

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2417**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

13           **SECTION 1.** Section 41-29-117, Mississippi Code of 1972, is  
14 amended as follows:

15           41-29-117. (A) The controlled substances listed in this  
16 section are included in Schedule III.

17                                   **SCHEDULE III**

18           (a) Any material, compound, mixture, or preparation  
19 which contains any quantity of the following substances or their  
20 salts, isomers, or salts of isomers, of the following substances:

21                                 (1) Benzphetamine;

22                                 (2) Chlorphentermine;

23                                 (3) Clortermine;

24                                 (4) Phendimetrazine.

25           (b) Unless listed in another schedule, any material,  
26 compound, mixture, or preparation which contains any quantity of  
27 the following substances:

28                                 (1) Any substance which contains any quantity of a  
29 derivative of barbituric acid, or any salt of a derivative of  
30 barbituric acid, except those substances which are specifically  
31 listed in other schedules.

32                   (2) Unless specifically excepted or unless listed  
33 in another schedule, any compound, mixture or preparation  
34 containing any of the following substances or any salt of the  
35 substances specifically included in this subsection (2) and one or  
36 more other active medicinal ingredients which are not listed in  
37 any other schedule:

38                   (i) Amobarbital;

39                   (ii) Secobarbital;

40                   (iii) Pentobarbital.

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

45                   (i) Amobarbital;

46                   (ii) Secobarbital;

47                   (iii) Pentobarbital.

48                   (4) Chlorhexadol;

49                   (5) Any drug product containing

50 gamma-hydroxybutyric acid, including its salts, isomers and salts  
51 of isomers, for which an application is approved under Section 505  
52 of the Federal Food, Drug and Cosmetic Act;

53                   (6) Lysergic acid;

54                   (7) Lysergic acid amide;

55                   (8) Methyprylon;

56                   (9) Sulfondiethylmethane;

57                   (10) Sulfonethylmethane;

58                   (11) Sulfonmethane;

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

60 other names for the tiletamine and zolazepam combination product  
61 include: telazol; other names for tiletamine include:

62 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for

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

64 8-trimethylpyrazolo - (3,4-e) (1,4)-diazepin-7 (1H)-one;  
65 flupyrzapon.

66 (c) Nalorphine.

67 (d) Ketamine.

68 (e) Any material, compound, mixture, or preparation  
69 containing limited quantities of any of the following narcotic  
70 drugs, or any salts thereof:

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

75 (2) Not more than one and eight-tenths (1.8) grams  
76 of codeine, or any of its salts, per one hundred (100) milliliters  
77 or not more than ninety (90) milligrams per dosage unit, with one  
78 or more active, nonnarcotic ingredients in recognized therapeutic  
79 amounts;

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

85 (4) Not more than three hundred (300) milligrams  
86 of dihydrocodeinone, or any of its salts, per one hundred (100)  
87 milliliters or not more than fifteen (15) milligrams per dosage  
88 unit, with one or more active nonnarcotic ingredients in  
89 recognized therapeutic amounts;

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

95 (6) Not more than three hundred (300) milligrams  
96 of ethylmorphine, or any of its salts, per one hundred (100)  
97 milliliters or not more than fifteen (15) milligrams per dosage  
98 unit, with one or more active, nonnarcotic ingredients in  
99 recognized therapeutic amounts;

100 (7) Not more than five hundred (500) milligrams of  
101 opium per one hundred (100) milliliters or per one hundred (100)  
102 grams, or not more than twenty-five (25) milligrams per dosage  
103 unit, with one or more active, nonnarcotic ingredients in  
104 recognized therapeutic amounts;

105 (8) Not more than fifty (50) milligrams of  
106 morphine, or any of its salts, per one hundred (100) milliliters  
107 or per one hundred (100) grams with one or more active,  
108 nonnarcotic ingredients in recognized therapeutic amounts.

109 (f) Any material, compound, mixture or preparation  
110 containing any quantity of any of the following anabolic steroids,  
111 which means any drug or hormonal substance chemically and  
112 pharmacologically related to testosterone (other than estrogens,  
113 progestins and corticosteroids) that promotes muscle growth,  
114 unless listed in another schedule or excepted:

115 (1) Boldenone (dehydrotestosterone);

116 (2) Chlorotestosterone (clostebol,  
117 4-chlorotestosterone, 4-chlorotestosterone);

118 (3) Dehydrochlormethyltestosterone;

119 (4) Dihydrotestosterone (stanolone,  
120 4-dihydrotestosterone);

121 (5) Drostanolone;

122 (6) Ethylestrenol;

123 (7) Fluoxymesterone;

124 (8) Formebolone (formebolone);

125 (9) Mesterolone;

126 (10) Methandienone (methandrostenolone);

- 127 (11) Methandriol;  
128 (12) Methenolone;  
129 (13) Methyltestosterone;  
130 (14) Mibolerone;  
131 (15) Nandrolone;  
132 (16) Norethandrolone;  
133 (17) Oxandrolone;  
134 (18) Oxymesterone;  
135 (19) Oxymetholone;  
136 (20) Stanozolol;  
137 (21) Testolactone;  
138 (22) Testosterone;  
139 (23) Trenbolone;  
140 (24) Any salt, ester, or isomer of a drug or  
141 substance described or listed in this paragraph, if that salt,  
142 ester, or isomer promotes muscle growth;

143 (g) Any material, compound, mixture or preparation  
144 which contains any quantity of buprenorphine or its salts.

145 (h) Any material compound, mixture or preparation which  
146 contains any quantity of pentazocine or its salts in oral dosage  
147 form;

148 (i) Dronabinol (synthetic) in sesame oil and  
149 encapsulated in a soft gelatin capsule in a United States Food and  
150 Drug Administration approved drug product.

151 (B) Any material, compound, mixture or preparation which  
152 contains any quantity of a Schedule III controlled substance and  
153 is listed as an exempt substance in 21 C.F.R., Section 1308.22,  
154 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the  
155 provisions of the Uniform Controlled Substances Law.

156 **SECTION 2.** Section 41-29-119, Mississippi Code of 1972, is  
157 amended as follows:

158 41-29-119. (A) The controlled substances listed in this  
159 section are included in Schedule IV.

160 **SCHEDULE IV**

161 (a) Unless specifically excepted or unless listed in  
162 another schedule, any material, compound, mixture or preparation  
163 which contains limited quantities of the following narcotic drugs,  
164 or any salts thereof:

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

168 (2) Dextropropoxyphene, including its salts  
169 (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N,  
170 etc.).

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

173 (1) Alprazolam;

174 (2) Barbitol;

175 (3) Bromazepam;

176 (4) Butorphanol;

177 (5) Camazepam;

178 (6) Chloral betaine;

179 (7) Chloral hydrate;

180 (8) Chlordiazepoxide and its salts, but does not  
181 include chlordiazepoxide hydrochloride and clidinium bromide or  
182 chlordiazepoxide and esterified estrogens;

183 (9) Clobazam;

184 (10) Clonazepam;

185 (11) Clorazepate;

186 (12) Clotiazepam;

187 (13) Cloxazolam;

188 (14) Delorazepam;

189 (15) Diazepam;

190                   (16) Dichloralphenazone;

191                   (17) Estazolam;

192                   (18) Ethchlorvynol;

193                   (19) Ethinamate;

194                   (20) Ethyl loflazepate;

195                   (21) Fludiazepam;

196                   (22) Flunitrazepam;

197                   (23) Flurazepam;

198                   (24) Halazepam;

199                   (25) Haloxazolam;

200                   (26) Ketazolam;

201                   (27) Loprazolam;

202                   (28) Lorazepam;

203                   (29) Lormetazepam;

204                   (30) Mazindol;

205                   (31) Mebutamate;

206                   (32) Medazepam;

207                   (33) Meprobamate;

208                   (34) Methohexital;

209                   (35) Methylphenobarbital;

210                   (36) Midazolam;

211                   (37) Nimetazepam;

212                   (38) Nitrazepam;

213                   (39) Nordiazepam;

214                   (40) Oxazepam;

215                   (41) Oxazolam;

216                   (42) Paraldehyde;

217                   (43) Petrichloral;

218                   (44) Phenobarbital;

219                   (45) Pinazepam;

220                   (46) Prazepam;

221                   (47) Quazepam;

222                     (48) Temazepam;  
 223                     (49) Tetrazepam;  
 224                     (50) Triazolam;  
 225                     (51) Zaleplon;  
 226                     (52) Zolpidem.  
 227                     (c) Fenfluramine.  
 228                     (d) Any material, compound, mixture or preparation  
 229 which contains any quantity of the following substances:  
 230                       (1) Diethylpropion;  
 231                       (2) Phentermine;  
 232                       (3) Pemoline (including any organometallic  
 233 complexes or chelates thereof);  
 234                       (4) Pipradrol;  
 235                       (5) Sibutramine;  
 236                       (6) SPA ((-)-1-dimethylamino-1, 2-diphenylethane).  
 237                     (e) Any material, compound, mixture or preparation  
 238 which contains any quantity of the following substances:  
 239                       (1) Cathine ((+/-) Norpseudoeephedrine);  
 240                       (2) Fencamfamin;  
 241                       (3) Fenproporex;  
 242                       (4) Mefenorex;  
 243                       (5) Modafinil.  
 244                     (B) Any material, compound, mixture or preparation which  
 245 contains any quantity of a Schedule IV controlled substance and is  
 246 listed as an exempt substance in 21 C.F.R., Section 1308.22,  
 247 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the  
 248 provisions of the Uniform Controlled Substances Law.

249                     **SECTION 3.** Section 41-29-121, Mississippi Code of 1972, is  
 250 amended as follows:

251                     41-29-121. (A) The controlled substances listed in this  
 252 section are included in Schedule V:

253   **SCHEDULE V**



254 (a) Any compound, mixture or preparation containing  
255 limited quantities of any of the following narcotic drugs, which  
256 also contains one or more nonnarcotic active medicinal ingredients  
257 in sufficient proportion to confer upon the compound, mixture or  
258 preparation, valuable, medicinal qualities other than those  
259 possessed by the narcotic drug alone:

260 (1) Not more than two hundred (200) milligrams of  
261 codeine, or any of its salts, per one hundred (100) milliliters or  
262 per one hundred (100) grams;

263 (2) Not more than one hundred (100) milligrams of  
264 dihydrocodeine, or any of its salts, per one hundred (100)  
265 milliliters or per one hundred (100) grams;

266 (3) Not more than one hundred (100) milligrams of  
267 ethylmorphine, or any of its salts, per one hundred (100)  
268 milliliters or per one hundred (100) grams;

269 (4) Not more than two and five-tenths (2.5)  
270 milligrams of diphenoxylate and not less than twenty-five (25)  
271 micrograms of atropine sulphate per dosage unit;

272 (5) Not more than one hundred (100) milligrams of  
273 opium per one hundred (100) milliliters or per one hundred (100)  
274 grams;

275 (6) Not more than five-tenths (0.5) milligram of  
276 difenoxin and not less than twenty-five (25) micrograms of  
277 atropine sulfate per dosage unit.

278 \* \* \*

279 (b) Unless specifically excepted or listed in another  
280 schedule, any material, compound, mixture or preparation which  
281 contains any quantity of the following substances, including their  
282 salts, isomers and salts of isomers:

283 Pyrovalerone.

284 (B) Any material, compound, mixture or preparation which  
285 contains any quantity of a Schedule V controlled substance and is

286 listed as an exempt substance in 21 C.F.R., Section 1308.22,  
287 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the  
288 provisions of the Uniform Controlled Substances Law.

289 **SECTION 4.** (1) Except as provided in subsection (2) of this  
290 section, any compound, mixture or preparation containing any  
291 detectable quantity of pseudoephedrine, its salts or optical  
292 isomers ("pseudoephedrine product") shall only be dispensed, sold  
293 or distributed in a pharmacy, and shall be subject to the  
294 following requirements:

295 (a) A pseudoephedrine product shall be dispensed, sold  
296 or distributed only by a licensed pharmacist or registered  
297 pharmacy technician.

298 (b) A person purchasing, receiving or otherwise  
299 acquiring a pseudoephedrine product shall produce a photo  
300 identification showing the date of birth of the person and shall  
301 sign a written log or receipt showing the date of the transaction,  
302 the name of the person and the amount of the pseudoephedrine  
303 product.

304 (c) No person shall purchase, receive or otherwise  
305 acquire more than nine (9) grams of a pseudoephedrine product  
306 within any thirty-day period. However, this limit shall not apply  
307 to any quantity of a pseudoephedrine product that is dispensed  
308 under a valid prescription.

309 (2) Subsection (1) of this section does not apply to any  
310 compound, mixture or preparation containing pseudoephedrine that  
311 is in liquid, liquid capsule or gel capsule form if  
312 pseudoephedrine is not the only active ingredient.

313 (3) A person who violates any provision of this section is  
314 guilty of a felony and, upon conviction, shall be punished by a  
315 fine of not more than Five Thousand Dollars (\$5,000.00), or by  
316 imprisonment in the State Penitentiary for not more than three (3)  
317 years, or by both a fine and imprisonment.

318 (4) This section shall stand repealed on July 1, 2006.

319 **SECTION 5.** This act shall take effect and be in force from  
320 and after July 1, 2005.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 41-29-117, 41-29-119 AND 41-29-121,  
2 MISSISSIPPI CODE OF 1972, TO REVISE THE SCHEDULE OF CONTROLLED  
3 SUBSTANCES TO CONFORM WITH FEDERAL LAW; TO PROVIDE THAT PRODUCTS  
4 CONTAINING PSEUDOEPHEDRINE SHALL ONLY BE SOLD IN A PHARMACY, SHALL  
5 BE DISPENSED ONLY BY A LICENSED PHARMACIST OR REGISTERED PHARMACY  
6 TECHNICIAN, AND MAY BE PROVIDED TO THE PURCHASER ONLY AFTER THE  
7 PURCHASER HAS PRODUCED A PHOTO IDENTIFICATION AND SIGNED A WRITTEN  
8 LOG OR RECEIPT SHOWING CERTAIN INFORMATION; TO LIMIT THE AMOUNT OF  
9 PRODUCTS CONTAINING PSEUDOEPHEDRINE THAT A PERSON MAY PURCHASE  
10 WITHIN A THIRTY-DAY PERIOD; TO PROVIDE A CRIMINAL PENALTY FOR  
11 VIOLATIONS OF THE PREVIOUS PROVISIONS; AND FOR RELATED PURPOSES.