

By: Senator(s) Nunnelee

To: Public Health and Welfare

SENATE BILL NO. 2369

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; AND FOR RELATED PURPOSES.

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

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

7 41-29-117. (A) The controlled substances listed in this  
8 section are included in Schedule III.

9 **SCHEDULE III**

10 (a) Any material, compound, mixture, or preparation  
11 which contains any quantity of the following substances or their  
12 salts, isomers, or salts of isomers, of the following substances:

- 13 (1) Benzphetamine;
- 14 (2) Chlorphentermine;
- 15 (3) Clortermine;
- 16 (4) Phendimetrazine.

17 (b) Unless listed in another schedule, any material,  
18 compound, mixture, or preparation which contains any quantity of  
19 the following substances:

20 (1) Any substance which contains any quantity of a  
21 derivative of barbituric acid, or any salt of a derivative of  
22 barbituric acid, except those substances which are specifically  
23 listed in other schedules.

24 (2) Unless specifically excepted or unless listed  
25 in another schedule, any compound, mixture or preparation  
26 containing any of the following substances or any salt of the  
27 substances specifically included in this subsection (2) and one or

28 more other active medicinal ingredients which are not listed in  
29 any other schedule:

30 (i) Amobarbital;

31 (ii) Secobarbital;

32 (iii) Pentobarbital.

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

37 (i) Amobarbital;

38 (ii) Secobarbital;

39 (iii) Pentobarbital.

40 (4) Chlorhexadol;

41 (5) Any drug product containing

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

45 (6) Lysergic acid;

46 (7) Lysergic acid amide;

47 (8) Methyprylon;

48 (9) Sulfondiethylmethane;

49 (10) Sulfonethylmethane;

50 (11) Sulfonmethane;

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

52 other names for the tiletamine and zolazepam combination product  
53 include: telazol; other names for tiletamine include:

54 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for

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

56 8-trimethylpyrazolo - (3,4-e) (1,4)-diazepin-7 (1H)-one;

57 flupyrazapon.

58 (c) Nalorphine.

59 (d) Ketamine.

60 (e) Any material, compound, mixture, or preparation  
61 containing limited quantities of any of the following narcotic  
62 drugs, or any salts thereof:

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

67 (2) Not more than one and eight-tenths (1.8) grams  
68 of codeine, or any of its salts, per one hundred (100) milliliters  
69 or not more than ninety (90) milligrams per dosage unit, with one  
70 or more active, nonnarcotic ingredients in recognized therapeutic  
71 amounts;

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

77 (4) Not more than three hundred (300) milligrams  
78 of dihydrocodeinone, or any of its salts, per one hundred (100)  
79 milliliters or not more than fifteen (15) milligrams per dosage  
80 unit, with one or more active nonnarcotic ingredients in  
81 recognized therapeutic amounts;

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

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

92 (7) Not more than five hundred (500) milligrams of  
93 opium per one hundred (100) milliliters or per one hundred (100)  
94 grams, or not more than twenty-five (25) milligrams per dosage  
95 unit, with one or more active, nonnarcotic ingredients in  
96 recognized therapeutic amounts;

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

101 (f) Any material, compound, mixture or preparation  
102 containing any quantity of any of the following anabolic steroids,  
103 which means any drug or hormonal substance chemically and  
104 pharmacologically related to testosterone (other than estrogens,  
105 progestins and corticosteroids) that promotes muscle growth,  
106 unless listed in another schedule or excepted:

107 (1) Boldenone (dehydrotestosterone);

108 (2) Chlorotestosterone (clostebol,  
109 4-chlorotestosterone, 4-chlorotestosterone);

110 (3) Dehydrochlormethyltestosterone;

111 (4) Dihydrotestosterone (stanolone,  
112 4-dihydrotestosterone);

113 (5) Drostanolone;

114 (6) Ethylestrenol;

115 (7) Fluoxymesterone;

116 (8) Formebolone (formebolone);

117 (9) Mesterolone;

118 (10) Methandienone (methandrostenolone);

119 (11) Methandriol;

120 (12) Methenolone;

121 (13) Methyltestosterone;

122 (14) Mibolerone;

123 (15) Nandrolone;

124 (16) Norethandrolone;

125 (17) Oxandrolone;  
126 (18) Oxymesterone;  
127 (19) Oxymetholone;  
128 (20) Stanozolol;  
129 (21) Testolactone;  
130 (22) Testosterone;  
131 (23) Trenbolone;  
132 (24) Any salt, ester, or isomer of a drug or  
133 substance described or listed in this paragraph, if that salt,  
134 ester, or isomer promotes muscle growth;

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

137 (h) Any material compound, mixture or preparation which  
138 contains any quantity of pentazocine or its salts in oral dosage  
139 form;

140 (i) Dronabinol (synthetic) in sesame oil and  
141 encapsulated in a soft gelatin capsule in a United States Food and  
142 Drug Administration approved drug product.

143 (B) Any material, compound, mixture or preparation which  
144 contains any quantity of a Schedule III controlled substance and  
145 is listed as an exempt substance in 21 C.F.R., Section 1308.22,  
146 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the  
147 provisions of the Uniform Controlled Substances Law.

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

150 41-29-119. (A) The controlled substances listed in this  
151 section are included in Schedule IV.

#### 152 **SCHEDULE IV**

153 (a) Unless specifically excepted or unless listed in  
154 another schedule, any material, compound, mixture or preparation  
155 which contains limited quantities of the following narcotic drugs,  
156 or any salts thereof:

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

160 (2) Dextropropoxyphene, including its salts  
161 (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N,  
162 etc.).

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

165 (1) Alprazolam;

166 (2) Barbital;

167 (3) Bromazepam;

168 (4) Butorphanol;

169 (5) Camazepam;

170 (6) Chloral betaine;

171 (7) Chloral hydrate;

172 (8) Chlordiazepoxide and its salts, but does not  
173 include chlordiazepoxide hydrochloride and clidinium bromide or  
174 chlordiazepoxide and esterified estrogens;

175 (9) Clobazam;

176 (10) Clonazepam;

177 (11) Clorazepate;

178 (12) Clotiazepam;

179 (13) Cloxazolam;

180 (14) Delorazepam;

181 (15) Diazepam;

182 (16) Dichloralphenazone;

183 (17) Estazolam;

184 (18) Ethchlorvynol;

185 (19) Ethinamate;

186 (20) Ethyl loflazepate;

187 (21) Fludiazepam;

188 (22) Flunitrazepam;

189 (23) Flurazepam;

- 190                    (24) Halazepam;
- 191                    (25) Haloxazolam;
- 192                    (26) Ketazolam;
- 193                    (27) Loprazolam;
- 194                    (28) Lorazepam;
- 195                    (29) Lormetazepam;
- 196                    (30) Mazindol;
- 197                    (31) Mebutamate;
- 198                    (32) Medazepam;
- 199                    (33) Meprobamate;
- 200                    (34) Methohexital;
- 201                    (35) Methylphenobarbital;
- 202                    (36) Midazolam;
- 203                    (37) Nimetazepam;
- 204                    (38) Nitrazepam;
- 205                    (39) Nordiazepam;
- 206                    (40) Oxazepam;
- 207                    (41) Oxazolam;
- 208                    (42) Paraldehyde;
- 209                    (43) Petrichloral;
- 210                    (44) Phenobarbital;
- 211                    (45) Pinazepam;
- 212                    (46) Prazepam;
- 213                    (47) Quazepam;
- 214                    (48) Temazepam;
- 215                    (49) Tetrazepam;
- 216                    (50) Triazolam;
- 217                    (51) Zaleplon;
- 218                    (52) Zolpidem.
- 219                    (c) Fenfluramine.
- 220                    (d) Any material, compound, mixture or preparation
- 221 which contains any quantity of the following substances:
- 222                    (1) Diethylpropion;

- 223 (2) Phentermine;
- 224 (3) Pemoline (including any organometallic
- 225 complexes or chelates thereof);
- 226 (4) Pipradrol;
- 227 (5) Sibutramine;
- 228 (6) SPA ((-)-1-dimethylamino-1, 2-diphenylethane).

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

230 which contains any quantity of the following substances:

- 231 (1) Cathine ((+/-) Norpseudoephedrine);
- 232 (2) Fencamfamin;
- 233 (3) Fenproporex;
- 234 (4) Mefenorex;
- 235 (5) Modafinil.

236 (B) Any material, compound, mixture or preparation which

237 contains any quantity of a Schedule IV controlled substance and is

238 listed as an exempt substance in 21 C.F.R., Section 1308.22,

239 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the

240 provisions of the Uniform Controlled Substances Law.

241 **SECTION 3.** Section 41-29-121, Mississippi Code of 1972, is

242 amended as follows:

243 41-29-121. (A) The controlled substances listed in this

244 section are included in Schedule V:

245 **SCHEDULE V**

246 (a) Any compound, mixture or preparation containing

247 limited quantities of any of the following narcotic drugs, which

248 also contains one or more nonnarcotic active medicinal ingredients

249 in sufficient proportion to confer upon the compound, mixture or

250 preparation, valuable, medicinal qualities other than those

251 possessed by the narcotic drug alone:

- 252 (1) Not more than two hundred (200) milligrams of
- 253 codeine, or any of its salts, per one hundred (100) milliliters or
- 254 per one hundred (100) grams;



255 (2) Not more than one hundred (100) milligrams of  
256 dihydrocodeine, or any of its salts, per one hundred (100)  
257 milliliters or per one hundred (100) grams;

258 (3) Not more than one hundred (100) milligrams of  
259 ethylmorphine, or any of its salts, per one hundred (100)  
260 milliliters or per one hundred (100) grams;

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

264 (5) Not more than one hundred (100) milligrams of  
265 opium per one hundred (100) milliliters or per one hundred (100)  
266 grams;

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

270 \* \* \*

271 (b) Unless specifically excepted or listed in another  
272 schedule, any material, compound, mixture or preparation which  
273 contains any quantity of the following substances, including their  
274 salts, isomers and salts of isomers:

275 Pyrovalerone.

276 (B) Any material, compound, mixture or preparation which  
277 contains any quantity of a Schedule V controlled substance and is  
278 listed as an exempt substance in 21 C.F.R., Section 1308.22,  
279 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the  
280 provisions of the Uniform Controlled Substances Law.

281 **SECTION 4.** This act shall take effect and be in force from  
282 and after July 1, 2006.