

PROPOSED
SENATE AMENDMENTS TO H.B. 2253
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-3401, Arizona Revised Statutes, is amended to
3 read:

4 13-3401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Administer" means to apply, inject or facilitate the inhalation
7 or ingestion of a substance to the body of a person.

8 2. "Amidone" means any substance identified chemically as
9 (4-4-diphenyl-6-dimethylamine-heptanone-3), or any salt of such substance,
10 by whatever trade name designated.

11 3. "Board" means the Arizona state board of pharmacy.

12 4. "Cannabis" means the following substances under whatever names
13 they may be designated:

14 (a) The resin extracted from any part of a plant of the genus
15 cannabis, and every compound, manufacture, salt, derivative, mixture or
16 preparation of such plant, its seeds or its resin. Cannabis does not
17 include oil or cake made from the seeds of such plant, any fiber, compound,
18 manufacture, salt, derivative, mixture or preparation of the mature stalks
19 of such plant except the resin extracted from the stalks or any fiber, oil
20 or cake or the sterilized seed of such plant which is incapable of
21 germination.

22 (b) Every compound, manufacture, salt, derivative, mixture or
23 preparation of such resin or tetrahydrocannabinol.

1 5. "Coca leaves" means cocaine, its optical isomers and any
2 compound, manufacture, salt, derivative, mixture or preparation of coca
3 leaves, except derivatives of coca leaves which do not contain cocaine,
4 ecgonine or substances from which cocaine or ecgonine may be synthesized or
5 made.

6 6. "Dangerous drug" means the following by whatever official,
7 common, usual, chemical or trade name designated:

8 (a) Any material, compound, mixture or preparation that contains any
9 quantity of the following hallucinogenic substances and their salts,
10 isomers, whether optical, positional or geometric, and salts of isomers,
11 unless specifically excepted, whenever the existence of such salts, isomers
12 and salts of isomers is possible within the specific chemical designation:

- 13 (i) Alpha-ethyltryptamine.
14 (ii) Alpha-methyltryptamine.
15 (iii) (2-aminopropyl) benzofuran (APB).
16 (iv) (2-aminopropyl)-2, 3-dihydrobenzofuran (APDB).
17 (v) Aminorex.
18 (vi) 4-bromo-2, 5-dimethoxyphenethylamine.
19 (vii) 4-bromo-2, 5-dimethoxyamphetamine.
20 (viii) Bufotenine.
21 (ix) [3-(3-carbamoylphenyl)phenyl]N-cyclohexyl carbamate (URB-597).
22 (x) Diethyltryptamine.
23 (xi) 2, 5-dimethoxyamphetamine.
24 (xii) Dimethyltryptamine.
25 (xiii) (2-ethylaminopropyl)-benzofuran (EAPB).
26 (xiv) 5-methoxy-alpha-methyltryptamine.
27 (xv) 5-methoxy-3, 4-methylenedioxyamphetamine.
28 (xvi) 4-methyl-2, 5-dimethoxyamphetamine.
29 (xvii) (2-methylaminopropyl)-benzofuran (MAPB).
30 (xviii) Ibogaine.
31 (xix) Lysergic acid amide.
32 (xx) Lysergic acid diethylamide.

- 1 (xxi) Mescaline.
- 2 (xxii) 4-methoxyamphetamine.
- 3 (xxiii) Methoxymethylenedioxyamphetamine (MMDA).
- 4 (xxiv) Methylenedioxyamphetamine (MDA).
- 5 (xxv) 3, 4-methylenedioxyamphetamine.
- 6 (xxvi) 3, 4-methylenedioxy-N-ethylamphetamine.
- 7 (xxvii) N-ethyl-3-piperidyl benzilate (JB-318).
- 8 (xxviii) N-hydroxy-3, 4-methylenedioxyamphetamine.
- 9 (xxix) N-methyl-3-piperidyl benzilate (JB-336).
- 10 (xxx) N-methyltryptamine mimetic substances that are any substances
11 derived from N-methyltryptamine by any substitution at the nitrogen, any
12 substitution at the indole ring, any substitution at the alpha carbon, any
13 substitution at the beta carbon or any combination of the above.
14 N-methyltryptamine mimetic substances do not include melatonin
15 (5-methoxy n-acetyltryptamine). Substances in the N-methyltryptamine
16 generic definition include AcO-DMT, Baeocystine, Bromo-DALT, DiPT, DMT,
17 DPT, HO-DET, HO-DiPT, HO-DMT, HO-DPT, HO-MET, MeO-DALT, MeO-DET, MeO-DiPT,
18 MeO-DMT, MeO-DPT, MeO-NMT, MET, NMT and Norbufotenin.
- 19 (xxxix) N-(1-phenylcyclohexyl) ethylamine (PCE).
- 20 (xxxix) Nabilone.
- 21 (xxxix) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
- 22 (xxxix) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
- 23 (xxxix) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
- 24 (xxxix) Para-methoxyamphetamine (PMA).
- 25 (xxxix) Psilacetin.
- 26 (xxxix) Psilocybin.
- 27 (xxxix) Psilocyn.
- 28 (xl) Synhexyl.
- 29 (xli) Trifluoromethylphenylpiperazine (TFMPP).
- 30 (xlii) Trimethoxyamphetamine (TMA).
- 31 (xliii) 1-pentyl-3-(naphthoyl)indole (JWH-018 and isomers).
- 32 (xliv) 1-butyl-3-(naphthoyl)indole (JWH-073 and isomers).

1 (xlv) 1-hexyl-3-(naphthoyl)indole (JWH-019 and isomers).

2 (xlvi) 1-pentyl-3-(4-chloro naphthoyl)indole (JWH-398 and isomers).

3 (xlvii) 1-(2-(4-(morpholinyl)ethyl))-3-(naphthoyl)indole (JWH-200
4 and isomers).

5 (xlviii) 1-pentyl-3-(methoxyphenylacetyl)indole (JWH-250 and
6 isomers).

7 (xlix) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone
8 (JWH-015 and isomers).

9 (l) (6AR, 10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-
10 yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol) (HU-210).

11 (li) 5-(1,1-dimethylheptyl)-2-(3-hydroxycyclohexyl)-phenol
12 (CP 47,497 and isomers).

13 (lii) 5-(1,1-dimethyloctyl)-2-(3-hydroxycyclohexyl)-phenol
14 (cannabicyclohexanol, CP-47,497 C8 homologue and isomers).

15 (b) Any material, compound, mixture or preparation that contains any
16 quantity of cannabimimetic substances and their salts, isomers, whether
17 optical, positional or geometric, and salts of isomers, unless specifically
18 excepted, whenever the existence of such salts, isomers and salts of
19 isomers is possible within the specific chemical designation. For the
20 purposes of this subdivision, "cannabimimetic substances" means any
21 substances within the following structural classes:

22 (i) 2-(3-hydroxycyclohexyl)phenol with substitution at the
23 5-position of the phenolic ring by alkyl or alkenyl, whether or not
24 substituted on the cyclohexyl ring to any extent. Substances in the
25 2-(3-hydroxycyclohexyl)phenol generic definition include CP-47,497,
26 CP-47,497 C8-Homolog, CP-55,940 and CP-56,667.

27 (ii) 3-(naphthoyl)indole or 3-(naphthylmethane)indole by
28 substitution at the nitrogen atom of the indole ring, whether or not
29 further substituted on the indole ring to any extent, whether or not
30 substituted on the naphthoyl or naphthyl ring to any extent. Substances in
31 the 3-(naphthoyl)indole generic definition include AM-678, AM-2201,
32 JWH-004, JWH-007, JWH-009, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020,

1 JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072,
2 JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096,
3 JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-175, JWH-180,
4 JWH-181, JWH-182, JWH-184, JWH-185, JWH-189, JWH-192, JWH-193, JWH-194,
5 JWH-195, JWH-196, JWH-197, JWH-199, JWH-200, JWH-210, JWH-211, JWH-212,
6 JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242,
7 JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399,
8 JWH-400, JWH-412, JWH-413, JWH-414 and JWH-415.

9 (iii) 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole by
10 substitution at one or both of the nitrogen atoms of the indazole ring,
11 whether or not further substituted on the indazole ring to any extent,
12 whether or not substituted on the naphthoyl ring to any extent. Substances
13 in the 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole generic
14 definition include THJ2201 and THJ-018.

15 (iv) 3-(naphthoyl)pyrrole by substitution at the nitrogen atom of
16 the pyrrole ring, whether or not further substituted in the pyrrole ring to
17 any extent, whether or not substituted on the naphthoyl ring to any extent.
18 Substances in the 3-(naphthoyl)pyrrole generic definition include JWH-030,
19 JWH-145, JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244, JWH-245,
20 JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-346, JWH-348, JWH-363,
21 JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371, JWH-373 and
22 JWH-392.

23 (v) 1-(naphthylmethylene)indene by substitution of the 3-position of
24 the indene ring, whether or not further substituted in the indene ring to
25 any extent, whether or not substituted on the naphthyl ring to any extent.
26 Substances in the 1-(naphthylmethylene)indene generic definition include
27 JWH-176.

28 (vi) 3-(phenylacetyl)indole or 3-(benzoyl)indole by substitution at
29 the nitrogen atom of the indole ring, whether or not further substituted in
30 the indole ring to any extent, whether or not substituted on the phenyl
31 ring to any extent. Substances in the 3-(phenylacetyl)indole generic
32 definition include AM-694, AM-2233, JWH-167, JWH-201, JWH-202, JWH-203,

1 JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH--237, JWH-248,
2 JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306,
3 JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-4, RCS-8, SR-18
4 and SR-19.

5 (vii) 3-(cyclopropylmethanone) indole or 3-(cyclobutylmethanone)
6 indole or 3-(cyclopentylmethanone) indole by substitution at the nitrogen
7 atom of the indole ring, whether or not further substituted in the indole
8 ring to any extent, whether or not substituted on the cyclopropyl,
9 cyclobutyl or cyclopentyl rings to any extent. Substances in the
10 3-(cyclopropylmethanone) indole generic definition include UR-144,
11 fluoro-UR-144 and XLR-11.

12 (viii) 3-adamantoylindole with substitution at the nitrogen atom of
13 the indole ring, whether or not further substituted on the indole ring to
14 any extent, whether or not substituted on the adamantyl ring to any
15 extent. Substances in the 3-adamantoylindole generic definition include
16 AB-001.

17 (ix) N-(adamantyl)-indole-3-carboxamide with substitution at the
18 nitrogen atom of the indole ring, whether or not further substituted on the
19 indole ring to any extent, whether or not substituted on the adamantyl ring
20 to any extent. Substances in the N-(adamantyl)-indole-3-carboxamide
21 generic definition include SDB-001.

22 (x) Indole-3-carboxamide or indazole-3-carboxamide with substitution
23 at the nitrogen atom of the indole ring or by substitution at one or both
24 of the nitrogen atoms of the indazole ring, whether or not further
25 substituted on the indole ring or the indazole ring to any extent, whether
26 or not substituted on the nitrogen of the carboxamide to any extent.
27 Substances in the indole-3-carboxamide or indazole-3-carboxamide generic
28 definition include AKB-48, fluoro-AKB-48, APINACA, AB-PINACA, AB-FUBINACA,
29 ABICA and ADBICA.

30 (xi) 8-Quinolinylnyl-indole-3-carboxylate or 8-quinolinylnyl-indazole-3-
31 carboxylate by substitution at the nitrogen atom of the indole ring or by
32 substitution at one or both of the nitrogen atoms of the indazole ring,

1 whether or not further substituted in the indole ring or indazole ring to
2 any extent, whether or not substituted on the quinoline ring to any extent.
3 Substances in the 8-quinolinyl-indole-3-carboxylate or the
4 8-quinolinyl-indazole-3-carboxylate generic definition include PB-22,
5 fluoro-PB-22, NPB-22 and fluoro-NPB-22.

6 (xii) Naphthalenyl-indole-3-carboxylate or naphthalenyl-indazole-3-
7 carboxylate by substitution at the nitrogen atom of the indole ring or by
8 substitution at one or both of the nitrogen atoms of the indazole ring,
9 whether or not further substituted in the indole or indazole ring to any
10 extent, whether or not substituted on the naphthalenyl ring to any extent.
11 Substances in the naphthalenyl-indole-3-carboxylate or
12 naphthalenyl-indazole-3-carboxylate generic definition include NM2201,
13 FDU-PB-22, SDB-005 and fluoro SDB-005.

14 (c) Any material, compound, mixture or preparation that contains any
15 quantity of the following substances and their salts, isomers, whether
16 optical, positional or geometric, and salts of isomers having a potential
17 for abuse associated with a stimulant effect on the central nervous system:

18 (i) Alpha-pyrrolidinobutiophenone (Alpha-PBP).

19 (ii) Alpha-pyrrolidinopropiophenone (Alpha-PPP).

20 (iii) Alpha-pyrrolidinovalerophenone (Alpha-PVP).

21 (iv) Alpha-pyrrolidinovalerothiophenone (Alpha-PVT).

22 (v) Aminoindane mimetic substances that are derived from aminoindane
23 by any substitution at the indane ring, replacement of the amino group with
24 another N group or any combination of the above. Substances in the
25 aminoindane generic definition include MDAI, MMAI, IAI and AMMI.

26 (vi) Amphetamine.

27 (vii) Benzphetamine.

28 (viii) Benzylpiperazine (BZP).

29 (ix) Beta-keto-n-methylbenzodioxolylbutanamine (Butylone).

30 (x) Beta-keto-n-methylbenzodioxolylpentanamine (Pentylone).

31 (xi) Butorphanol.

32 (xii) Cathine ((+)-norpseudoephedrine).

1 (xiii) Cathinomimetic substances that are any substances derived
2 from cathinone, (2-amino-1-phenyl-1-propanone) by any substitution at the
3 phenyl ring, any substitution at the 3 position, any substitution at the
4 nitrogen atom or any combination of the above substitutions.

5 (xiv) Cathinone.

6 (xv) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).

7 (xvi) Chlorphentermine.

8 (xvii) Clortermine.

9 (xviii) Diethylpropion.

10 (xix) Dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI).

11 (xx) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).

12 (xxi) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

13 (xxii) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).

14 (xxiii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

15 (xxiv) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).

16 (xxv) Dimethylcathinone (Metamfepramone).

17 (xxvi) Ethcathinone.

18 (xxvii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).

19 (xxviii) Fencamfamin.

20 (xxix) Fenethylline.

21 (xxx) Fenproporex.

22 (xxxii) Fluoroamphetamine.

23 (xxxiii) Fluoromethamphetamine.

24 (xxxiv) Fluoromethcathinone.

25 (xxxv) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).

26 (xxxvi) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine(2C-T-4).

27 (xxxvii) Mazindol.

28 (xxxviii) Mefenorex.

29 (xxxix) Methamphetamine.

30 (xl) Methcathinone.

31 (xli) Methiopropamine.

32 (xlii) Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).

1 (xlii) Methoxymethcathinone (methedrone).

2 (xliii) Methoxyphenethylamine mimetic substances that are any
3 substances derived from 2, 5-dimethoxy-phenethylamine by any substitution
4 at the phenyl ring, any substitution at the nitrogen atom, any
5 substitutions at the carbon atoms of the ethylamine, or any combination of
6 the above substitutions.

7 (xliv) 4-methylaminorex.

8 (xlv) Methyl-a-pyrrolidinobutiophenone (MPBP).

9 (xlvi) Methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP).

10 (xlvii) Methylenedioxyethcathinone (Ethylone).

11 (xlviii) Methylenedioxymethcathinone (Methylone).

12 (xlix) Methylenedioxypyrovalerone (MDPV).

13 (l) Methylmethcathinone (Mephedrone).

14 (li) Methylphenidate.

15 (lii) Modafinil.

16 (liii) Naphthylpyrovalerone (Naphyrone).

17 (liv) N-ethylamphetamine.

18 (lv) N, N-dimethylamphetamine.

19 (lvi) Pemoline.

20 (lvii) Phendimetrazine.

21 (lviii) Phenmetrazine.

22 (lix) Phentermine.

23 (lx) Pipradol.

24 (lxi) Propylhexedrine.

25 (lxii) Pyrovalerone.

26 (lxiii) Sibutramine.

27 (lxiv) Spa ((-)-1-dimethylamino-1,2-diphenylethane).

28 (d) Any material, compound, mixture or preparation that contains any
29 quantity of the following substances having a potential for abuse
30 associated with a depressant effect on the central nervous system:

- 1 (i) Any substance which contains any quantity of a derivative of
2 barbituric acid, or any salt of a derivative of barbituric acid, unless
3 specifically excepted.
- 4 (ii) Alprazolam.
5 (iii) Bromazepam.
6 (iv) Camazepam.
7 (v) Carisoprodol.
8 (vi) Chloral betaine.
9 (vii) Chloral hydrate.
10 (viii) Chlordiazepoxide.
11 (ix) Chlorhexadol.
12 (x) Clobazam.
13 (xi) Clonazepam.
14 (xii) Clorazepate.
15 (xiii) Clotiazepam.
16 (xiv) Cloxazolam.
17 (xv) Delorazepam.
18 (xvi) Diazepam.
19 (xvii) Dichloralphenazone.
20 (xviii) Estazolam.
21 (xix) Ethchlorvynol.
22 (xx) Ethinamate.
23 (xxi) Ethyl loflazepate.
24 (xxii) Etizolam.
25 (xxiii) Fenfluramine.
26 (xxiv) Fludiazepam.
27 (xxv) Flunitrazepam.
28 (xxvi) Flurazepam.
29 (xxvii) Gamma hydroxy butyrate.
30 (xxviii) Glutethimide.
31 (xxix) Halazepam.
32 (xxx) Haloxazolam.

- 1 (xxxi) Hydroxyphencyclidine (HO-PCP).
- 2 (xxxii) Ketamine.
- 3 (xxxiii) Ketazolam.
- 4 (xxxiv) Loprazolam.
- 5 (xxxv) Lorazepam.
- 6 (xxxvi) Lormetazepam.
- 7 (xxxvii) Lysergic acid.
- 8 (xxxviii) Mebutamate.
- 9 (xxxix) Mecloqualone.
- 10 (xl) Medazepam.
- 11 (xli) Meprobamate.
- 12 (xlii) Methaqualone.
- 13 (xliii) Methohexital.
- 14 (xliv) 2-(methoxyphenyl)-2-(ethylamino)cyclohexanone(Methoxetamine).
- 15 (xlv) 2-(methoxyphenyl)-2-(methylamino)cyclohexanone
- 16 (Methoxyketamine).
- 17 (xlvi) Methoxyphencyclidine(MeO-PCP).
- 18 (xlvii) Methyprylon.
- 19 (xlviii) Midazolam.
- 20 (xlix) Nimetazepam.
- 21 (l) Nitrazepam.
- 22 (li) Nordiazepam.
- 23 (lii) Oxazepam.
- 24 (liii) Oxazolam.
- 25 (liv) Paraldehyde.
- 26 (lv) Petrichloral.
- 27 (lvi) Phencyclidine (PCP).
- 28 (lvii) Phencyclidine mimetic substances that are any substances
- 29 derived from phenylcyclohexylpiperidine by any substitution at the phenyl
- 30 ring, any substitution at the piperidine ring, any substitution at the
- 31 cyclohexyl ring, any replacement of the phenyl ring or any combination of
- 32 the above. Substances in the phenylcyclohexylpiperidine generic definition

1 include Amino-PCP, BCP, Bromo-PCP, BTCP, Chloro-PCP, Fluoro-PCP, HO-PCP,
2 MeO-PCP, Methyl-PCP, Nitro-PCP, Oxo-PCP, PCE, PCM, PCPY, TCP and TCPY.

3 (lviii) Pinazepam.

4 (lix) Prazepam.

5 (lx) Scopolamine.

6 (lxi) Sulfondiethylmethane.

7 (lxii) Sulfonethylmethane.

8 (lxiii) Sulfonmethane.

9 (lxiv) Quazepam.

10 (lxv) Temazepam.

11 (lxvi) Tetrazepam.

12 (lxvii) Tiletamine.

13 (lxviii) Triazolam.

14 (lxix) Zaleplon.

15 (lxx) Zolazepam.

16 (lxxi) Zolpidem.

17 (lxxii) Zopiclone.

18 (e) Any material, compound, mixture or preparation that contains any
19 quantity of the following anabolic steroids and their salts, isomers or
20 esters:

21 (i) Boldenone.

22 (ii) Clostebol (4-chlorotestosterone).

23 (iii) Dehydrochloromethyltestosterone.

24 (iv) Drostanolone.

25 (v) Ethylestrenol.

26 (vi) Fluoxymesterone.

27 (vii) Formebolone (formebolone).

28 (viii) Mesterolone.

29 (ix) Methandriol.

30 (x) Methandrostenolone (methandienone).

31 (xi) Methenolone.

32 (xii) Methyltestosterone.

- 1 (xiii) Mibolerone.
- 2 (xiv) Nandrolone.
- 3 (xv) Norethandrolon.
- 4 (xvi) Oxandrolone.
- 5 (xvii) Oxymesterone.
- 6 (xviii) Oxymetholone.
- 7 (xix) Stanolone (4-dihydrotestosterone).
- 8 (xx) Stanozolol.
- 9 (xxi) Testolactone.
- 10 (xxii) Testosterone.
- 11 (xxiii) Trenbolone.

12 7. "Deliver" means the actual, constructive or attempted exchange
13 from one person to another, whether or not there is an agency relationship.

14 8. "Director" means the director of the department of health
15 services.

16 9. "Dispense" means distribute, leave with, give away, dispose of or
17 deliver.

18 10. "Drug court program" means a program that is established
19 pursuant to section 13-3422 by the presiding judge of the superior court in
20 cooperation with the county attorney in a county for the purpose of
21 prosecuting, adjudicating and treating drug dependent persons who meet the
22 criteria and guidelines for entry into the program that are developed and
23 agreed on by the presiding judge and the prosecutor.

24 11. "Drug dependent person" means a person who is using a substance
25 that is listed in paragraph 6, 19, 20, 21 or 28 of this section and who is
26 in a state of psychological or physical dependence, or both, arising from
27 the use of that substance.

28 12. "Federal act" has the same meaning prescribed in section
29 32-1901.

30 13. "Isoamidone" means any substance identified chemically as
31 (4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3), or any salt of such
32 substance, by whatever trade name designated.

1 14. "Isonipecaine" means any substance identified chemically as
2 (1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester), or any salt
3 of such substance, by whatever trade name designated.

4 15. "Ketobemidone" means any substance identified chemically as
5 (4-(3-hydroxyphenyl)-1-methyl-4-piperidylethyl ketone hydrochloride), or
6 any salt of such substance, by whatever trade name designated.

7 16. "Licensed" or "permitted" means authorized by the laws of this
8 state to do certain things.

9 17. "Manufacture" means produce, prepare, propagate, compound, mix
10 or process, directly or indirectly, by extraction from substances of
11 natural origin or independently by means of chemical synthesis, or by a
12 combination of extraction and chemical synthesis. Manufacture includes any
13 packaging or repackaging or labeling or relabeling of containers.
14 Manufacture does not include any producing, preparing, propagating,
15 compounding, mixing, processing, packaging or labeling done in conformity
16 with applicable state and local laws and rules by a licensed practitioner
17 incident to and in the course of his licensed practice.

18 18. "Manufacturer" means a person who manufactures a narcotic or
19 dangerous drug or other substance controlled by this chapter.

20 19. "Marijuana" means all parts of any plant of the genus cannabis,
21 from which the resin has not been extracted, whether growing or not, and
22 the seeds of such plant. Marijuana does not include the mature stalks of
23 such plant or the sterilized seed of such plant which is incapable of
24 germination.

25 20. "Narcotic drugs" means the following, whether of natural or
26 synthetic origin and any substance neither chemically nor physically
27 distinguishable from them:

- 28 (a) Acetyl-alpha-methylfentanyl.
- 29 (b) Acetylmethadol.
- 30 (c) Alfentanil.
- 31 (d) Allylprodine.
- 32 (e) Alphacetylmethadol.

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- 1 (f) Alphameprodine.
2 (g) Alphamethadol.
3 (h) Alpha-methylfentanyl.
4 (i) Alpha-methylthiofentanyl.
5 (j) Alphaprodine.
6 (k) Amidone (methadone).
7 (l) Anileridine.
8 (m) Benzethidine.
9 (n) Benzylfentanyl.
10 (o) Betacetylmethadol.
11 (p) Beta-hydroxyfentanyl.
12 (q) Beta-hydroxy-3-methylfentanyl.
13 (r) Betameprodine.
14 (s) Betamethadol.
15 (t) Betaprodine.
16 (u) Bezitramide.
17 (v) Buprenorphine and its salts.
18 (w) Cannabis.
19 (x) Carfentanil.
20 (y) 4-chloro-n-[-1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]benze
21 nesulfonamide (W-18).
22 (z) 4-chloro-n-[1-(2-phenylethyl)-2-piperidinylidene]
23 benzenesulfonamide (W-15).
24 (aa) Clonitazene.
25 (bb) Coca leaves.
26 (cc) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45).
27 (dd) Dextromoramide.
28 (ee) Dextropropoxyphene.
29 (ff) Diampromide.
30 (gg) 3,4-dichloro-n-(-[1-(dimethylamino)cyclohexyl]methyl)-benzamide
31 (AH-7921).

- 1 (hh) 3,4-dichloro-n-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide
2 (U-47700).
- 3 (ii) Diethylthiambutene.
4 (jj) DifenoXin.
5 (kk) Dihydrocodeine.
6 (ll) Dimenoxadol.
7 (mm) Dimepheptanol.
8 (nn) Dimethylthiambutene.
9 (oo) Dioxaphetyl butyrate.
10 (pp) Diphenidine (DEP).
11 (qq) Diphenoxylate.
12 (rr) Dipipanone.
13 (ss) Ephenidine.
14 (tt) Ethylmethylthiambutene.
15 (uu) Etonitazene.
16 (vv) EtoXeridine.
17 (ww) Fentanyl.
18 (xx) Fentanyl mimetic substances that are any substances derived
19 from fentanyl by any substitution in the phenethyl group, any substitution
20 in the piperidine ring, any substitution in the aniline ring, any
21 replacement of the phenyl portion of the phenethyl group, any replacement
22 of the N-propionyl group or any combination of the above.
- 23 (yy) Furethidine.
24 (zz) Hydroxypethidine.
25 (aaa) Isoamidone (isomethadone).
26 (bbb) Isophenidine.
27 (ccc) Pethidine (meperidine).
28 (ddd) Ketobemidone.
29 (eee) Lefetamine.
30 (fff) Levomethorphan.
31 (ggg) Levomoramide.
32 (hhh) Levophenacymorphan.

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- 1 (iii) Levorphanol.
- 2 (jjj) Metazocine.
- 3 (kkk) Methoxphenidine (MXP).
- 4 (lll) 3-methylfentanyl.
- 5 (mmm) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
- 6 (nnn) 3-methylthiofentanyl.
- 7 (ooo) Morpheridine.
- 8 (ppp) Noracymethadol.
- 9 (qqq) Norlevorphanol.
- 10 (rrr) Normethadone.
- 11 (sss) Norpipanone.
- 12 (ttt) Opium.
- 13 (uuu) Para-fluorofentanyl.
- 14 (vvv) Pentazocine.
- 15 (www) Phenadoxone.
- 16 (xxx) Phenampromide.
- 17 (yyy) Phenazocine.
- 18 (zzz) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
- 19 (aaaa) Phenomorphan.
- 20 (bbbb) Phenoperidine.
- 21 (cccc) Piminodine.
- 22 (dddd) Piritramide.
- 23 (eeee) Proheptazine.
- 24 (ffff) Properidine.
- 25 (gggg) Propiram.
- 26 (hhhh) Racemethorphan.
- 27 (iiii) Racemoramide.
- 28 (jjjj) Racemorphan.
- 29 (kkkk) Remifentanil.
- 30 (llll) Sufentanil.
- 31 (mmmm) Thenylfentanyl.
- 32 (nnnn) Thiofentanyl.

1 (oooo) Tilidine.

2 (pppp) Tramadol, 2-[[dimethylamino)methyl]-1-(3-methoxyphenyl)
3 cyclohexanol, and its salts, optical and geometric isomers, and its salts
4 of isomers.

5 (qqqq) Trimeperidine.

6 21. "Opium" means any compound, manufacture, salt, isomer, salt of
7 isomer, derivative, mixture or preparation of the following, but does not
8 include apomorphine or any of its salts:

- 9 (a) Acetorphine.
- 10 (b) Acetyldihydrocodeine.
- 11 (c) Benzylmorphine.
- 12 (d) Codeine.
- 13 (e) Codeine methylbromide.
- 14 (f) Codeine-N-oxide.
- 15 (g) Cyprenorphine.
- 16 (h) Desomorphine.
- 17 (i) Dihydromorphine.
- 18 (j) Drotebanol.
- 19 (k) Ethylmorphine.
- 20 (l) Etorphine.
- 21 (m) Heroin.
- 22 (n) Hydrocodone.
- 23 (o) Hydromorphinol.
- 24 (p) Hydromorphone.
- 25 (q) Levo-alphaacetylmethadol.
- 26 (r) Methyldesorphine.
- 27 (s) Methyldihydromorphine.
- 28 (t) Metopon.
- 29 (u) Morphine.
- 30 (v) Morphine methylbromide.
- 31 (w) Morphine methylsulfonate.
- 32 (x) Morphine-N-oxide.

- 1 (y) Myrophine.
- 2 (z) Nalorphine.
- 3 (aa) Nicocodeine.
- 4 (bb) Nicomorphine.
- 5 (cc) Normorphine.
- 6 (dd) Oxycodone.
- 7 (ee) Oxymorphone.
- 8 (ff) Pholcodine.
- 9 (gg) Thebacon.
- 10 (hh) Thebaine.

11 22. "Ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
12 phenylpropanolamine product" means a product that contains ephedrine,
13 pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine and that is
14 all of the following:

15 (a) Approved for sale under the federal act.

16 (b) Labeled, advertised and marketed only for an indication that is
17 approved by the federal food and drug administration.

18 (c) Either:

19 (i) A nonliquid that is sold in package sizes of not more than three
20 grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
21 phenlypropanolamine and that is packaged in blister packs containing not
22 more than two dosage units or, if the use of blister packs is technically
23 infeasible, that is packaged in unit dose packets or pouches.

24 (ii) A liquid that is sold in package sizes of not more than three
25 grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
26 phenylpropanolamine.

27 23. "Peyote" means any part of a plant of the genus lophophora,
28 known as the mescal button.

29 24. "Pharmacy" means a licensed business where drugs are compounded
30 or dispensed by a licensed pharmacist.

31 25. "Practitioner" means a person licensed to prescribe and
32 administer drugs.

1 26. "Precursor chemical I" means any material, compound, mixture or
2 preparation which contains any quantity of the following substances and
3 their salts, optical isomers or salts of optical isomers:

- 4 (a) N-acetylanthranilic acid.
- 5 (b) Anthranilic acid.
- 6 (c) Ephedrine.
- 7 (d) Ergotamine.
- 8 (e) Isosafrole.
- 9 (f) Lysergic acid.
- 10 (g) Methylamine.
- 11 (h) N-ethylephedrine.
- 12 (i) N-ethylpseudoephedrine.
- 13 (j) N-methylephedrine.
- 14 (k) N-methylpseudoephedrine.
- 15 (l) Norephedrine.
- 16 (m) (-)-Norpseudoephedrine.
- 17 (n) Phenylacetic acid.
- 18 (o) Phenylpropanolamine.
- 19 (p) Piperidine.
- 20 (q) Pseudoephedrine.

21 27. "Precursor chemical II" means any material, compound, mixture or
22 preparation which contains any quantity of the following substances and
23 their salts, optical isomers or salts of optical isomers:

- 24 (a) 4-cyano-2-dimethylamino-4, 4-diphenyl butane.
- 25 (b) 4-cyano-1-methyl-4-phenylpiperidine.
- 26 (c) Chlorephedrine.
- 27 (d) Chlorpseudoephedrine.
- 28 (e) Ethyl-4-phenylpiperidine-4-carboxylate.
- 29 (f) 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
- 30 (g) 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 31 (h) N-formyl amphetamine.
- 32 (i) N-formyl methamphetamine.

1 (j) Phenyl-2-propanone.

2 (k) 1-piperidinocyclohexane carbonitrile.

3 (l) 1-pyrrolidinocyclohexane carbonitrile.

4 28. "Prescription-only drug" does not include a dangerous drug or
5 narcotic drug but means:

6 (a) Any drug which because of its toxicity or other potentiality for
7 harmful effect, or the method of its use, or the collateral measures
8 necessary to its use, is not generally recognized among experts, qualified
9 by scientific training and experience to evaluate its safety and efficacy,
10 as safe for use except by or under the supervision of a medical
11 practitioner.

12 (b) Any drug that is limited by an approved new drug application
13 under the federal act or section 32-1962 to use under the supervision of a
14 medical practitioner.

15 (c) Every potentially harmful drug, the labeling of which does not
16 bear or contain full and adequate directions for use by the consumer.

17 (d) Any drug required by the federal act to bear on its label the
18 legend "Caution: Federal law prohibits dispensing without prescription" or
19 "Rx only".

20 29. "Produce" means grow, plant, cultivate, harvest, dry, process or
21 prepare for sale.

22 30. "Regulated chemical" means the following substances in bulk form
23 that are not a useful part of an otherwise lawful product:

24 (a) Acetic anhydride.

25 (b) Hypophosphorous acid.

26 (c) Iodine.

27 (d) Sodium acetate.

28 (e) Red phosphorus.

29 (f) Gamma butyrolactone (GBL).

30 (g) 1, 4-butanediol.

31 (h) Butyrolactone.

32 (i) 1, 2 butanolide.

1 (j) 2-oxanalone.

2 (k) Tetrahydro-2-furanone.

3 (l) Dihydro-2(3H)-furanone.

4 (m) Tetramethylene glycol.

5 31. "Retailer" means either:

6 (a) A person other than a practitioner who sells any precursor
7 chemical or regulated chemical to another person for purposes of
8 consumption and not resale, whether or not the person possesses a permit
9 issued pursuant to title 32, chapter 18.

10 (b) A person other than a manufacturer or wholesaler who purchases,
11 receives or acquires more than twenty-four grams of a precursor chemical.

12 32. "Sale" or "sell" means an exchange for anything of value or
13 advantage, present or prospective.

14 33. "Sale for personal use" means the retail sale for a legitimate
15 medical use in a single transaction to an individual customer, to an
16 employer for dispensing to employees from first aid kits or medicine chests
17 or to a school for administration pursuant to section 15-344.

18 34. "Scientific purpose" means research, teaching or chemical
19 analysis.

20 35. "Suspicious transaction" means a transaction to which any of the
21 following applies:

22 (a) A report is required under the federal act.

23 (b) The circumstances would lead a reasonable person to believe that
24 any person is attempting to possess a precursor chemical or regulated
25 chemical for the purpose of unlawful manufacture of a dangerous drug or
26 narcotic drug, based on such factors as the amount involved, the method of
27 payment, the method of delivery and any past dealings with any participant.

28 (c) The transaction involves payment for precursor or regulated
29 chemicals in cash or money orders in a total amount of more than ~~two~~
30 ~~hundred dollars~~ \$200.

1 (d) The transaction involves a sale, a transfer or furnishing to a
2 retailer for resale without a prescription of ephedrine, pseudoephedrine,
3 (-)-norpseudoephedrine or phenylpropanolamine that is not an ordinary
4 ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine
5 product.

6 36. "Threshold amount" means a weight, market value or other form of
7 measurement of an unlawful substance as follows:

8 (a) One gram of heroin.

9 (b) Nine grams of cocaine.

10 (c) Seven hundred fifty milligrams of cocaine base or hydrolyzed
11 cocaine.

12 (d) Four grams or 50 milliliters of PCP.

13 (e) Nine grams of methamphetamine, including methamphetamine in
14 liquid suspension.

15 (f) Nine grams of amphetamine, including amphetamine in liquid
16 suspension.

17 (g) One-half milliliter of lysergic acid diethylamide, or in the
18 case of blotter dosage units fifty dosage units.

19 (h) Two pounds of marijuana.

20 (i) NINE GRAMS OF FENTANYL.

21 ~~(j)~~ (j) For any combination consisting solely of those unlawful
22 substances listed in subdivisions (a) through ~~(h)~~ (i) of this paragraph, an
23 amount equal to or in excess of the threshold amount, as determined by the
24 application of section 13-3420.

25 ~~(j)~~ (k) For any unlawful substance not listed in subdivisions (a)
26 through ~~(h)~~ (i) of this paragraph or any combination involving any unlawful
27 substance not listed in subdivisions (a) through ~~(h)~~ (i) of this paragraph,
28 a value of at least ~~one thousand dollars~~ \$1,000.

29 37. "Transfer" means furnish, deliver or give away.

1 38. "Vapor-releasing substance containing a toxic substance" means a
2 material which releases vapors or fumes containing any of the following:

3 (a) Ketones, including acetone, methyl ethyl ketone, mibk, miak,
4 isophorone and mesityl oxide.

5 (b) Hydrocarbons, including propane, butane, pentane, hexane,
6 heptane and halogenated hydrocarbons.

7 (c) Ethylene dichloride.

8 (d) Pentachlorophenol.

9 (e) Chloroform.

10 (f) Methylene chloride.

11 (g) Trichloroethylene.

12 (h) Difluoroethane.

13 (i) Tetrafluoroethane.

14 (j) Aldehydes, including formaldehyde.

15 (k) Acetates, including ethyl acetate and butyl acetate.

16 (l) Aromatics, including benzene, toluene, xylene, ethylbenzene and
17 cumene.

18 (m) Alcohols, including methyl alcohol, ethyl alcohol, isopropyl
19 alcohol, butyl alcohol and diacetone alcohol.

20 (n) Ether, including Diethyl ether and petroleum ether.

21 (o) Nitrous oxide.

22 (p) Amyl nitrite.

23 (q) Isobutyl nitrite.

24 39. "Weight" unless otherwise specified includes the entire weight
25 of any mixture or substance that contains a detectable amount of an
26 unlawful substance. If a mixture or substance contains more than one
27 unlawful substance, the weight of the entire mixture or substance is
28 assigned to the unlawful substance that results in the greater offense. If
29 a mixture or substance contains lysergic acid diethylamide, the offense
30 that results from the unlawful substance shall be based on the greater
31 offense as determined by the entire weight of the mixture or substance or
32 the number of blotter dosage units. For the purposes of this paragraph,

1 "mixture" means any combination of substances from which the unlawful
2 substance cannot be removed without a chemical process.

3 40. "Wholesaler" means a person who in the usual course of business
4 lawfully supplies narcotic drugs, dangerous drugs, precursor chemicals or
5 regulated chemicals that he himself has not produced or prepared, but not
6 to a person for the purpose of consumption by the person, whether or not
7 the wholesaler has a permit that is issued pursuant to title 32,
8 chapter 18. Wholesaler includes a person who sells, delivers or dispenses
9 a precursor chemical in an amount or under circumstances that would require
10 registration as a distributor of precursor chemicals under the federal
11 act."

12 Amend title to conform

WARREN PETERSEN

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