the following narcotic drugs,
265 or any salts thereof:

266 (1) Not more than one (1) milligram of difenoxin
267 and not less than twenty-five (25) micrograms of atropine sulfate
268 per dosage unit;

269 (2) Dextropropoxyphene, including its salts
270 (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N,
271 etc.).

272 (b) Any material, compound, mixture or preparation
273 which contains any quantity of the following substances:

274 (1) Alprazolam;

275 (2) Barbital;

276 (3) Bromazepam;

277 (4) Butorphanol;

278 (5) Camazepam;

279 (6) Chloral betaine;

280 (7) Chloral hydrate;

281 (8) Chlordiazepoxide and its salts, but does not
282 include chlordiazepoxide hydrochloride and clidinium bromide or
283 chlordiazepoxide and esterified estrogens;

284 (9) Clobazam;

285 (10) Clonazepam;

286 (11) Clorazepate;

287 (12) Clotiazepam;

288 (13) Cloxazolam;

289 (14) Delorazepam;

290 (15) Diazepam;

291 (16) Estazolam;

292 (17) Ethchlorvynol;

293 (18) Ethinamate;
294 (19) Ethyl loflazepate;
295 (20) Fludiazepam;
296 (21) Flunitrazepam;
297 (22) Flurazepam;
298 (23) Halazepam;
299 (24) Haloxazolam;
300 (25) Ketazolam;
301 (26) Loprazolam;
302 (27) Lorazepam;
303 (28) Lormetazepam;
304 (29) Mazindol;
305 (30) Mebutamate;
306 (31) Medazepam;
307 (32) Meprobamate;
308 (33) Methohexital;
309 (34) Methylphenobarbital;
310 (35) Midazolam;
311 (36) Nimetazepam;
312 (37) Nitrazepam;
313 (38) Nordiazepam;
314 (39) Oxazepam;
315 (40) Oxazolam;
316 (41) Paraldehyde;
317 (42) Petrichloral;
318 (43) Phenobarbital;
319 (44) Pinazepam;
320 (45) Prazepam;
321 (46) Quazepam;
322 (47) Temazepam;
323 (48) Tetrazepam;
324 (49) Triazolam;
325 (50) Zolpidem.

326 (c) Fenfluramine.

327 (d) Any material, compound, mixture or preparation
328 which contains any quantity of the following substances:

329 (1) Diethylpropion;

330 (2) Phentermine;

331 (3) Pemoline (including any organometallic
332 complexes or chelates thereof);

333 (4) Pipradrol;

334 (5) Sibutramine;

335 (6) SPA ((-)-1-dimethylamino-1, 2-diphenylethane).

336 (e) Any material, compound, mixture or preparation
337 which contains any quantity of the following substances:

338 (1) Cathine ((+/-) Norpseudoephedrine);

339 (2) Fencamfamin;

340 (3) Fenproporex;

341 (4) Mefenorex;

342 (5) Modafinil.

343 (B) Any material, compound, mixture or preparation which
344 contains any quantity of a Schedule IV controlled substance and is
345 listed as an exempt substance in 21 C.F.R., Section 1308.22,
346 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the
347 provisions of the Uniform Controlled Substances Law.

348 SECTION 4. This act shall take effect and be in force from
349 and after July 1, 2000.