

**Replace By Substitute
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 4

BY: Committee

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

7 **SECTION 1.** Section 41-29-115, Mississippi Code of 1972, is
8 amended as follows:

9 41-29-115. (a) The controlled substances listed in this
10 section, by whatever official name, common or usual name, chemical
11 name, or brand name designated, are included in Schedule II.

12 **SCHEDULE II**

13 (b) **Substances, vegetable origin or chemical synthesis.**

14 Unless specifically excepted or unless listed in other schedules,
15 any of the following substances, whether produced directly or
16 indirectly by extraction from substances of vegetable origin, or



17 independently by means of chemical synthesis, or by combination of
18 extraction and chemical synthesis:

19 (1) Opium and opiate, and any salt, compound,
20 derivative, or preparation of opium or opiate, excluding
21 apomorphine, thebaine-derived butorphanol, dextrorphan,
22 nalbuphine, naldemedine, nalmeffene, naloxegol, naloxone and
23 naltrexone, but including the following:

- 24 (i) Codeine;
- 25 (ii) Dihydroetorphine;
- 26 (iii) Ethylmorphine;
- 27 (iv) Etorphine hydrochloride;
- 28 (v) Granulated opium;
- 29 (vi) Hydrocodone, whether alone or in combination
30 with any material, compound, mixture or preparation;
- 31 (vii) Hydromorphone;
- 32 (viii) Metopon;
- 33 (ix) Morphine;
- 34 (x) Opium extracts;
- 35 (xi) Opium fluid extracts;
- 36 (xii) Oripavine;
- 37 (xiii) Oxycodone;
- 38 (xiv) Oxymorphone;
- 39 (xv) Powdered opium;
- 40 (xvi) Raw opium;
- 41 (xvii) Thebaine;



42 (xviii) Tincture of opium;

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

47 (3) Opium poppy and poppy straw;

48 (4) Coca leaves and any salt, compound, derivative, or
49 preparation of cocaine or coca leaves, including cocaine and
50 ecgonine and any salt, compound, derivative, isomer, or
51 preparation thereof which is chemically equivalent or identical
52 with any of these substances, but not including:

53 (i) Decocainized coca leaves or extraction of coca
54 leaves, which extractions do not contain cocaine or ecgonine; or
55 (ii) Ioflupane;

56 (5) Concentrate of poppy straw (the crude extract of
57 poppy straw in either liquid, solid or powder form which contains
58 the phenanthrene alkaloids of the opium poppy).

59 (c) **Opiates.** Any of the following opiates, including their
60 isomers, esters, ethers, salts, and salts of isomers, whenever the
61 existence of these isomers, esters, ethers and salts is possible
62 within the specified chemical designation, dextrorphan and
63 levopropoxyphene excepted:

64 (1) Alfentanil;

65 (2) Alphaprodine;

66 (3) Anileridine;



67 (4) Bezitramide;
68 (5) Bulk dextropropoxyphene (nondosage forms);
69 (6) Carfentanil;
70 (7) Dihydrocodeine;
71 (8) Diphenoxylate;
72 (9) Fentanyl;
73 (10) Isomethadone;
74 (11) Levo-alpha-acetylmethadol
75 (levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
76 (12) Levomethorphan;
77 (13) Levorphanol;
78 (14) Metazocine;
79 (15) Methadone;
80 (16) Methadone-intermediate,
81 4-cyano-2-dimethylamino-4,4-diphenyl butane;
82 (17) Moramide-intermediate,
83 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
84 (18) Oliceridine
85 (N-[(3-methoxythiophen-2-yl)methyl]({2-[(9R)-9-(pyridin-2-yl)-6-
86 oxaspiro[4.5]decan-9-yl]ethyl})amine);
87 (19) Pethidine (meperidine);
88 (20) Pethidine-Intermediate-A,
89 4-cyano-1-methyl-4-phenylpiperidine;
90 (21) Pethidine-Intermediate-B,
91 ethyl-4-phenylpiperidine-4-carboxylate;



92 (22) Pethidine-Intermediate-C,
93 1-methyl-4-phenylpiperidine-4-carboxylic acid;
94 (23) Phenazocine;
95 (24) Piminodine;
96 (25) Racemethorphan;
97 (26) Racemorphan;
98 (27) Remifentanil;
99 (28) Sufentanil;
100 (29) Tapentadol;
101 (30) Thiafentanil, methyl
102 4-(2-methoxy-N-phenylacetamido)-1-(2-(thiophen-2-yl)ethyl)
103 piperidine-4-carboxylate).

104 (d) **Stimulants.** Any material, compound, mixture, or
105 preparation which contains any quantity of the following
106 substances:

107 (1) Amphetamine, its salts, optical isomers, and salts
108 of its optical isomers;

109 (2) Phenmetrazine and its salts;

110 (3) Any substance which contains any quantity of
111 methamphetamine, including its salts, isomers, and salts of
112 isomers;

113 (4) Methylphenidate and its salts;

114 (5) Lisdexamfetamine, its salts, isomers and salts of
115 isomers.



116 (e) **Depressants.** Unless specifically exempted or unless
117 listed in another schedule, any material, compound, mixture, or
118 preparation which contains any quantity of the following
119 substances:

- 120 (1) Amobarbital;
- 121 (2) Secobarbital;
- 122 (3) Pentobarbital;
- 123 (4) Glutethimide.

124 (f) **Hallucinogenic substances.**

- 125 (1) Dronabinol oral solution
126 [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)];
- 127 (2) Nabilone [other names include:
128 (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-
129 hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one].

130 (g) **Immediate precursors.** Unless specifically excepted or
131 unless listed in another schedule, any material, compound,
132 mixture, or preparation which contains any quantity of the
133 following substances:

- 134 (1) Amphetamine and methamphetamine immediate
135 precursor: Phenylacetone (other names include:
136 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl
137 ketone);
- 138 (2) Phencyclidine immediate precursors:
 - 139 (i) 1-phenylcyclohexylamine;
 - 140 (ii) 1-piperidinocyclohexanecarbonitrile (PCC);



141 (3) Fentanyl immediate precursor:

142 4-anilino-N-phenethyl-4-piperidine (ANPP).

143 (h) Tianeptine

144 7-((3-chloro-6-methyl-5,5-dioxido-6,11-dihydrodibenzo[c,f][1,2]thi
145 azepin-11-yl)amino)heptanoic acid.

146 (i) Any material, compound, mixture or preparation which
147 contains any quantity of a Schedule II controlled substance and is
148 listed as an exempt substance in 21 CFR, Section 1308.24 or
149 1308.32, shall be exempted from the provisions of the Uniform
150 Controlled Substances Law.

151 **SECTION 2.** This act shall take effect and be in force from
152 and after July 1, 2023.

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

1 AN ACT TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972,
2 TO INCLUDE TIANEPTINE AS A SCHEDULE II CONTROLLED SUBSTANCE
3 BECAUSE IT HAS A RECOGNIZED MEDICAL USE BUT HAS A HIGH POTENTIAL
4 FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL
5 DEPENDENCE; AND FOR RELATED PURPOSES.

