

By: Representative Moody

To: Judiciary A

HOUSE BILL NO. 1021

1 AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE LIST OF SCHEDULE I 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 41-29-113, Mississippi Code of 1972, is
9 amended as follows:

10 41-29-113. The controlled substances listed in this section
11 are included in Schedule I.

12 **SCHEDULE I**

13 (a) Any of the following opiates, including their isomers,
14 esters, ethers, salts and salts of isomers, esters and ethers,
15 unless specifically excepted, whenever the existence of these
16 isomers, esters, ethers and salts is possible within the specific
17 chemical designation:

- 18 (1) Acetyl-alpha-methylfentanyl;
- 19 (2) Acetylmethadol;
- 20 (3) Allylprodine;
- 21 (4) Alphacetylmethadol, except levo-alphacetylmethadol
22 (levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
- 23 (5) Alphameprodine;
- 24 (6) Alphamethadol;
- 25 (7) Alpha-methylfentanyl;
- 26 (8) Alpha-methylthiofentanyl;
- 27 (9) Benzethidine;
- 28 (10) Betacetylmethadol;

- 29 (11) Beta-hydroxyfentanyl;
- 30 (12) Beta-hydroxy-3-methylfentanyl;
- 31 (13) Betameprodine;
- 32 (14) Betamethadol;
- 33 (15) Betaprodine;
- 34 (16) Clonitazene;
- 35 (17) Dextromoramide;
- 36 (18) Diampromide;
- 37 (19) Diethylthiambutene;
- 38 (20) Difenoxyin;
- 39 (21) Dimenoxadol;
- 40 (22) Dimepheptanol;
- 41 (23) Dimethylthiambutene;
- 42 (24) Dioxaphetyl butyrate;
- 43 (25) Dipipanone;
- 44 (26) Ethylmethylthiambutene;
- 45 (27) Etonitazene;
- 46 (28) Etoxadine;
- 47 (29) Furethidine;
- 48 (30) Hydroxypethidine;
- 49 (31) Ketobemidone;
- 50 (32) Levomoramide;
- 51 (33) Levophenacymorphan;
- 52 (34) 3-methylfentanyl;
- 53 (35) 3-methylthiofentanyl;
- 54 (36) Morpheridine;
- 55 (37) Noracymethadol;
- 56 (38) Norlevorphanol;
- 57 (39) Normethadone;
- 58 (40) Norpipanone;
- 59 (41) Para-fluorofentanyl;
- 60 (42) Phenadoxone;
- 61 (43) Phenampromide;

- 62 (44) Phenomorphan;
63 (45) Phenoperidine;
64 (46) Piritramide;
65 (47) Proheptazine;
66 (48) Properidine;
67 (49) Propiram;
68 (50) Racemoramide;
69 (51) Tilidine;
70 (52) Trimeperidine;
71 (53) Thiofentanyl;
72 (54) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);
73 (55) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine
74 (PEPAP).

75 (b) Any of the following opium derivatives, their salts,
76 isomers and salts of isomers, unless specifically excepted,
77 whenever the existence of these salts, isomers and salts of
78 isomers is possible within the specific chemical designation:

- 79 (1) Acetorphine;
80 (2) Acetyldihydrocodeine;
81 (3) Benzylmorphine;
82 (4) Codeine methylbromide;
83 (5) Codeine-N-Oxide;
84 (6) Cyprenorphine;
85 (7) Desomorphine;
86 (8) Dihydromorphine;
87 (9) Drotebanol;
88 (10) Etorphine; (except hydrochloride salt);
89 (11) Heroin;
90 (12) Hydromorphanol;
91 (13) Methyldesorphine;
92 (14) Methyldihydromorphine;
93 (15) Monoacetylmorphine;
94 (16) Morphine methylbromide;

- 95 (17) Morphine methylsulfonate;
- 96 (18) Morphine-N-Oxide;
- 97 (19) Myrophine;
- 98 (20) Nicocodeine;
- 99 (21) Nicomorphine;
- 100 (22) Normorphine;
- 101 (23) Pholcodine;
- 102 (24) Thebacon.

103 (c) Any material, compound, mixture or preparation which
104 contains any quantity of the following hallucinogenic substances,
105 their salts, isomers and salts of isomers, unless specifically
106 excepted, whenever the existence of these salts, isomers and salts
107 of isomers is possible within the specific chemical designation:

- 108 (1) 3, 4-methylenedioxy amphetamine;
- 109 (2) 5-methoxy-3, 4-methylenedioxy amphetamine;
- 110 (3) 2, 5-dimethoxy-4-ethylamphetamine (DOET);
- 111 (4) 3, 4-methylenedioxymethamphetamine (MDMA);
- 112 (5) 3, 4, 5-trimethoxy amphetamine;
- 113 (6) Bufotenine;
- 114 (7) Diethyltryptamine;
- 115 (8) Dimethyltryptamine;
- 116 (9) Alpha-ethyltryptamine;
- 117 (10) 4-methyl-2, 5-dimethoxyamphetamine;
- 118 (11) Hashish;
- 119 (12) Ibogaine;
- 120 (13) Lysergic acid diethylamide; (LSD)
- 121 (14) Marihuana;
- 122 (15) Mescaline;
- 123 (16) Peyote;
- 124 (17) N-ethyl-3-piperidyl benzilate;
- 125 (18) N-methyl-3-piperidyl benzilate;
- 126 (19) Phencyclidine;
- 127 (20) Psilocybin;

- 128 (21) Psilocyn;
- 129 (22) Tetrahydrocannabinols (excluding dronabinol and
130 nabilone);
- 131 (23) 2, 5-dimethoxyamphetamine;
- 132 (24) 4-bromo-2, 5-dimethoxyamphetamine;
- 133 (25) 4-bromo-2, 5-dimethoxyphenylethylamine;
- 134 (26) 4-methoxyamphetamine;
- 135 (27) Ethylamine analog of phencyclidine (PCE);
- 136 (28) Pyrrolidine analog of phencyclidine (PHP, PCPy);
- 137 (29) Thiophene analog of Phencyclidine;
- 138 (30) Parahexyl;
- 139 (31) 1-[1-(2-Thienyl)cyclohexyl] pyrrolidine (TCPy);
- 140 (32) 3, 4-methylenedioxy-N-ethylamphetamine (also known
141 as N-ethyl-alpha-methyl-3, 4 (methylenedioxy) phenylethylamine,
142 N-ethyl MDA, MDE and MDEA);
- 143 (33) N-hydroxy-3, 4-methylenedioxyamphetamine (also
144 known as N-hydroxy MDA, N-OHMDA, and N-hydroxy-alpha-methyl-3,
145 4-(methylenedioxy) phenylethylamine).
- 146 (d) Mecloqualone, its salts, isomers and salts of isomers,
147 unless specifically excepted, whenever the existence of the salts,
148 isomers and salts of isomers is possible within this specific
149 chemical designation.
- 150 (e) Gamma-hydroxybutyric acid (other names include: GHB,
151 gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid;
152 sodium oxybate; sodium oxybutyrate), including its salts, isomers,
153 and salts of isomers.
- 154 (f) Any material, compound, mixture or preparation which
155 contains any quantity of the following central nervous system
156 stimulants including salts, isomers and salts of isomers unless
157 specifically excepted or unless listed in another schedule:
- 158 (1) Aminorex;
- 159 (2) Cathinone;
- 160 (3) Fenethylamine;

161 (4) N-ethyl-amphetamine;

162 (5) 4-methylaminorex (also known as
163 2-amino-4-methyl-5-phenyl-2-oxazoline);

164 (6) Methacathinone.

165 (g) Any material, compound, mixture or preparation which
166 contains any quantity of methaqualone, including its salts,
167 isomers, optical isomers, salts of their isomers and salts of
168 their optical isomers unless specifically excepted or unless
169 listed in another schedule.

170 (h) Any material, compound, mixture or preparation which
171 contains any quantity of N,N-dimethylamphetamine, including its
172 salts, isomers and salts of isomers, unless specifically excepted
173 or unless listed in another schedule. (Other names include: N,N,
174 alpha-trimethylbenzene-ethaneamine, and N,N,
175 alpha-trimethylphenylethylamine).

176 SECTION 2. Section 41-29-117, Mississippi Code of 1972, is
177 amended as follows:

178 41-29-117. (A) The controlled substances listed in this
179 section are included in Schedule III.

180 **SCHEDULE III**

181 (a) Any material, compound, mixture, or preparation
182 which contains any quantity of the following substances or their
183 salts, isomers, or salts of isomers, of the following substances:

184 (1) Benzphetamine;

185 (2) Chlorphentermine;

186 (3) Clortermine;

187 (4) Phendimetrazine.

188 (b) Unless listed in another schedule, any material,
189 compound, mixture, or preparation which contains any quantity of
190 the following substances:

191 (1) Any substance which contains any quantity of a
192 derivative of barbituric acid, or any salt of a derivative of

193 barbituric acid, except those substances which are specifically
194 listed in other schedules;

195 (2) Unless specifically excepted or unless listed
196 in another schedule, any compound, mixture or preparation
197 containing any of the following substances or any salt of the
198 substances specifically included in this subsection (2) and one or
199 more other active medicinal ingredients which are not listed in
200 any other schedule:

201 (i) Amobarbital;

202 (ii) Secobarbital;

203 (iii) Pentobarbital;

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

208 (i) Amobarbital;

209 (ii) Secobarbital;

210 (iii) Pentobarbital;

211 (4) Chlorhexadol;

212 (5) Any drug product containing

213 gamma-hydroxybutyric acid, including its salts, isomers and salts

214 of isomers, for which an application is approved under Section 505

215 of the Federal Food, Drug and Cosmetic Act;

216 (6) Lysergic acid;

217 (7) Lysergic acid amide;

218 (8) Methyprylon;

219 (9) Sulfondiethylmethane;

220 (10) Sulfonethylmethane;

221 (11) Sulfonmethane;

222 (12) Tiletamine and zolazepam or any salt thereof;

223 other names for the tiletamine and zolazepam combination product

224 include: telazol; other names for tiletamine include:

225 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for

226 zolazepam include: 4-(2-fluorophenyl)-6, 8-dihydro 1, 3,
227 8-trimethylpyrazolo - (3,4-e) (1,4)-diazepin-7 (1H)-one;
228 flupyrzapon.

229 (c) Nalorphine.

230 (d) Ketamine.

231 (e) Any material, compound, mixture, or preparation
232 containing limited quantities of any of the following narcotic
233 drugs, or any salts thereof:

234 (1) Not more than one and eight-tenths (1.8) grams
235 of codeine, or any of its salts, per one hundred (100) milliliters
236 or not more than ninety (90) milligrams per dosage unit, with an
237 equal or greater quantity of an isoquinoline alkaloid of opium;

238 (2) Not more than one and eight-tenths (1.8) grams
239 of codeine, or any of its salts, per one hundred (100) milliliters
240 or not more than ninety (90) milligrams per dosage unit, with one
241 or more active, nonnarcotic ingredients in recognized therapeutic
242 amounts;

243 (3) Not more than three hundred (300) milligrams
244 of dihydrocodeinone (also known as hydrocodone), or any of its
245 salts, per one hundred (100) milliliters or not more than fifteen
246 (15) milligrams per dosage unit, with a fourfold or greater
247 quantity of an isoquinoline alkaloid of opium;

248 (4) Not more than three hundred (300) milligrams
249 of dihydrocodeinone, or any of its salts, per one hundred (100)
250 milliliters or not more than fifteen (15) milligrams per dosage
251 unit, with one or more active nonnarcotic ingredients in
252 recognized therapeutic amounts;

253 (5) Not more than one and eight-tenths (1.8) grams
254 of dihydrocodeine, or any of its salts, per one hundred (100)
255 milliliters or not more than ninety (90) milligrams per dosage
256 unit, with one or more active, nonnarcotic ingredients in
257 recognized therapeutic amounts;

258 (6) Not more than three hundred (300) milligrams
259 of ethylmorphine, or any of its salts, per one hundred (100)
260 milliliters or not more than fifteen (15) milligrams per dosage
261 unit, with one or more active, nonnarcotic ingredients in
262 recognized therapeutic amounts;

263 (7) Not more than five hundred (500) milligrams of
264 opium per one hundred (100) milliliters or per one hundred (100)
265 grams, or not more than twenty-five (25) milligrams per dosage
266 unit, with one or more active, nonnarcotic ingredients in
267 recognized therapeutic amounts;

268 (8) Not more than fifty (50) milligrams of
269 morphine, or any of its salts, per one hundred (100) milliliters
270 or per one hundred (100) grams with one or more active,
271 nonnarcotic ingredients in recognized therapeutic amounts.

272 (f) Any material, compound, mixture or preparation
273 containing any quantity of any of the following anabolic steroids,
274 which means any drug or hormonal substance chemically and
275 pharmacologically related to testosterone (other than estrogens,
276 progestins and corticosteroids) that promotes muscle growth,
277 unless listed in another schedule or excepted:

278 (1) Boldenone (dehydrotestosterone);

279 (2) Chlorotestosterone (clostebol,
280 4-chlorotestosterone, 4-chlorotestosterone);

281 (3) Dehydrochlormethyltestosterone;

282 (4) Dihydrotestosterone (stanolone,
283 4-dihydrotestosterone);

284 (5) Drostanolone;

285 (6) Ethylestrenol;

286 (7) Fluoxymesterone;

287 (8) Formebolone (formebolone);

288 (9) Mesterolone;

289 (10) Methandienone (methandrostenolone);

290 (11) Methandriol;

- 291 (12) Methenolone;
292 (13) Methyltestosterone;
293 (14) Mibolerone;
294 (15) Nandrolone;
295 (16) Norethandrolone;
296 (17) Oxandrolone;
297 (18) Oxymesterone;
298 (19) Oxymetholone;
299 (20) Stanozolol;
300 (21) Testolactone;
301 (22) Testosterone;
302 (23) Trenbolone;
303 (24) Any salt, ester, or isomer of a drug or
304 substance described or listed in this paragraph, if that salt,
305 ester, or isomer promotes muscle growth.

306 (g) Any material compound, mixture or preparation which
307 contains any quantity of pentazocine or its salts in oral dosage
308 form.

309 (h) Dronabinol (synthetic) in sesame oil and
310 encapsulated in a soft gelatin capsule in a United States Food and
311 Drug Administration approved drug product.

312 (B) Any material, compound, mixture or preparation which
313 contains any quantity of a Schedule III controlled substance and
314 is listed as an exempt substance in 21 C.F.R., Section 1308.22,
315 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the
316 provisions of the Uniform Controlled Substances Law.

317 SECTION 3. Section 41-29-119, Mississippi Code of 1972, is
318 amended as follows:

319 41-29-119. (A) The controlled substances listed in this
320 section are included in Schedule IV.

321 **SCHEDULE IV**

322 (a) Unless specifically excepted or unless listed in
323 another schedule, any material, compound, mixture or preparation

324 which contains limited quantities of the following narcotic drugs,
325 or any salts thereof:

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

329 (2) Dextropropoxyphene, including its salts
330 (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N,
331 etc.).

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

334 (1) Alprazolam;

335 (2) Barbital;

336 (3) Bromazepam;

337 (4) Butorphanol;

338 (5) Camazepam;

339 (6) Chloral betaine;

340 (7) Chloral hydrate;

341 (8) Chlordiazepoxide and its salts, but does not
342 include chlordiazepoxide hydrochloride and clidinium bromide or
343 chlordiazepoxide and esterified estrogens;

344 (9) Clobazam;

345 (10) Clonazepam;

346 (11) Clorazepate;

347 (12) Clotiazepam;

348 (13) Cloxazolam;

349 (14) Delorazepam;

350 (15) Diazepam;

351 (16) Estazolam;

352 (17) Ethchlorvynol;

353 (18) Ethinamate;

354 (19) Ethyl loflazepate;

355 (20) Fludiazepam;

356 (21) Flunitrazepam;

- 357 (22) Flurazepam;
- 358 (23) Halazepam;
- 359 (24) Haloxazolam;
- 360 (25) Ketazolam;
- 361 (26) Loprazolam;
- 362 (27) Lorazepam;
- 363 (28) Lormetazepam;
- 364 (29) Mazindol;
- 365 (30) Mebutamate;
- 366 (31) Medazepam;
- 367 (32) Meprobamate;
- 368 (33) Methohexital;
- 369 (34) Methylphenobarbital;
- 370 (35) Midazolam;
- 371 (36) Nimetazepam;
- 372 (37) Nitrazepam;
- 373 (38) Nordiazepam;
- 374 (39) Oxazepam;
- 375 (40) Oxazolam;
- 376 (41) Paraldehyde;
- 377 (42) Petrichloral;
- 378 (43) Phenobarbital;
- 379 (44) Pinazepam;
- 380 (45) Prazepam;
- 381 (46) Quazepam;
- 382 (47) Temazepam;
- 383 (48) Tetrazepam;
- 384 (49) Triazolam;
- 385 (50) Zaleplon;
- 386 (51) Zolpidem.
- 387 (c) Fenfluramine.
- 388 (d) Any material, compound, mixture or preparation
- 389 which contains any quantity of the following substances:

- 390 (1) Diethylpropion;
391 (2) Phentermine;
392 (3) Pemoline (including any organometallic
393 complexes or chelates thereof);
394 (4) Pipradrol;
395 (5) Sibutramine;
396 (6) SPA ((-)-1-dimethylamino-1, 2-diphenylethane).

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

- 399 (1) Cathine ((+/-) Norpseudoeephedrine);
400 (2) Fencamfamin;
401 (3) Fenproporex;
402 (4) Mefenorex;
403 (5) Modafinil.

404 (B) Any material, compound, mixture or preparation which
405 contains any quantity of a Schedule IV controlled substance and is
406 listed as an exempt substance in 21 C.F.R., Section 1308.22,
407 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the
408 provisions of the Uniform Controlled Substances Law.

409 SECTION 4. This act shall take effect and be in force from
410 and after July 1, 2001.