

By: Huggins (By Request)

To: Judiciary

SENATE BILL NO. 2421  
(As Passed the Senate)

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) Sulfonmethane;
- 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 ((+/-) Norpseudoeephedrine);  
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.