

1 HOUSE BILL NO. 165

2 INTRODUCED BY TUSS

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR REVISION OF CONTROLLED SUBSTANCES
6 SCHEDULES; AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES MORE OFTEN THAN ANNUALLY TO
7 MAKE CHANGES TO STATUTORILY CONTROLLED SUBSTANCES SCHEDULES; REVISING STATUTORILY
8 CONTROLLED SUBSTANCES SCHEDULES TO INCLUDE AMENDMENTS AND ADDITIONS TO THE SCHEDULES
9 MADE BY THE FEDERAL FOOD AND DRUG ADMINISTRATION; AMENDING SECTIONS 50-32-209, 50-32-222,
10 50-32-224, 50-32-226, 50-32-229, AND 50-32-232, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 50-32-209, MCA, is amended to read:

15 "50-32-209. ~~Annual republication~~ **Republication** of schedules. The board shall revise and the department
16 shall republish additions, deletions, or other changes to the schedules of dangerous drugs annually at times
17 determined by the board. For the purposes of this section, the mandate to republish ~~may be~~ additions, deletions, or
18 other changes is satisfied by publication in the Administrative Rules of Montana pursuant to Title 2, chapter 4."

19
20 **Section 2.** Section 50-32-222, MCA, is amended to read:

21 "50-32-222. **Specific dangerous drugs included in Schedule I.** Schedule I consists of the drugs and other
22 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

23 (1) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
24 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~such~~
25 those isomers, esters, ethers, and salts is possible within the specific chemical designation:

26 (a) acetyl-alpha-methylfentanyl;

27 (b) acetylmethadol;

28 (c) allylprodine;

29 (d) alphacetylmethadol, except levo-alpha-acetylmethadol, also known as levo-alpha-acetylmethadol,
30 levomethadyl acetate, or LAAM;

- 1 (e) alphameprodine;
- 2 (f) alphamethadol;
- 3 (g) alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;
- 4 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- 5 (h) alpha-methylthiofentanyl, also known as
- 6 N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide and;
- 7 ~~(h)(i)~~ benzethidine;
- 8 ~~(h)(j)~~ betacetylmethadol;
- 9 ~~(h)(k)~~ beta-hydroxyfentanyl, also known as
- 10 N-[1-(2-hydroxy-2-phenethyl)-4-piperidiny]-N-phenylpropanamide;
- 11 ~~(k)(l)~~ beta-hydroxy-3-methylfentanyl, also known as
- 12 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
- 13 ~~(h)(m)~~ betameprodine;
- 14 ~~(m)(n)~~ betamethadol;
- 15 ~~(n)(o)~~ betaprodine;
- 16 ~~(o)(p)~~ clonitazene;
- 17 ~~(p)(q)~~ dextromoramide;
- 18 ~~(q)(r)~~ diampromide;
- 19 ~~(r)(s)~~ diethylthiambutene;
- 20 ~~(s)(t)~~ difenoxin;
- 21 ~~(t)(u)~~ dimenoxadol;
- 22 ~~(u)(v)~~ dimepheptanol;
- 23 ~~(v)(w)~~ dimethylthiambutene;
- 24 ~~(w)(x)~~ dioxaphetyl butyrate;
- 25 ~~(x)(y)~~ dipipanone;
- 26 ~~(y)(z)~~ ethylmethylthiambutene;
- 27 ~~(z)(aa)~~ etonitazene;
- 28 ~~(aa)(bb)~~ etoxeridine;
- 29 ~~(bb)(cc)~~ furethidine;
- 30 ~~(cc)(dd)~~ hydroxypethidine;

- 1 ~~(dd)~~(ee) ketobemidone;
- 2 ~~(ee)~~(ff) levomoramide;
- 3 ~~(ff)~~(gg) levophenacymorphan;
- 4 ~~(gg)~~(hh) 3-methylfentanyl, also known as N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide;
- 5 ~~(hh)~~(ii) 3-methylthiofentanyl, also known as
- 6 N-[3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide;
- 7 ~~(ii)~~(jj) morpheridine;
- 8 ~~(jj)~~(kk) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 9 ~~(kk)~~(ll) noracymethadol;
- 10 ~~(ll)~~(mm) norlevorphanol;
- 11 ~~(mm)~~(nn) normethadone;
- 12 ~~(nn)~~(oo) norpipanone;
- 13 ~~(oo)~~(pp) para-fluorofentanyl, also known as
- 14 N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidyl]propanamide;
- 15 ~~(pp)~~(qq) PEPAP(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 16 ~~(qq)~~(rr) phenadoxone;
- 17 ~~(rr)~~(ss) phenampromide;
- 18 ~~(ss)~~(tt) phenomorphan;
- 19 ~~(tt)~~(uu) phenoperidine;
- 20 ~~(uu)~~(vv) piritramide;
- 21 ~~(vv)~~(ww) proheptazine;
- 22 ~~(ww)~~(xx) properidine;
- 23 ~~(xx)~~(yy) propiram;
- 24 ~~(yy)~~(zz) racemoramide;
- 25 ~~(zz)~~(aaa) thiofentanyl, also known as N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidyl]-propanamide;
- 26 ~~(aaa)~~(bbb) tilidine; and
- 27 ~~(bbb)~~(ccc) trimeperidine.
- 28 (2) For the purposes of subsection (1)(hh), the term "isomer" includes the optical, position, and geometric
- 29 isomers.
- 30 ~~(2)~~(3) Opium derivatives. Unless specifically excepted or listed in another schedule, any of the following

1 are opium derivatives, ~~its~~ including salts, isomers, and salts of isomers whenever the existence of ~~each~~ those salts,
 2 isomers, and salts of isomers is possible within the specific chemical designation:

- 3 (a) acetorphine;
- 4 (b) acetyldihydrocodeine;
- 5 (c) benzylmorphine;
- 6 (d) codeine methylbromide;
- 7 (e) codeine-n-oxide;
- 8 (f) cyprenorphine;
- 9 (g) desomorphine;
- 10 (h) dihydromorphine;
- 11 (i) drotebanol;
- 12 (j) etorphine, except hydrochloride salt;
- 13 (k) heroin;
- 14 (l) hydromorphinol;
- 15 (m) methyl-desorphine;
- 16 (n) methyldihydromorphine;
- 17 (o) morphine methylbromide;
- 18 (p) morphine methylsulfonate;
- 19 (q) morphine-n-oxide;
- 20 (r) myrophine;
- 21 (s) nicocodeine;
- 22 (t) nicomorphine;
- 23 (u) normorphine;
- 24 (v) pholcodine; and
- 25 (w) thebacon.

26 ~~(3)(4)~~ (4) Hallucinogenic substances. Unless specifically excepted or listed in another schedule, any material,
 27 compound, mixture, or preparation that contains any quantity of the following is a hallucinogenic ~~substances or any~~
 28 ~~of its substance, including~~ salts, isomers, and salts of isomers whenever the existence of ~~each~~ those salts, isomers,
 29 and salts of isomers is possible within the specific chemical designation:

- 30 ~~(a) 3,4-methylenedioxy-amphetamine;~~

- 1 ~~(b) 3,4-methylenedioxymethamphetamine (MDMA);~~
 2 ~~(c) 5-methoxy-3,4-methylenedioxy-amphetamine;~~
 3 ~~(d) 3,4,5-trimethoxy-amphetamine;~~
 4 ~~(e) bufotenine;~~
 5 ~~(f) doet (2,5-dimethoxy-4-ethylamphetamine);~~
 6 ~~(g) diethyltryptamine;~~
 7 ~~(h) dimethyltryptamine;~~
 8 ~~(i) 4-methyl-2,5-dimethoxy-amphetamine;~~
 9 ~~(j) ibogaine;~~
 10 ~~(k) lysergic acid diethylamide;~~
 11 ~~(l) marijuana;~~
 12 ~~(m) mescaline;~~
 13 ~~(n) parahexyl;~~
 14 ~~(o) peyote;~~
 15 ~~(p) PCE (N-ethyl-1-phenylcyclohexylamine);~~
 16 ~~(q) PHP 1 (1-phenylcyclohexyl)pyrrolidine (pcp analog);~~
 17 ~~(r) n-ethyl-3-piperidyl-benzilate;~~
 18 ~~(s) n-methyl-3-piperidyl-benzilate;~~
 19 ~~(t) psilocybin;~~
 20 ~~(u) psilocin;~~
 21 ~~(v) tetrahydrocannabinol;~~
 22 ~~(w) 2,5-dimethoxyamphetamine;~~
 23 ~~(x) 4-bromo-2,5-dimethoxy-amphetamine;~~
 24 ~~(y) 4-methoxyamphetamine;~~
 25 ~~(z) ethylamine analog of phencyclidine;~~
 26 ~~(aa) pyrrolidine analog of phencyclidine; and~~
 27 ~~(bb) thiophene analog of phencyclidine.~~
 28 (a) alpha-ethyltryptamine. Trade or other names include etryptamine, monase,
 29 alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl) indole, alpha-ET, and AET.
 30 (b) 4-bromo-2,5-dimethoxy-amphetamine. Trade or other names include 4-bromo-2,

- 1 5-dimethoxy-alpha-methylphenethylamine and 4-bromo-2,5-DMA.
- 2 (c) 4-bromo-2,5-dimethoxyphenethylamine. Trade or other names include 2-(4-bromo-2,
- 3 5-dimethoxyphenyl)-1-aminoethane, alpha-desmethyldOB, and 2C-B,Nexus.
- 4 (d) 2,5-dimethoxyamphetamine. Trade or other names include
- 5 2,5-dimethoxy-alpha-methylphenothylamine and 2,5-DMA.
- 6 (e) 3,4-methylenedioxy amphetamine;
- 7 (f) 2,5-dimethoxy-4-ethylamphetamine. A trade or other name is DOET.
- 8 (g) 4-methoxyamphetamine. A trade or other name is 4-methoxy-alpha-methylphenethylamine.
- 9 (h) 5-methoxy-3,4-methylenedioxy amphetamine;
- 10 (i) 4-methyl-2,5-dimethoxy-amphetamine. Trade or other names include 4-methyl-2,
- 11 5-dimethoxy-alpha-methylphenethylamine, DOM, and STP.
- 12 (j) 3,4-methylenedioxy amphetamine;
- 13 (k) 3,4-methylenedioxymethamphetamine (MDMA);
- 14 (l) 3,4-methylenedioxy-N-ethylamphetamine, also known as
- 15 N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, and MDEA;
- 16 (m) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
- 17 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA;
- 18 (n) 3,4,5-trimethoxy amphetamine;
- 19 (o) bufotenine. Trade and other names include 3-(beta-dimethylaminoethyl)-5-hydroxyindole,
- 20 3-(2-dimethylaminoethyl)-5-indolol, N,N-dimethylserotonin, 5-hydroxy-N,N-dimethyltryptamine, and mappine.
- 21 (p) diethyltryptamine. Trade and other names include N,N-diethyltryptamine and DET.
- 22 (q) dimethyltryptamine. A trade or other name is DMT.
- 23 (r) ibogaine. Trade or other names include
- 24 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepine [5,4-b] indole and
- 25 tabernanthe iboga.
- 26 (s) lysergic acid diethylamide;
- 27 (t) marijuana;
- 28 (u) mescaline;
- 29 (v) parahexyl. Trade or other names include
- 30 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,8,9-trimethyl-6H-dibenzo[b,d]pyran and synhexyl.

1 (w) peyote, meaning all parts of the plant presently classified botanically as lophophora williamsii lemaire,
 2 whether growing or not; the seed of the plant; any extract from any part of the plant; and every compound,
 3 manufacture, salts, derivatives, mixture, or preparation of the plant, its seed, or extracts;

4 (x) n-ethyl-3-piperidyl benzilate;

5 (y) n-methyl-3-piperidyl benzilate;

6 (z) psilocybin;

7 (aa) psilocyn;

8 (bb) tetrahydrocannabinols, including synthetic equivalents of the substances contained in the plant or in
 9 the resinous extractives of cannabis, sp, or synthetic substances, derivatives, and their isomers with similar
 10 chemical structure and pharmacological activity, such as those listed in subsections (4)(bb)(i) through (4)(bb)(iii).
 11 Because nomenclature of these substances is not internationally standardized, compounds of these structures,
 12 regardless of numerical designation of atomic positions covered, are included in the category as follows:

13 (i) delta 1 cis or trans tetrahydrocannabinol and its optical isomers;

14 (ii) delta 6 cis or trans tetrahydrocannabinol and its optical isomers; and

15 (iii) delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers;

16 (cc) ethylamine analog of phencyclidine. Trade or others names include N-ethyl-1-phenylcyclohexylamine,
 17 (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, and PCE.

18 (dd) pyrrolidine analog of phencyclidine. Trade or other names include 1-(1-phenylcyclohexyl)-pyrrolidine,
 19 PCPy, and PHP.

20 (ee) thiophene analog of phencyclidine. Trade or other names include
 21 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, and TCP.

22 (ff) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine. A trade or other name is TCPy.

23 (5) For the purposes of subsection (4), the term "isomer" includes the optical, position, and geometric
 24 isomers.

25 ~~(4)(6)~~ Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 26 mixture, or preparation that contains any quantity of the following ~~substance~~ substances is a depressant having a
 27 depressant effect on the central nervous system, including ~~its~~ salts, isomers, and salts of isomers whenever the
 28 existence of ~~such~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:

29 (a) mecloqualone; and

30 (b) methaqualone.

1 ~~(6)(7)~~ Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
 2 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
 3 effect on the central nervous system, including its salts, isomers, and salts of isomers:

4 ~~(a) fenethylline; and~~

5 ~~(b) n-ethylamphetamino.~~

6 (a) aminorex. Trade or other names include aminoxaphen, 2-amino-5-phenyl-2-oxazoline, and
 7 4,5-dihydro-5-phenyl-2-oxazolamine.

8 (b) cathinone. Trade or other names include 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
 9 2-aminopropiophenone, and norephedrone.

10 (c) fenethylline;

11 (d) methcathinone. Trade or other names include 2-(methylamino)-propiofenone,
 12 alpha-(methylamino)propiofenone, 2-(methylamino)-1-phenylpropan-1-one, alpha-N-methylaminopropiofenone,
 13 monomethylpropion, ephedrone, N-methylcathinone, methylcathinone, AL-464, AL-422, AL-463, and UR1432,
 14 including its salts, optical isomers, and salts of optical isomers.

15 (e) (levo-dextro) cis-4-methylaminorex, also known as (levo-dextro) cis-4,
 16 5-dihydro-4-methyl-5-phenyl-2-oxazolamine;

17 (f) N-ethylamphetamine;

18 (g) N,N-dimethylamphetamine, also known as N,N-alpha-trimethyl-benzeneethamine and
 19 N,N-alpha-trimethylphenethylamine.

20 (8) Substances subject to emergency scheduling. Any material, compound, mixture, or preparation that
 21 contains any quantity of the following substances is included in this category:

22 (a) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of
 23 isomers); and

24 (b) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, salts, and
 25 salts of isomers).

26 ~~(6) For purposes of subsection (3) only, the term "isomer" includes the optical, position, and geometric~~
 27 ~~isomers.~~

28 ~~(7)(9)~~ If prescription or administration is authorized by the Federal Food, Drug and Cosmetic Act, then any
 29 material, compound, mixture, or preparation containing tetrahydrocannabinols listed in subsection ~~(3)~~ (4) ~~shall~~ must
 30 automatically be rescheduled from Schedule I to Schedule II."

1 **Section 3.** Section 50-32-224, MCA, is amended to read:

2 **"50-32-224. Specific dangerous drugs included in Schedule II.** Schedule II consists of the drugs and other
3 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

4 (1) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or listed in another
5 schedule, any of the following substances, whether produced directly or indirectly by extraction from substances of
6 vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical
7 synthesis, are included in this category:

8 (a) opium and opiate and any salt, compound, derivative, or preparation of opium or opiate, excluding
9 apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone and
10 their respective salts, but including the following:

- 11 (i) raw opium;
12 (ii) opium extracts;
13 (iii) opium fluid ~~extracts~~;
14 (iv) powdered opium;
15 (v) granulated opium;
16 (vi) tincture of opium;
17 (vii) codeine;
18 (viii) ethylmorphine;
19 (ix) etorphine hydrochloride;
20 (x) hydrocodone;
21 (xi) hydromorphone;
22 (xii) metopon;
23 (xiii) morphine;
24 (xiv) oxycodone;
25 (xv) oxymorphone; and
26 (xvi) thebaine;

27 (b) any salt, compound, derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical
28 with any of the substances referred to in subsection (1)(a) ~~of this section~~, except that these substances do not
29 include the isoquinoline alkaloids of opium;

30 (c) opium poppy and poppy straw;

1 (d) coca leaves and any salt, compound, derivative, or preparation of coca leaves, including cocaine and
 2 ecgonine and their salts, isomers, derivatives, and salts of isomers, and derivatives, and any salt, compound,
 3 derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical with any of these substances,
 4 except that these substances do not include decocainized coca leaves or extraction of coca leaves, which
 5 extractions do not contain cocaine or ecgonine; and

6 (e) concentrate of poppy straw, the crude extract of poppy straw in either liquid, solid, or powder form
 7 that contains the phenanthrene alkaloids of the opium poppy.

8 (2) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
 9 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~each~~
 10 those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and
 11 levopropoxyphene excepted:

12 (a) alfentanil;

13 (b) alphaprodine;

14 (c) anileridine;

15 (d) bezitramide;

16 (e) bulk dextropropoxyphene (non-dosage forms);

17 (f) carfentanil;

18 ~~(g)~~ dihydrocodeine;

19 ~~(h)~~ diphenoxylate;

20 ~~(i)~~ fentanyl;

21 ~~(j)~~ isomethadone;

22 (k) levo-alpha-acetylmethadol. Other names include levo-alpha-acetylmethadol, levomethadyl acetate, and

23 LAAM.

24 ~~(l)~~ levomethorphan;

25 ~~(m)~~ levorphanol;

26 ~~(n)~~ metazocine;

27 ~~(o)~~ methadone;

28 ~~(p)~~ methadone-intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

29 ~~(q)~~ moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;

30 ~~(r)~~ pethidine ~~(meperidine)~~, also known as meperidine;

- 1 ~~(s)~~ pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 2 ~~(t)~~ pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 3 ~~(u)~~ pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 4 ~~(v)~~ phenazocine;
- 5 ~~(w)~~ piminodine;
- 6 ~~(x)~~ racemethorphan;
- 7 ~~(y)~~ racemorphan; and
- 8 ~~(z)~~ sufentanil; and
- 9 ~~(x)~~ bulk dextropropoxyphene (non-dosage forms).
- 10 (3) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
- 11 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
- 12 effect on the central nervous system:
- 13 (a) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 14 (b) phenmetrazine and its salts;
- 15 (c) methamphetamine, its salts, isomers, and salts of its isomers; and
- 16 (d) methylphenidate.
- 17 (4) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
- 18 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
- 19 effect on the central nervous system, including ~~its~~ salts, isomers, and salts of isomers whenever the existence of
- 20 ~~such~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:
- 21 (a) amobarbital;
- 22 **(b) glutethimide;**
- 23 ~~(c)~~ pentobarbital;
- 24 ~~(d)~~ phencyclidine; and
- 25 ~~(e)~~ secobarbital.
- 26 ~~(5) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,~~
- 27 ~~compound, mixture, or preparation that contains any quantity of the following substances:~~
- 28 ~~(a) immediate precursor to amphetamine and methamphetamine;~~
- 29 ~~(i) phenylacetone;~~
- 30 ~~(b) immediate precursors to phencyclidine (PCP);~~

1 ~~(i) 1-phenylcyclohexylamine; and~~

2 ~~(ii) 1-piperidinocyclohexanecarbonitrile (PCC).~~

3 ~~(6)~~ Hallucinogenic substances include the following:

4 (a) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a federal food and
5 drug administration-approved drug product; ~~and~~. Other names for dronabinol include

6 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo [b, d]pyran-1-ol or

7 (-)-delta-9-(trans)-tetrahydrocannabinol.

8 (b) nabilone. Another name for nabilone is (levo-dextro)-trans-3-(1,

9 1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b, d] pyran-9-one.

10 (6) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,
11 compound, mixture, or preparation that contains any quantity of the following substances is an immediate
12 precursor:

13 (a) phenylacetone, an immediate precursor to amphetamine and methamphetamine. Trade or other names
14 for phenylacetone include phenyl-2-propanone, P2P, benzyl methyl ketone, and methyl benzyl ketone.

15 (b) 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile (PCC), immediate precursors to
16 phencyclidine (PCP)."

17

18 **Section 4.** Section 50-32-226, MCA, is amended to read:

19 **"50-32-226. Specific dangerous drugs included in Schedule III.** Schedule III consists of the drugs and
20 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

21 (1) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
22 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
23 effect on the central nervous system, including ~~its~~ salts, isomers (whether optical, position, or geometric), and salts
24 of ~~such~~ isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible within the
25 specific chemical designation:

26 (a) benzphetamine;

27 (b) chlorphentermine;

28 (c) clortermine; and

29 (d) phendimetrazine.

30 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,

1 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
2 effect on the central nervous system:

3 ~~(a) any substance that contains any quantity of a derivative of barbituric acid or any salt thereof;~~

4 ~~(b) chlorhexadol;~~

5 ~~(c) glutethimide;~~

6 (a) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any salt
7 of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;

8 (b) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of
9 these drugs approved by the federal food and drug administration for marketing only as a suppository;

10 (c) any substance that contains any quantity of a derivative of barbituric acid or any salt of barbituric acid;

11 (d) chlorhexadol;

12 ~~(d)(e)~~ lysergic acid;

13 ~~(e)(f)~~ lysergic acid amide;

14 ~~(f)(g)~~ methyprylon;

15 ~~(g)(h)~~ sulfondiethylmethane;

16 ~~(h)(i)~~ sulfonethylmethane;

17 ~~(i)(j)~~ sulfonmethane; and

18 ~~(j)(k)~~ tiletamine and zolazepam or any of their salts; A trade or other name for a tiletamine-zolazepam
19 combination product is telazol. A trade or other name for tiletamine is 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.
20 A trade or other name for zolazepam is 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
21 [1,4]-diazepin-7(1H)-one, flupyrazapon.

22 ~~(k) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any~~
23 ~~salt of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;~~
24 and

25 ~~(l) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of~~
26 ~~these drugs approved by the federal food and drug administration for marketing only as a suppository.~~

27 (3) Nalorphine.

28 (4) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
29 mixture, or preparation containing any of the following is a narcotic drug or drug, including its salts calculated as
30 the free anhydrous base or alkaloid in the following limited quantities:

1 (a) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
2 with an equal or greater quantity of an isoquinoline alkaloid of opium;

3 (b) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
4 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

5 (c) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
6 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

7 (d) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
8 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

9 (e) not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per
10 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

11 (f) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per
12 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

13 (g) not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25
14 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or

15 (h) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active,
16 nonnarcotic ingredients in recognized therapeutic amounts.

17 (5) Anabolic steroids. ~~Any~~ The term "anabolic steroid" means any drug or hormonal substance, chemically
18 and pharmacologically related to testosterone, other than estrogens, progestins, and corticosteroids, that promotes
19 muscle growth. Unless specifically excepted or listed in another schedule, any material, compound, mixture, or
20 preparation containing an anabolic steroid, including but not limited to the following: any quantity of the following
21 substances is an anabolic steroid, including salts, isomers, and salts of isomers whenever the existence of those
22 salts of isomers is possible within the specific chemical designation:

23 (a) ~~androisoxazole;~~

24 (b) ~~androstendiol;~~

25 (c) ~~bolandiol;~~

26 (d) ~~bolasterone;~~

27 (e) ~~boldenone;~~

28 (f) ~~chlormethandienone;~~

29 (b) chlorotestosterone, also known as 4-chlortestosterone;

30 (g)(c) clostebol;

- 1 (d) dihydrochlormethyltestosterone;
- 2 (e) dihydrotestosterone, also known as 4-dihydrotestosterone;
- 3 (f) drostanolone;
- 4 ~~(h) dihydromesterone;~~
- 5 ~~(i)(g)~~ ethylestrenol;
- 6 ~~(j)(h)~~ fluoxymesterone;
- 7 (i) formebulone, also known as formebolone;
- 8 ~~(k) formylidionolone;~~
- 9 ~~(l) 4-hydroxy-19-nortestosterone;~~
- 10 ~~(m)(j)~~ mesterolone;
- 11 (k) methandienone;
- 12 (l) methandranone;
- 13 ~~(n)(m)~~ methandriol;
- 14 ~~(o)(n)~~ methandrostenolone;
- 15 ~~(p)(o)~~ methenolone;
- 16 ~~(q) 17-methyltestosterone~~ (p) methyltestosterone;
- 17 ~~(r) methyltrienolone;~~
- 18 (g) mibolerone;
- 19 ~~(s)(r)~~ nandrolone;
- 20 ~~(t) norbolethone;~~
- 21 ~~(u)(s)~~ norethandrolone;
- 22 ~~(v) normethandrolone;~~
- 23 ~~(w)(t)~~ oxandrolone;
- 24 ~~(x)(u)~~ oxymestronone;
- 25 ~~(y)(v)~~ oxymetholone;
- 26 ~~(z) quinbolone;~~
- 27 ~~(aa)(w)~~ stanolone;
- 28 ~~(bb)(x)~~ stanozolol;
- 29 ~~(cc) stenbolone;~~
- 30 (y) testolactone;

1 ~~(dd)(z)~~ testosterone; or

2 ~~(ee)(aa)~~ trenbolone."

3

4 **Section 5.** Section 50-32-229, MCA, is amended to read:

5 "50-32-229. **Specific dangerous drugs included in Schedule IV.** Schedule IV consists of the drugs and
6 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

7 (1) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
8 mixture, or preparation containing any of the following is a narcotic drug or drug, including its salts calculated as
9 the free anhydrous base or alkaloid in the following limited quantities:

10 (a) not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage
11 unit; and

12 (b) dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

13 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
14 mixture, or preparation that contains any quantity of the following substances is a depressant, including ~~its~~ salts,
15 isomers, and salts of isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible
16 within the specific chemical designation:

17 (a) alprazolam;

18 (b) barbital;

19 (c) bromazepam;

20 (d) camazepam;

21 (e) chloral betaine;

22 (f) chloral hydrate;

23 (g) chlordiazepoxide;

24 (h) clobazam;

25 (i) clonazepam;

26 (j) clorazepate;

27 (k) clotiazepam;

28 (l) cloxazolam;

29 (m) delorazepam;

30 (n) diazepam;

- 1 (o) estazolam;
- 2 (p) ethchlorvynol;
- 3 (q) ethinamate;
- 4 (r) ethyl loflazepate;
- 5 (s) fludiazepam;
- 6 (t) flunitrazepam;
- 7 (u) flurazepam;
- 8 (v) halazepam;
- 9 (w) haloxazolam;
- 10 (x) ketazolam;
- 11 (y) loprazolam;
- 12 (z) lorazepam;
- 13 (aa) lormetazepam;
- 14 (bb) mebutamate;
- 15 (cc) medazepam;
- 16 (dd) meprobamate;
- 17 (ee) methohexital;
- 18 (ff) methylphenobarbital (~~mephobarbital~~), also known as mephobarbital;
- 19 (gg) midazolam;
- 20 (hh) nimetazepam;
- 21 (ii) nitrazepam;
- 22 (jj) nordiazepam;
- 23 (kk) oxazepam;
- 24 (ll) oxazolam;
- 25 (mm) paraldehyde;
- 26 (nn) petrachloral;
- 27 (oo) phenobarbital;
- 28 (pp) pinazepam;
- 29 (qq) prazepam;
- 30 (rr) quazepam;

- 1 (ss) temazepam;
 2 (tt) tetrazepam; ~~and~~
 3 (uu) triazolam; and
 4 (vv) zolpidem.

5 (3) Fenfluramine. Any material, compound, mixture, or preparation that contains any quantity of ~~the~~
 6 ~~following substance~~ fenfluramine, including its salts, isomers (whether optical, position, or geometric), and salts of
 7 ~~such~~ isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible.

8 ~~(a) fenfluramine.~~

9 (4) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
 10 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
 11 effect on the central nervous system, including its salts, isomers, and salts of isomers:

- 12 (a) cathine;
 13 (b) diethylpropion;
 14 (c) fencamfamin;
 15 (d) fenproporex;
 16 (e) mazindol;
 17 (f) mefenorex;
 18 (g) pemoline, including organometallic complexes and chelates thereof;
 19 (h) phentermine;
 20 (i) pipradrol; and
 21 (j) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

22 (5) Other substances. Unless specifically excepted or listed in another schedule, any material, compound,
 23 mixture, or preparation that contains any quantity of the following substances, including its salts:

- 24 (a) pentazocine."

25

26 **Section 6.** Section 50-32-232, MCA, is amended to read:

27 **"50-32-232. Specific dangerous drugs included in Schedule V.** Schedule V consists of the drugs and
 28 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

29 (1) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material,
 30 compound, mixture, or preparation containing buprenorphine and its salts is included in this category.

1 ~~(1)(2)~~ Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or
 2 preparation containing any of the following is a narcotic drug or drug, including its salts, calculated as the free
 3 anhydrous base or alkaloid in limited quantities as set forth in subsections ~~(1)(a)~~ (2)(a) through ~~(1)(f)~~ (2)(f), which
 4 include one or more nonnarcotic, active medicinal ingredients in sufficient proportion to confer upon the compound,
 5 mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

6 (a) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

7 (b) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

8 (c) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

9 (d) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per
 10 dosage unit;

11 (e) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; and

12 (f) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per
 13 dosage unit.

14 ~~(2) Buprenorphine.~~

15 (3) ~~Propylhexedrine~~ Stimulants. Unless specifically exempted or excluded or unless listed in another
 16 schedule, any material, compound, mixture, or preparation that contains any quantity of pyrovalerone is a stimulant
 17 having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers

18 ~~(4) Pyrovalerone."~~

19
 20 **NEW SECTION. Section 7. Exempt anabolic steroid products.** The following anabolic steroid-containing
 21 compounds, mixtures, or preparations are exempt from this chapter:

22 (1) androgyn L.A.;

23 (2) andro-estro 90-4;

24 (3) depandrogyn;

25 (4) DEPO-T.E.;

26 (5) deptestrogen;

27 (6) duomone;

28 (7) duratestrin;

29 (8) duo-span II;

30 (9) estratest;

- 1 (10) estratest HS;
- 2 (11) pan estra test;
- 3 (12) premarin with methyltestosterone;
- 4 (13) synovex H pellets in process;
- 5 (14) synovex H pellets in process granulation;
- 6 (15) test-estro cypionates;
- 7 (16) testagen;
- 8 (17) testosterone cyp 50 estradiol cyp 2;
- 9 (18) testosterone, cypionate-estradiol, cypionate injection;
- 10 (19) testosterone, enanthate-estradiol, valerate injection; and
- 11 (20) tilapia sex reversal feed (investigational).

12

13 **NEW SECTION. Section 8. Excluded substances.** The following nonnarcotic substances that may, under
 14 the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301), be lawfully sold over the counter without a prescription
 15 are excluded from all schedules:

- 16 (1) theophed;
- 17 (2) guiaphed elixir;
- 18 (3) tedrigen tablets;
- 19 (4) choate's leg freeze;
- 20 (5) tedral;
- 21 (6) tedral elixir;
- 22 (7) tedral S.A.;
- 23 (8) tedral suspension;
- 24 (9) asthma-ese;
- 25 (10) azma-aids;
- 26 (11) benzedrex;
- 27 (12) bronkolixir;
- 28 (13) bronkotabs;
- 29 (14) vicks inhaler; and
- 30 (15) primatene (P-tablets).

1 NEW SECTION. **Section 9. Codification instruction.** [Sections 7 and 8] are intended to be codified as an
2 integral part of Title 50, chapter 32, part 2, and the provisions of Title 50, chapter 32, part 2, apply to [sections 7
3 and 8].

4

5 NEW SECTION. **Section 10. Saving clause.** [This act] does not affect rights and duties that matured,
6 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

7

8 NEW SECTION. **Section 11. Effective date.** [This act] is effective on passage and approval.

9

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0165, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing for revision of controlled substances schedules; authorizing the Board of Pharmacy to adopt rules more often than annually to make changes to statutorily controlled substances schedules; revising statutorily controlled substances schedules to include amendments and additions to the schedules made by the Federal Food and Drug Administration.

ASSUMPTIONS:

1. Updating the list of controlled substances will require administrative rule changes only. Any costs associated with rule changes will be absorbed by the existing budget request of the Department of Commerce, Professional and Occupational Licensing Bureau.

FISCAL IMPACT:

none

Dave Lewis 1-9-97

 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

Carley Tuss

 CARLEY TUSS, PRIMARY SPONSOR DATE
 Fiscal Note for HB0165, as introduced
HB 165

APPROVED BY COM ON
BUSINESS & LABOR

1 HOUSE BILL NO. 165

2 INTRODUCED BY TUSS

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR REVISION OF CONTROLLED SUBSTANCES
6 SCHEDULES; AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES MORE OFTEN THAN ANNUALLY TO
7 MAKE CHANGES TO STATUTORILY CONTROLLED SUBSTANCES SCHEDULES; REVISING STATUTORILY
8 CONTROLLED SUBSTANCES SCHEDULES TO INCLUDE AMENDMENTS AND ADDITIONS TO THE SCHEDULES
9 MADE BY THE FEDERAL FOOD AND DRUG ADMINISTRATION; AMENDING SECTIONS 50-32-209, 50-32-222,
10 50-32-224, 50-32-226, 50-32-229, AND 50-32-232, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 50-32-209, MCA, is amended to read:

15 "**50-32-209. ~~Annual republication~~ Republication of schedules.** The board shall revise and the department
16 shall republish additions, deletions, or other changes to the schedules of dangerous drugs ~~annually at times~~
17 determined by the board. For the purposes of this section, the mandate to republish ~~may be~~ additions, deletions, or
18 other changes is satisfied by publication in the Administrative Rules of Montana pursuant to Title 2, chapter 4."

19
20 **Section 2.** Section 50-32-222, MCA, is amended to read:

21 "**50-32-222. Specific dangerous drugs included in Schedule I.** Schedule I consists of the drugs and other
22 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

23 (1) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
24 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~such~~
25 those isomers, esters, ethers, and salts is possible within the specific chemical designation:

26 (a) acetyl-alpha-methylfentanyl;

27 (b) acetylmethadol;

28 (c) allylprodine;

29 (d) alphacetylmethadol, except levo-alpha-acetylmethadol, also known as levo-alpha-acetylmethadol,
30 levomethadyl acetate, or LAAM;

- 1 (e) alphameprodine;
- 2 (f) alphamethadol;
- 3 (g) alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;
- 4 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- 5 (h) alpha-methylthiofentanyl, also known as
- 6 N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide and;
- 7 ~~(h)(i)~~ benzethidine;
- 8 ~~(i)(j)~~ betacetylmethadol;
- 9 ~~(j)(k)~~ beta-hydroxyfentanyl, also known as
- 10 N-[1-(2-hydroxy-2-phenethyl)-4-piperidiny]-N-phenylpropanamide;
- 11 ~~(k)(l)~~ beta-hydroxy-3-methylfentanyl, also known as
- 12 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
- 13 ~~(l)(m)~~ betameprodine;
- 14 ~~(m)(n)~~ betamethadol;
- 15 ~~(n)(o)~~ betaprodine;
- 16 ~~(o)(p)~~ clonitazene;
- 17 ~~(p)(q)~~ dextromoramide;
- 18 ~~(q)(r)~~ diampromide;
- 19 ~~(r)(s)~~ diethylthiambutene;
- 20 ~~(s)(t)~~ difenoxin;
- 21 ~~(t)(u)~~ dimenoxadol;
- 22 ~~(u)(v)~~ dimepheptanol;
- 23 ~~(v)(w)~~ dimethylthiambutene;
- 24 ~~(w)(x)~~ dioxaphetyl butyrate;
- 25 ~~(x)(y)~~ dipipanone;
- 26 ~~(y)(z)~~ ethylmethylthiambutene;
- 27 ~~(z)(aa)~~ etonitazene;
- 28 ~~(aa)(bb)~~ etoxeridine;
- 29 ~~(bb)(cc)~~ furethidine;
- 30 ~~(cc)(dd)~~ hydroxypethidine;

- 1 ~~(dd)~~(ee) ketobemidone;
- 2 ~~(ee)~~(ff) levomoramide;
- 3 ~~(ff)~~(gg) levophenacymorphan;
- 4 ~~(gg)~~(hh) 3-methylfentanyl, also known as N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide;
- 5 ~~(hh)~~(ii) 3-methylthiofentanyl, also known as
- 6 N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide;
- 7 ~~(ii)~~(jj) morpheridine;
- 8 ~~(jj)~~(kk) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 9 ~~(kk)~~(ll) noracymethadol;
- 10 ~~(ll)~~(mm) norlevorphanol;
- 11 ~~(mm)~~(nn) normethadone;
- 12 ~~(nn)~~(oo) norpipanone;
- 13 ~~(oo)~~(pp) para-fluorofentanyl, also known as
- 14 N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;
- 15 ~~(pp)~~(qq) PEPAP(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 16 ~~(qq)~~(rr) phenadoxone;
- 17 ~~(rr)~~(ss) phenampromide;
- 18 ~~(ss)~~(tt) phenomorphan;
- 19 ~~(tt)~~(uu) phenoperidine;
- 20 ~~(uu)~~(vv) piritramide;
- 21 ~~(vv)~~(ww) proheptazine;
- 22 ~~(ww)~~(xx) properidine;
- 23 ~~(xx)~~(yy) propiram;
- 24 ~~(yy)~~(zz) racemoramide;
- 25 ~~(zz)~~(aaa) thiofentanyl, also known as N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;
- 26 ~~(aaa)~~(bbb) tilidine; and
- 27 ~~(bbb)~~(ccc) trimeperidine.
- 28 (2) For the purposes of subsection (1)(hh), the term "isomer" includes the optical, position, and geometric
- 29 isomers.
- 30 ~~(2)~~(3) Opium derivatives. Unless specifically excepted or listed in another schedule, any of the following

1 are opium derivatives, ~~its~~ including salts, isomers, and salts of isomers whenever the existence of ~~each~~ those salts,
 2 isomers, and salts of isomers is possible within the specific chemical designation:

- 3 (a) acetorphine;
- 4 (b) acetyldihydrocodeine;
- 5 (c) benzylmorphine;
- 6 (d) codeine methylbromide;
- 7 (e) codeine-n-oxide;
- 8 (f) cyprenorphine;
- 9 (g) desomorphine;
- 10 (h) dihydromorphine;
- 11 (i) drotebanol;
- 12 (j) etorphine, except hydrochloride salt;
- 13 (k) heroin;
- 14 (l) hydromorphenol;
- 15 (m) methyl-desorphine;
- 16 (n) methyl-dihydromorphine;
- 17 (o) morphine methylbromide;
- 18 (p) morphine methylsulfonate;
- 19 (q) morphine-n-oxide;
- 20 (r) myrophine;
- 21 (s) nicocodeine;
- 22 (t) nicomorphine;
- 23 (u) normorphine;
- 24 (v) pholcodine; and
- 25 (w) thebacon.

26 ~~(3),(4)~~ Hallucinogenic substances. Unless specifically excepted or listed in another schedule, any material,
 27 compound, mixture, or preparation that contains any quantity of the following is a hallucinogenic ~~substance or any~~
 28 ~~of its substance, including~~ salts, isomers, and salts of isomers whenever the existence of ~~each~~ those salts, isomers,
 29 and salts of isomers is possible within the specific chemical designation:

- 30 (a) ~~3,4-methylenedioxy amphetamine;~~

- 1 ~~(b) 3,4-methylenedioxymethamphetamine (MDMA);~~
- 2 ~~(c) 5-methoxy-3,4-methylenedioxy-amphetamine;~~
- 3 ~~(d) 3,4,5-trimethoxy-amphetamine;~~
- 4 ~~(e) bufotenine;~~
- 5 ~~(f) doet (2,5-dimethoxy-4-ethylamphetamine);~~
- 6 ~~(g) diethyltryptamine;~~
- 7 ~~(h) dimethyltryptamine;~~
- 8 ~~(i) 4-methyl-2,5-dimethoxy-amphetamine;~~
- 9 ~~(j) ibogaine;~~
- 10 ~~(k) lysergic acid diethylamide;~~
- 11 ~~(l) marijuana;~~
- 12 ~~(m) mescaline;~~
- 13 ~~(n) parahexyl;~~
- 14 ~~(o) peyote;~~
- 15 ~~(p) PCE (N-ethyl-1-phenylcyclohexylamine);~~
- 16 ~~(q) PHP-1 (1-phenylcyclohexyl)pyrrolidine (pcp analog);~~
- 17 ~~(r) n-ethyl-3-piperidyl benzilate;~~
- 18 ~~(s) n-methyl-3-piperidyl benzilate;~~
- 19 ~~(t) psilocybin;~~
- 20 ~~(u) psilocin;~~
- 21 ~~(v) tetrahydrocannabinol;~~
- 22 ~~(w) 2,5-dimethoxyamphetamine;~~
- 23 ~~(x) 4-bromo-2,5-dimethoxy-amphetamine;~~
- 24 ~~(y) 4-methoxyamphetamine;~~
- 25 ~~(z) ethylamine analog of phenacyclidine;~~
- 26 ~~(aa) pyrrolidine analog of phenacyclidine; and~~
- 27 ~~(bb) thiophene analog of phenacyclidine.~~
- 28 (a) alpha-ethyltryptamine. Trade or other names include etryptamine, monase,
- 29 alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl) indole, alpha-ET, and AET.
- 30 (b) 4-bromo-2,5-dimethoxy-amphetamine. Trade or other names include 4-bromo-2,

- 1 5-dimethoxy-alpha-methylphenethylamine and 4-bromo-2,5-DMA.
- 2 (c) 4-bromo-2,5-dimethoxyphenethylamine. Trade or other names include 2-(4-bromo-2,
- 3 5-dimethoxyphenyl)-1-aminoethane, alpha-desmethyIDOB, and 2C-B,Nexus.
- 4 (d) 2,5-dimethoxyamphetamine. Trade or other names include
- 5 2,5-dimethoxy-alpha-methylphenothylamine and 2,5-DMA.
- 6 (e) 3,4-methylenedioxy amphetamine;
- 7 (f) 2,5-dimethoxy-4-ethylamphetamine. A trade or other name is DOET.
- 8 (g) 4-methoxyamphetamine. A trade or other name is 4-methoxy-alpha-methylphenethylamine.
- 9 (h) 5-methoxy-3,4-methylenedioxy amphetamine;
- 10 (i) 4-methyl-2,5-dimethoxy-amphetamine. Trade or other names include 4-methyl-2,
- 11 5-dimethoxy-alpha-methylphenethylamine, DOM, and STP.
- 12 (j) 3,4-methylenedioxy amphetamine;
- 13 (k) 3,4-methylenedioxymethamphetamine (MDMA);
- 14 (l) 3,4-methylenedioxy-N-ethylamphetamine, also known as
- 15 N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, and MDEA;
- 16 (m) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
- 17 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA;
- 18 (n) 3,4,5-trimethoxy amphetamine;
- 19 (o) bufotenine. Trade and other names include 3-(beta-dimethylaminoethyl)-5-hydroxyindole,
- 20 3-(2-dimethylaminoethyl)-5-indolol, N,N-dimethylserotonin, 5-hydroxy-N,N-dimethyltryptamine, and mappine.
- 21 (p) diethyltryptamine. Trade and other names include N,N-diethyltryptamine and DET.
- 22 (q) dimethyltryptamine. A trade or other name is DMT.
- 23 (r) ibogaine. Trade or other names include
- 24 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepine [5,4-b] indole and
- 25 tabernanthe iboga.
- 26 (s) lysergic acid diethylamide;
- 27 (t) marijuana;
- 28 (u) mescaline;
- 29 (v) parahexyl. Trade or other names include
- 30 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,8,9-trimethyl-6H-dibenzo[b,d]pyran and synhexyl.

1 (w) peyote, meaning all parts of the plant presently classified botanically as lophophora williamsii lemaire,
 2 whether growing or not; the seed of the plant; any extract from any part of the plant; and every compound,
 3 manufacture, salts, derivatives, mixture, or preparation of the plant, its seed, or extracts;

4 (x) n-ethyl-3-piperidyl benzilate;

5 (y) n-methyl-3-piperidyl benzilate;

6 (z) psilocybin;

7 (aa) psilocyn;

8 (bb) tetrahydrocannabinols, including synthetic equivalents of the substances contained in the plant or in
 9 the resinous extractives of cannabis, sp, or synthetic substances, derivatives, and their isomers with similar
 10 chemical structure and pharmacological activity, such as those listed in subsections (4)(bb)(i) through (4)(bb)(iii).
 11 Because nomenclature of these substances is not internationally standardized, compounds of these structures,
 12 regardless of numerical designation of atomic positions covered, are included in the category as follows:

13 (i) delta 1 (DELTA 9) cis or trans tetrahydrocannabinol and its optical isomers;

14 (ii) delta 6 cis or trans tetrahydrocannabinol and its optical isomers; and

15 (iii) delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers;

16 (cc) ethylamine analog of phencyclidine. Trade or others names include N-ethyl-1-phenylcyclohexylamine,
 17 (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, and PCE.

18 (dd) pyrrolidine analog of phencyclidine. Trade or other names include 1-(1-phenylcyclohexyl)-pyrrolidine,
 19 PCPy, and PHP.

20 (ee) thiophene analog of phencyclidine. Trade or other names include
 21 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, and TCP.

22 (ff) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine. A trade or other name is TCPy.

23 (5) For the purposes of subsection (4), the term "isomer" includes the optical, position, and geometric
 24 isomers.

25 ~~(4)(6)~~ Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 26 mixture, or preparation that contains any quantity of the following ~~substance~~ substances is a depressant having a
 27 depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the
 28 existence of ~~such~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:

29 (a) mecloqualone; and

30 (b) methaqualone.

1 ~~(6)(7)~~ Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
 2 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
 3 effect on the central nervous system, including its salts, isomers, and salts of isomers:

4 ~~(a) fenethylline; and~~

5 ~~(b) n-ethylamphetamine.~~

6 (a) aminorex. Trade or other names include aminoxaphen, 2-amino-5-phenyl-2-oxazoline, and
 7 4,5-dihydro-5-phenyl-2-oxazolamine.

8 (b) cathinone. Trade or other names include 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
 9 2-aminopropiophenone, and norephedrone.

10 (c) fenethylline;

11 (d) methcathinone. Trade or other names include 2-(methylamino)-propionophenone,
 12 alpha-(methylamino)propionophenone, 2-(methylamino)-1-phenylpropan-1-one, alpha-N-methylaminopropiophenone,
 13 monomethylpropion, ephedrone, N-methylcathinone, methylcathinone, AL-464, AL-422, AL-463, and UR1432,
 14 including its salts, optical isomers, and salts of optical isomers.

15 (e) (levo-dextro) cis-4-methylaminorex, also known as (levo-dextro) cis-4,
 16 5-dihydro-4-methyl-5-phenyl-2-oxazolamine;

17 (f) N-ethylamphetamine;

18 (g) N,N-dimethylamphetamine, also known as N,N-alpha-trimethyl-benzeneethamine and
 19 N,N-alpha-trimethylphenethylamine.

20 (8) Substances subject to emergency scheduling. Any material, compound, mixture, or preparation that
 21 contains any quantity of the following substances is included in this category:

22 (a) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of
 23 isomers); and

24 (b) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, and
 25 salts of isomers).

26 ~~(6) For purposes of subsection (3) only, the term "isomer" includes the optical, position, and geometric~~
 27 ~~isomers.~~

28 ~~(7)(9)~~ If prescription or administration is authorized by the Federal Food, Drug and Cosmetic Act, then any
 29 material, compound, mixture, or preparation containing tetrahydrocannabinols listed in subsection ~~(3)~~ (4) shall must
 30 automatically be rescheduled from Schedule I to Schedule II."

1 **Section 3.** Section 50-32-224, MCA, is amended to read:

2 "50-32-224. **Specific dangerous drugs included in Schedule II.** Schedule II consists of the drugs and other
3 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

4 (1) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or listed in another
5 schedule, any of the following substances, whether produced directly or indirectly by extraction from substances of
6 vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical
7 synthesis, are included in this category:

8 (a) opium and opiate and any salt, compound, derivative, or preparation of opium or opiate, excluding
9 apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone and
10 their respective salts, but including the following:

11 (i) raw opium;

12 (ii) opium extracts;

13 (iii) opium fluid ~~extracts~~;

14 (iv) powdered opium;

15 (v) granulated opium;

16 (vi) tincture of opium;

17 (vii) codeine;

18 (viii) ethylmorphine;

19 (ix) etorphine hydrochloride;

20 (x) hydrocodone;

21 (xi) hydromorphone;

22 (xii) metopon;

23 (xiii) morphine;

24 (xiv) oxycodone;

25 (xv) oxymorphone; and

26 (xvi) thebaine;

27 (b) any salt, compound, derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical
28 with any of the substances referred to in subsection (1)(a) ~~of this section~~, except that these substances do not
29 include the isoquinoline alkaloids of opium;

30 (c) opium poppy and poppy straw;

1 (d) coca leaves and any salt, compound, derivative, or preparation of coca leaves, including cocaine and
 2 ecgonine and their salts, isomers, derivatives, and salts of isomers, and derivatives, and any salt, compound,
 3 derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical with any of these substances,
 4 except that these substances do not include decocainized coca leaves or extraction of coca leaves, which
 5 extractions do not contain cocaine or ecgonine; and

6 (e) concentrate of poppy straw, the crude extract of poppy straw in either liquid, solid, or powder form
 7 that contains the phenanthrene alkaloids of the opium poppy.

8 (2) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
 9 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~such~~
 10 those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and
 11 levopropoxyphene excepted:

12 (a) alfentanil;

13 (b) alphaprodine;

14 (c) anileridine;

15 (d) bezitramide;

16 (e) bulk dextropropoxyphene (nondosage forms);

17 (f) carfentanil;

18 ~~(g)~~ dihydrocodeine;

19 ~~(h)~~ diphenoxylate;

20 ~~(i)~~ fentanyl;

21 ~~(j)~~ isomethadone;

22 (k) levo-alpha-acetylmethadol. Other names include levo-alpha-acetylmethadol, levomethadyl acetate, and

23 LAAM.

24 ~~(l)~~ levomethorphan;

25 ~~(m)~~ levorphanol;

26 ~~(n)~~ metazocine;

27 ~~(o)~~ methadone;

28 ~~(p)~~ methadone-intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

29 ~~(q)~~ moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;

30 ~~(r)~~ pethidine ~~(meperidine)~~, also known as meperidine;

- 1 ~~(p)~~(s) pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 2 ~~(q)~~(t) pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 3 ~~(r)~~(u) pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 4 ~~(e)~~(v) phenazocine;
- 5 ~~(t)~~(w) piminodine;
- 6 ~~(u)~~(x) racemethorphan;
- 7 ~~(v)~~(y) racemorphan; and
- 8 ~~(w)~~(z) sufentanil; and
- 9 ~~(x)~~ bulk dextropropoxyphene (nondosage form).

10 (3) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
11 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
12 effect on the central nervous system:

- 13 (a) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 14 (b) phenmetrazine and its salts;
- 15 (c) methamphetamine, its salts, isomers, and salts of its isomers; and
- 16 (d) methylphenidate.

17 (4) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
18 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
19 effect on the central nervous system, including ~~its~~ salts, isomers, and salts of isomers whenever the existence of
20 ~~such~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- 21 (a) amobarbital;
- 22 (b) glutethimide;
- 23 ~~(b)~~(c) pentobarbital;
- 24 ~~(e)~~(d) phencyclidine; and
- 25 ~~(d)~~(e) secobarbital.

26 ~~(5) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,~~
27 ~~compound, mixture, or preparation that contains any quantity of the following substances:~~

- 28 ~~(a) immediate precursor to amphetamine and methamphetamine;~~
- 29 ~~(i) phenylacetone;~~
- 30 ~~(b) immediate precursors to phencyclidine (PCP);~~

1 ~~(i) 1-phenylcyclohexylamine; and~~

2 ~~(iii) 1-piperidinocyclohexanecarbonitrile (PCC).~~

3 ~~(6) Hallucinogenic substances include the following:~~

4 (a) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a federal food and
5 drug administration-approved drug product; ~~and. Other names for dronabinol include~~

6 ~~(6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo [b, d]pyran-1-ol or~~

7 ~~(-)-delta-9-(trans)-tetrahydrocannabinol.~~

8 (b) nabilone. ~~Another name for nabilone is (levo-dextro)-trans-3-(1,~~

9 ~~1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b, d] pyran-9-one.~~

10 ~~(6) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,~~
11 ~~compound, mixture, or preparation that contains any quantity of the following substances is an immediate~~
12 ~~precursor:~~

13 ~~(a) phenylacetone, an immediate precursor to amphetamine and methamphetamine. Trade or other names~~
14 ~~for phenylacetone include phenyl-2-propanone, P2P, benzyl methyl ketone, and methyl benzyl ketone.~~

15 ~~(b) 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile (PCC), immediate precursors to~~
16 ~~phencyclidine (PCP)."~~

17

18 **Section 4.** Section 50-32-226, MCA, is amended to read:

19 **"50-32-226. Specific dangerous drugs included in Schedule III.** Schedule III consists of the drugs and
20 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

21 (1) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
22 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
23 effect on the central nervous system, including ~~its~~ salts, isomers (whether optical, position, or geometric), and salts
24 of ~~such~~ isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible within the
25 specific chemical designation:

26 (a) benzphetamine;

27 (b) chlorphentermine;

28 (c) clortermine; and

29 (d) phendimetrazine.

30 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,

1 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
2 effect on the central nervous system:

3 ~~(a) any substance that contains any quantity of a derivative of barbituric acid or any salt thereof;~~

4 ~~(b) chlorhexadol;~~

5 ~~(c) glutethimide;~~

6 (a) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any salt
7 of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;

8 (b) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of
9 these drugs approved by the federal food and drug administration for marketing only as a suppository;

10 (c) any substance that contains any quantity of a derivative of barbituric acid or any salt of barbituric acid;

11 (d) chlorhexadol;

12 ~~(e)~~ lysergic acid;

13 ~~(f)~~ lysergic acid amide;

14 ~~(g)~~ methyprylon;

15 ~~(h)~~ sulfondiethylmethane;

16 ~~(i)~~ sulfonethylmethane;

17 ~~(j)~~ sulfonmethane; and

18 ~~(k) tiletamine and zolazepam or any of their salts; A trade or other name for a tiletamine-zolazepam~~
19 combination product is telazol. A trade or other name for tiletamine is 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.

20 A trade or other name for zolazepam is 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]

21 [1,4]-diazepin-7(1H)-one, flupyrzapon.

22 ~~(k) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any~~
23 ~~salt of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;~~

24 and

25 ~~(l) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of~~
26 ~~these drugs approved by the federal food and drug administration for marketing only as a suppository.~~

27 (3) Nalorphine.

28 (4) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
29 mixture, or preparation containing any of the following is a narcotic drug or drug, including its salts calculated as
30 the free anhydrous base or alkaloid in the following limited quantities:

1 (a) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
2 with an equal or greater quantity of an isoquinoline alkaloid of opium;

3 (b) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
4 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

5 (c) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
6 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

7 (d) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
8 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

9 (e) not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per
10 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

11 (f) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per
12 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

13 (g) not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25
14 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or

15 (h) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active,
16 nonnarcotic ingredients in recognized therapeutic amounts.

17 (5) Anabolic steroids. ~~Any~~ The term "anabolic steroid" means any drug or hormonal substance, chemically
18 and pharmacologically related to testosterone, other than estrogens, progestins, and corticosteroids, that promotes
19 muscle growth. Unless specifically excepted or listed in another schedule, any material, compound, mixture, or
20 preparation containing an anabolic steroid, including but not limited to the following: any quantity of the following
21 substances is an anabolic steroid, including salts, isomers, and salts of isomers whenever the existence of those
22 salts of isomers is possible within the specific chemical designation:

23 (a) ~~androisoxazole;~~

24 (b) ~~androstendiol;~~

25 (c) ~~bolandiol;~~

26 (d) ~~bolasterone;~~

27 (e) boldenone;

28 (f) ~~chlormethandienone;~~

29 (b) chlorotestosterone, also known as 4-chlortestosterone;

30 (g)(c) clostebol;

- 1 (d) dihydrochlormethyltestosterone;
- 2 (e) dihydrotestosterone, also known as 4-dihydrotestosterone;
- 3 (f) drostanolone;
- 4 ~~(h) dihydromesterone;~~
- 5 ~~(i)(g)~~ ethylestrenol;
- 6 ~~(i)(h)~~ fluoxymesterone;
- 7 (i) formebulone, also known as formebolone;
- 8 ~~(k) formylidienolone;~~
- 9 ~~(l) 4-hydroxy-19-nortestosterone;~~
- 10 ~~(m)(j)~~ mesterolone;
- 11 (k) methandienone;
- 12 (l) methandranone;
- 13 ~~(n)(m)~~ methandriol;
- 14 ~~(o)(n)~~ methandrostenolone;
- 15 ~~(p)(o)~~ methenolone;
- 16 ~~(q) 17-methyltestosterone~~ (p) methyltestosterone;
- 17 ~~(r) methyltrienolone;~~
- 18 (q) mibolerone;
- 19 ~~(s)(r)~~ nandrolone;
- 20 ~~(t) norbolethone;~~
- 21 ~~(u)(s)~~ norethandrolone;
- 22 ~~(v) normethandrolone;~~
- 23 ~~(w)(t)~~ oxandrolone;
- 24 ~~(x)(u)~~ oxymestronone;
- 25 ~~(y)(v)~~ oxymetholone;
- 26 ~~(z) quinbolone;~~
- 27 ~~(aa)(w)~~ stanolone;
- 28 ~~(bb)(x)~~ stanozolol;
- 29 ~~(cc) stenbolone;~~
- 30 (y) testolactone;

1 ~~(dd)(z)~~ testosterone; or
 2 ~~(ee)(aa)~~ trenbolone."

3

4 **Section 5.** Section 50-32-229, MCA, is amended to read:

5 **"50-32-229. Specific dangerous drugs included in Schedule IV.** Schedule IV consists of the drugs and
 6 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

7 (1) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
 8 mixture, or preparation containing any of the following is a narcotic drug ~~or drug, including~~ its salts calculated as
 9 the free anhydrous base or alkaloid in the following limited quantities:

10 (a) not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage
 11 unit; and

12 (b) dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

13 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 14 mixture, or preparation that contains any quantity of the following substances is a depressant, including ~~its~~ salts,
 15 isomers, and salts of isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible
 16 within the specific chemical designation:

17 (a) alprazolam;

18 (b) barbital;

19 (c) bromazepam;

20 (d) camazepam;

21 (e) chloral betaine;

22 (f) chloral hydrate;

23 (g) chlordiazepoxide;

24 (h) clobazam;

25 (i) clonazepam;

26 (j) clorazepate;

27 (k) clotiazepam;

28 (l) cloxazolam;

29 (m) delorazepam;

30 (n) diazepam;

- 1 (o) estazolam;
- 2 (p) ethchlorvynol;
- 3 (q) ethinamate;
- 4 (r) ethyl loflazepate;
- 5 (s) fludiazepam;
- 6 (t) flunitrazepam;
- 7 (u) flurazepam;
- 8 (v) halazepam;
- 9 (w) haloxazolam;
- 10 (x) ketazolam;
- 11 (y) loprazolam;
- 12 (z) lorazepam;
- 13 (aa) lormetazepam;
- 14 (bb) mebutamate;
- 15 (cc) medazepam;
- 16 (dd) meprobamate;
- 17 (ee) methohexital;
- 18 (ff) methylphenobarbital (~~mephobarbital~~), also known as mephobarbital;
- 19 (gg) midazolam;
- 20 (hh) nimetazepam;
- 21 (ii) nitrazepam;
- 22 (jj) nordiazepam;
- 23 (kk) oxazepam;
- 24 (ll) oxazolam;
- 25 (mm) paraldehyde;
- 26 (nn) petrichloral;
- 27 (oo) phenobarbital;
- 28 (pp) pinazepam;
- 29 (qq) prazepam;
- 30 (rr) quazepam;

- 1 (ss) temazepam;
 2 (tt) tetrazepam; ~~and~~
 3 (uu) triazolam; and
 4 (vv) zolpidem.

5 (3) Fenfluramine. Any material, compound, mixture, or preparation that contains any quantity of ~~the~~
 6 ~~following substance~~ fenfluramine, including its salts, isomers (whether optical, position, or geometric), and salts of
 7 ~~such~~ isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible;

8 ~~(a) fenfluramine.~~

9 (4) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
 10 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
 11 effect on the central nervous system, including its salts, isomers, and salts of isomers:

- 12 (a) cathine;
 13 (b) diethylpropion;
 14 (c) fencamfamin;
 15 (d) fenproporex;
 16 (e) mazindol;
 17 (f) mefenorex;
 18 (g) pemoline, including organometallic complexes and chelates thereof;
 19 (h) phentermine;
 20 (i) pipradrol; and
 21 (j) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

22 (5) Other substances. Unless specifically excepted or listed in another schedule, any material, compound,
 23 mixture, or preparation that contains any quantity of the following substances, including its salts:

- 24 (a) pentazocine."

25

26 **Section 6.** Section 50-32-232, MCA, is amended to read:

27 **"50-32-232. Specific dangerous drugs included in Schedule V.** Schedule V consists of the drugs and
 28 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

29 (1) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material,
 30 compound, mixture, or preparation containing buprenorphine and its salts is included in this category.

1 ~~(1)(2)~~ Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or
 2 preparation containing any of the following is a narcotic drug or drug, including its salts, calculated as the free
 3 anhydrous base or alkaloid in limited quantities as set forth in subsections ~~(1)(a)~~ (2)(a) through ~~(1)(f)~~ (2)(f), which
 4 include one or more nonnarcotic, active medicinal ingredients in sufficient proportion to confer upon the compound,
 5 mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

6 (a) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

7 (b) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

8 (c) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

9 (d) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per
 10 dosage unit;

11 (e) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; and

12 (f) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per
 13 dosage unit.

14 ~~(2) Buprenorphine.~~

15 (3) ~~Propylhexedrine~~ Stimulants. Unless specifically exempted or excluded or unless listed in another
 16 schedule, any material, compound, mixture, or preparation that contains any quantity of pyrovalerone is a stimulant
 17 having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers

18 ~~(4) Pyrovalerone."~~

19
 20 **NEW SECTION. Section 7. Exempt anabolic steroid products.** The following anabolic steroid-containing
 21 compounds, mixtures, or preparations are exempt from this chapter:

22 (1) androgyn L.A.;

23 (2) andro-estro 90-4;

24 (3) depandrogyn;

25 (4) DEPO-T.E.;

26 (5) deptestrogen;

27 (6) duomone;

28 (7) duratestrin;

29 (8) duo-span II;

30 (9) estratest;

- 1 (10) estratest HS;
 2 (11) pan estra test;
 3 (12) premarin with methyltestosterone;
 4 (13) synovex H pellets in process;
 5 (14) synovex H pellets in process granulation;
 6 (15) test-estro cypionates;
 7 (16) testagen;
 8 (17) testosterone cyp 50 estradiol cyp 2;
 9 (18) testosterone, cypionate-estradiol, cypionate injection;
 10 (19) testosterone, enanthate-estradiol, valerate injection; and
 11 (20) tilapia sex reversal feed (investigational).

12

13 ~~NEW SECTION. Section 9. Excluded substances. The following nonnarcotic substances that may, under~~
 14 ~~the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301), be lawfully sold over the counter without a prescription~~
 15 ~~are excluded from all schedules:~~

- 16 (1) ~~theophed;~~
 17 (2) ~~guiaphed elixir;~~
 18 (3) ~~tedrigen tablets;~~
 19 (4) ~~cheate's leg freeze;~~
 20 (5) ~~tedral;~~
 21 (6) ~~tedral elixir;~~
 22 (7) ~~tedral S.A.;~~
 23 (8) ~~tedral suspension;~~
 24 (9) ~~asthma oes;~~
 25 (10) ~~azma-aids;~~
 26 (11) ~~benzedrox;~~
 27 (12) ~~bronkolixir;~~
 28 (13) ~~bronkotabs;~~
 29 (14) ~~vicks inhaler; and~~
 30 (15) ~~primatone (P tablets).~~

1 NEW SECTION. **Section 8. Codification instruction.** [~~Sections SECTION 7 and 8~~] are IS intended to be
2 codified as an integral part of Title 50, chapter 32, part 2, and the provisions of Title 50, chapter 32, part 2, apply
3 to [~~sections SECTION 7 and 8~~].
4

5 NEW SECTION. **Section 9. Saving clause.** [This act] does not affect rights and duties that matured,
6 penalties that were incurred, or proceedings that were begun before [the effective date of this act].
7

8 NEW SECTION. **Section 10. Effective date.** [This act] is effective on passage and approval.
9

-END-

1 HOUSE BILL NO. 165

2 INTRODUCED BY TUSS

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR REVISION OF CONTROLLED SUBSTANCES
6 SCHEDULES; AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES MORE OFTEN THAN ANNUALLY TO
7 MAKE CHANGES TO STATUTORILY CONTROLLED SUBSTANCES SCHEDULES; REVISING STATUTORILY
8 CONTROLLED SUBSTANCES SCHEDULES TO INCLUDE AMENDMENTS AND ADDITIONS TO THE SCHEDULES
9 MADE BY THE FEDERAL FOOD AND DRUG ADMINISTRATION; AMENDING SECTIONS 50-32-209, 50-32-222,
10 50-32-224, 50-32-226, 50-32-229, AND 50-32-232, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE
REPRINTED. PLEASE REFER TO SECOND READING COPY
(YELLOW) FOR COMPLETE TEXT.**

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10 50-32-224, 50-32-226, 50-32-229, AND 50-32-232, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 Section 1. Section 50-32-209, MCA, is amended to read:

15 "50-32-209. ~~Annual republication~~ Republication of schedules. The board shall revise and the department
16 shall republish additions, deletions, or other changes to the schedules of dangerous drugs ~~annually~~ at times
17 determined by the board. For the purposes of this section, the mandate to republish ~~may be~~ additions, deletions, or
18 other changes is satisfied by publication in the Administrative Rules of Montana pursuant to Title 2, chapter 4."

19
20 Section 2. Section 50-32-222, MCA, is amended to read:

21 "50-32-222. ~~Specific dangerous drugs included in Schedule I.~~ Schedule I consists of the drugs and other
22 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

23 (1) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
24 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~such~~
25 those isomers, esters, ethers, and salts is possible within the specific chemical designation:

26 (a) acetyl-alpha-methylfentanyl;

27 (b) acetylmethadol;

28 (c) allylprodine;

29 (d) alphacetylmethadol, except levo-alpha-cetylmethadol, also known as levo-alpha-acetylmethadol,

30 levomethadyl acetate, or LAAM;

- 1 (e) alphameprodine;
- 2 (f) alphamethadol;
- 3 (g) alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;
- 4 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- 5 (h) alpha-methylthiofentanyl, also known as
- 6 N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide and;
- 7 ~~(h)(i)~~ benzethidine;
- 8 ~~(h)(j)~~ betacetylmethadol;
- 9 ~~(h)(k)~~ beta-hydroxyfentanyl, also known as
- 10 N-[1-(2-hydroxy-2-phenethyl)-4-piperidiny]-N-phenylpropanamide;
- 11 ~~(h)(l)~~ beta-hydroxy-3-methylfentanyl, also known as
- 12 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
- 13 ~~(h)(m)~~ betameprodine;
- 14 ~~(h)(n)~~ betamethadol;
- 15 ~~(h)(o)~~ betaprodine;
- 16 ~~(h)(p)~~ clonitazene;
- 17 ~~(h)(q)~~ dextromoramide;
- 18 ~~(h)(r)~~ diampromide;
- 19 ~~(h)(s)~~ diethylthiambutene;
- 20 ~~(h)(t)~~ difenoxin;
- 21 ~~(h)(u)~~ dimenoxadol;
- 22 ~~(h)(v)~~ dimepheptanol;
- 23 ~~(h)(w)~~ dimethylthiambutene;
- 24 ~~(h)(x)~~ dioxaphetyl butyrate;
- 25 ~~(h)(y)~~ dipipanone;
- 26 ~~(h)(z)~~ ethylmethylthiambutene;
- 27 ~~(h)(aa)~~ etonitazene;
- 28 ~~(h)(bb)~~ etoxeridine;
- 29 ~~(h)(cc)~~ furethidine;
- 30 ~~(h)(dd)~~ hydroxypethidine;

- 1 ~~(dd)~~(ee) ketobemidone;
- 2 ~~(ee)~~(ff) levomoramide;
- 3 ~~(ff)~~(gg) levophenacymorphan;
- 4 ~~(gg)~~(hh) 3-methylfentanyl, also known as N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide;
- 5 ~~(hh)~~(ii) 3-methylthiofentanyl, also known as
- 6 N-[3-methyl-1-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide;
- 7 ~~(ii)~~(jj) morpheridine;
- 8 ~~(jj)~~(kk) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 9 ~~(kk)~~(ll) noracymethadol;
- 10 ~~(ll)~~(mm) norlevorphanol;
- 11 ~~(mm)~~(nn) normethadone;
- 12 ~~(nn)~~(oo) norpipanone;
- 13 ~~(oo)~~(pp) para-fluorofentanyl, also known as
- 14 N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;
- 15 ~~(pp)~~(qq) PEPAP(1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 16 ~~(qq)~~(rr) phenadoxone;
- 17 ~~(rr)~~(ss) phenampromide;
- 18 ~~(ss)~~(tt) phenomorphan;
- 19 ~~(tt)~~(uu) phenoperidine;
- 20 ~~(uu)~~(vv) piritramide;
- 21 ~~(vv)~~(ww) proheptazine;
- 22 ~~(ww)~~(xx) properidine;
- 23 ~~(xx)~~(yy) propiram;
- 24 ~~(yy)~~(zz) racemoramide;
- 25 ~~(zz)~~(aaa) thiofentanyl, also known as N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;
- 26 ~~(aaa)~~(bbb) tilidine; and
- 27 ~~(bbb)~~(ccc) trimeperidine.
- 28 (2) For the purposes of subsection (1)(hh), the term "isomer" includes the optical, position, and geometric
- 29 isomers.
- 30 ~~(2)~~(3) Opium derivatives. Unless specifically excepted or listed in another schedule, any of the following

1 are opium derivatives, ~~its~~ including salts, isomers, and salts of isomers whenever the existence of ~~such~~ those salts,
 2 isomers, and salts of isomers is possible within the specific chemical designation:

- 3 (a) acetorphine;
- 4 (b) acetyldihydrocodeine;
- 5 (c) benzylmorphine;
- 6 (d) codeine methylbromide;
- 7 (e) codeine-n-oxide;
- 8 (f) cyprenorphine;
- 9 (g) desomorphine;
- 10 (h) dihydromorphine;
- 11 (i) drotebanol;
- 12 (j) etorphine, except hydrochloride salt;
- 13 (k) heroin;
- 14 (l) hydromorphinol;
- 15 (m) methyldesorphine;
- 16 (n) methyldihydromorphine;
- 17 (o) morphine methylbromide;
- 18 (p) morphine methylsulfonate;
- 19 (q) morphine-n-oxide;
- 20 (r) myrophine;
- 21 (s) nicocodeine;
- 22 (t) nicomorphine;
- 23 (u) normorphine;
- 24 (v) pholcodine; and
- 25 (w) thebacon.

26 ~~(3)(4)~~ (4) Hallucinogenic substances. Unless specifically excepted or listed in another schedule, any material,
 27 compound, mixture, or preparation that contains any quantity of the following is a hallucinogenic ~~substance or any~~
 28 ~~of its~~ substance, including salts, isomers, and salts of isomers whenever the existence of ~~such~~ those salts, isomers,
 29 and salts of isomers is possible within the specific chemical designation:

- 30 ~~(a) 3,4-methylenedioxy amphetamine;~~

- 1 ~~(b) 3,4-methylenedioxyamphetamine (MDMA);~~
- 2 ~~(c) 5-methoxy-3,4-methylenedioxy-amphetamine;~~
- 3 ~~(d) 3,4,5-trimethoxy-amphetamine;~~
- 4 ~~(e) bufotenine;~~
- 5 ~~(f) doet (2,5-dimethoxy-4-ethylamphetamine);~~
- 6 ~~(g) diethyltryptamine;~~
- 7 ~~(h) dimethyltryptamine;~~
- 8 ~~(i) 4-methyl-2,5-dimethoxy-amphetamine;~~
- 9 ~~(j) ibogaine;~~
- 10 ~~(k) lysergic acid diethylamide;~~
- 11 ~~(l) marijuana;~~
- 12 ~~(m) mescaline;~~
- 13 ~~(n) parahexyl;~~
- 14 ~~(o) peyote;~~
- 15 ~~(p) PCE (N-ethyl-1-phenylcyclohexylamine);~~
- 16 ~~(q) PHP-1 (1-phenylcyclohexyl)pyrrolidine (pop-analog);~~
- 17 ~~(r) n-ethyl-3-piperidyl-benzilate;~~
- 18 ~~(s) n-methyl-3-piperidyl-benzilate;~~
- 19 ~~(t) psilocybin;~~
- 20 ~~(u) psilocin;~~
- 21 ~~(v) tetrahydrocannabinol;~~
- 22 ~~(w) 2,5-dimethoxyamphetamine;~~
- 23 ~~(x) 4-bromo-2,5-dimethoxy-amphetamine;~~
- 24 ~~(y) 4-methoxyamphetamine;~~
- 25 ~~(z) ethylamine analog of phenacyclidine;~~
- 26 ~~(aa) pyrrolidine analog of phenacyclidine; and~~
- 27 ~~(bb) thiophene analog of phenacyclidine.~~
- 28 (a) alpha-ethyltryptamine. Trade or other names include etryptamine, monase,
- 29 alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl) indole, alpha-ET, and AET.
- 30 (b) 4-bromo-2,5-dimethoxy-amphetamine. Trade or other names include 4-bromo-2,

- 1 5-dimethoxy-alpha-methylphenethylamine and 4-bromo-2,5-DMA.
- 2 (c) 4-bromo-2,5-dimethoxyphenethylamine. Trade or other names include 2-(4-bromo-2,
- 3 5-dimethoxyphenyl)-1-aminoethane, alpha-desmethyldOB, and 2C-B,Nexus.
- 4 (d) 2,5-dimethoxyamphetamine. Trade or other names include
- 5 2,5-dimethoxy-alpha-methylphenothylamine and 2,5-DMA.
- 6 (e) 3,4-methylenedioxy amphetamine;
- 7 (f) 2,5-dimethoxy-4-ethylamphetamine. A trade or other name is DOET.
- 8 (g) 4-methoxyamphetamine. A trade or other name is 4-methoxy-alpha-methylphenethylamine.
- 9 (h) 5-methoxy-3,4-methylenedioxy amphetamine;
- 10 (i) 4-methyl-2,5-dimethoxy-amphetamine. Trade or other names include 4-methyl-2,
- 11 5-dimethoxy-alpha-methylphenethylamine, DOM, and STP.
- 12 (j) 3,4-methylenedioxy amphetamine;
- 13 (k) 3,4-methylenedioxymethamphetamine (MDMA);
- 14 (l) 3,4-methylenedioxy-N-ethylamphetamine, also known as
- 15 N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, and MDEA;
- 16 (m) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
- 17 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA;
- 18 (n) 3,4,5-trimethoxy amphetamine;
- 19 (o) bufotenine. Trade and other names include 3-(beta-dimethylaminoethyl)-5-hydroxyindole,
- 20 3-(2-dimethylaminoethyl)-5-indolol, N,N-dimethylserotonin, 5-hydroxy-N,N-dimethyltryptamine, and mappine.
- 21 (p) diethyltryptamine. Trade and other names include N,N-diethyltryptamine and DET.
- 22 (q) dimethyltryptamine. A trade or other name is DMT.
- 23 (r) ibogaine. Trade or other names include
- 24 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepine [5,4-b] indole and
- 25 tabernanthe iboga.
- 26 (s) lysergic acid diethylamide;
- 27 (t) marijuana;
- 28 (u) mescaline;
- 29 (v) parahexyl. Trade or other names include
- 30 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,8,9-trimethyl-6H-dibenzo[b,d]pyran and synhexyl.

1 (w) peyote, meaning all parts of the plant presently classified botanically as *lophophora williamsii* lemaire,
 2 whether growing or not; the seed of the plant; any extract from any part of the plant; and every compound,
 3 manufacture, salts, derivatives, mixture, or preparation of the plant, its seed, or extracts;

4 (x) n-ethyl-3-piperidyl benzilate;

5 (y) n-methyl-3-piperidyl benzilate;

6 (z) psilocybin;

7 (aa) psilocyn;

8 (bb) tetrahydrocannabinols, including synthetic equivalents of the substances contained in the plant or in
 9 the resinous extractives of cannabis, sp. or synthetic substances, derivatives, and their isomers with similar
 10 chemical structure and pharmacological activity, such as those listed in subsections (4)(bb)(i) through (4)(bb)(iii).
 11 Because nomenclature of these substances is not internationally standardized, compounds of these structures,
 12 regardless of numerical designation of atomic positions covered, are included in the category as follows:

13 (i) delta 1 (DELTA 9) cis or trans tetrahydrocannabinol and its optical isomers;

14 (ii) delta 6 cis or trans tetrahydrocannabinol and its optical isomers; and

15 (iii) delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers;

16 (cc) ethylamine analog of phencyclidine. Trade or others names include N-ethyl-1-phenylcyclohexylamine,
 17 (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, and PCE.

18 (dd) pyrrolidine analog of phencyclidine. Trade or other names include 1-(1-phenylcyclohexyl)-pyrrolidine,
 19 PCPy, and PHP.

20 (ee) thiophene analog of phencyclidine. Trade or other names include
 21 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, and TCP.

22 (ff) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine. A trade or other name is TCPy.

23 (5) For the purposes of subsection (4), the term "isomer" includes the optical, position, and geometric
 24 isomers.

25 (4)(6) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 26 mixture, or preparation that contains any quantity of the following ~~substance~~ substances is a depressant having a
 27 depressant effect on the central nervous system, including ~~the~~ salts, isomers, and salts of isomers whenever the
 28 existence of ~~each~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:

29 (a) mecloqualone; and

30 (b) methaqualone.

1 ~~(5)(7)~~ Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
2 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
3 effect on the central nervous system, including its salts, isomers, and salts of isomers:

4 ~~(a) fenethylline; and~~

5 ~~(b) n-ethylamphetamine.~~

6 (a) aminorex. Trade or other names include aminoxaphen, 2-amino-5-phenyl-2-oxazoline, and
7 4,5-dihydro-5-phenyl-2-oxazolamine.

8 (b) cathinone. Trade or other names include 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
9 2-aminopropiophenone, and norephedrone.

10 (c) fenethylline;

11 (d) methcathinone. Trade or other names include 2-(methylamino)-propiophenone,
12 alpha-(methylamino)propiophenone, 2-(methylamino)-1-phenylpropan-1-one, alpha-N-methylaminopropiophenone,
13 monomethylpropion, ephedrone, N-methylcathinone, methylcathinone, AL-464, AL-422, AL-463, and UR1432,
14 including its salts, optical isomers, and salts of optical isomers.

15 (e) (levo-dextro) cis-4-methylaminorex, also known as (levo-dextro) cis-4,
16 5-dihydro-4-methyl-5-phenyl-2-oxazolamine;

17 (f) N-ethylamphetamine;

18 (g) N,N-dimethylamphetamine, also known as N,N-alpha-trimethyl-benzeneethamine and
19 N,N-alpha-trimethylphenethylamine.

20 (8) Substances subject to emergency scheduling. Any material, compound, mixture, or preparation that
21 contains any quantity of the following substances is included in this category:

22 (a) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of
23 isomers); and

24 (b) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts, and
25 salts of isomers).

26 ~~(6) For purposes of subsection (3) only, the term "isomer" includes the optical, position, and geometric~~
27 ~~isomers.~~

28 ~~(7)(9)~~ If prescription or administration is authorized by the Federal Food, Drug and Cosmetic Act, then any
29 material, compound, mixture, or preparation containing tetrahydrocannabinols listed in subsection ~~(3)~~ (4) ~~shall~~ must
30 automatically be rescheduled from Schedule I to Schedule II."

1 **Section 3.** Section 50-32-224, MCA, is amended to read:

2 **"50-32-224. Specific dangerous drugs included in Schedule II.** Schedule II consists of the drugs and other
3 substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

4 (1) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or listed in another
5 schedule, any of the following substances, whether produced directly or indirectly by extraction from substances of
6 vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical
7 synthesis, are included in this category:

8 (a) opium and opiate and any salt, compound, derivative, or preparation of opium or opiate, excluding
9 apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone and
10 their respective salts, but including the following:

11 (i) raw opium;

12 (ii) opium extracts;

13 (iii) opium fluid ~~extracts~~;

14 (iv) powdered opium;

15 (v) granulated opium;

16 (vi) tincture of opium;

17 (vii) codeine;

18 (viii) ethylmorphine;

19 (ix) etorphine hydrochloride;

20 (x) hydrocodone;

21 (xi) hydromorphone;

22 (xii) metopon;

23 (xiii) morphine;

24 (xiv) oxycodone;

25 (xv) oxymorphone; and

26 (xvi) thebaine;

27 (b) any salt, compound, derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical
28 with any of the substances referred to in subsection (1)(a) ~~of this section~~, except that these substances do not
29 include the isoquinoline alkaloids of opium;

30 (c) opium poppy and poppy straw;

1 (d) coca leaves and any salt, compound, derivative, or preparation of coca leaves, including cocaine and
 2 ecgonine and their salts, isomers, derivatives, and salts of isomers, and derivatives, and any salt, compound,
 3 derivative, or preparation ~~thereof~~ of them that is chemically equivalent or identical with any of these substances,
 4 except that these substances do not include decocainized coca leaves or extraction of coca leaves, which
 5 extractions do not contain cocaine or ecgonine; and

6 (e) concentrate of poppy straw, the crude extract of poppy straw in either liquid, solid, or powder form
 7 that contains the phenanthrene alkaloids of the opium poppy.

8 (2) Opiates. Unless specifically excepted or listed in another schedule, any of the following are opiates,
 9 including ~~its~~ isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of ~~such~~
 10 those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and
 11 levopropoxyphene excepted:

12 (a) alfentanil;

13 (b) alphaprodine;

14 (c) anileridine;

15 (d) bezitramide;

16 (e) bulk dextropropoxyphene (nondosage forms);

17 (f) carfentanil;

18 ~~(g)~~ (g) dihydrocodeine;

19 ~~(h)~~ (h) diphenoxylate;

20 ~~(i)~~ (i) fentanyl;

21 ~~(j)~~ (j) isomethadone;

22 (k) levo-alpha-acetylmethadol. Other names include levo-alpha-acetylmethadol, levomethadyl acetate, and

23 LAAM.

24 ~~(l)~~ (l) levomethorphan;

25 ~~(m)~~ (m) levorphanol;

26 ~~(n)~~ (n) metazocine;

27 ~~(o)~~ (o) methadone;

28 ~~(p)~~ (p) methadone-intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

29 ~~(q)~~ (q) moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;

30 ~~(r)~~ (r) pethidine ~~(meperidine)~~, also known as meperidine;

- 1 ~~(p)~~(s) pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
 2 ~~(q)~~(t) pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
 3 ~~(r)~~(u) pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
 4 ~~(e)~~(v) phenazocine;
 5 ~~(t)~~(w) piminodine;
 6 ~~(u)~~(x) racemethorphan;
 7 ~~(v)~~(y) racemorphan; and
 8 ~~(w)~~(z) sufentanil; and
 9 ~~(x)~~ bulk dextropropoxyphene (non-dosage forms).

10 (3) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
 11 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
 12 effect on the central nervous system:

- 13 (a) amphetamine, its salts, optical isomers, and salts of its optical isomers;
 14 (b) phenmetrazine and its salts;
 15 (c) methamphetamine, its salts, isomers, and salts of its isomers; and
 16 (d) methylphenidate.

17 (4) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 18 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
 19 effect on the central nervous system, including ~~its~~ salts, isomers, and salts of isomers whenever the existence of
 20 ~~such those~~ those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- 21 (a) amobarbital;
 22 ~~(b)~~ (b) glutethimide;
 23 ~~(b)~~(c) pentobarbital;
 24 ~~(e)~~(d) phencyclidine; and
 25 ~~(d)~~(e) secobarbital.

26 ~~(5) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,~~
 27 ~~compound, mixture, or preparation that contains any quantity of the following substances:~~

- 28 ~~(a) immediate precursor to amphetamine and methamphetamine;~~
 29 ~~(i) phenylacetone;~~
 30 ~~(b) immediate precursors to phencyclidine (PCP);~~

1 (i) 1-phenylcyclohexylamine; and

2 (ii) ~~1-piperidinocyclohexanecarbonitrile (PCC).~~

3 (6) Hallucinogenic substances include the following:

4 (a) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a federal food and
5 drug administration-approved drug product; ~~and.~~ Other names for dronabinol include
6 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo [b, d]pyran-1-ol or
7 (-)-delta-9-(trans)-tetrahydrocannabinol.

8 (b) nabilone. Another name for nabilone is (levo-dextro)-trans-3-(1,
9 1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b, d] pyran-9-one.

10 (6) Immediate precursors. Unless specifically excepted or listed in another schedule, any material,
11 compound, mixture, or preparation that contains any quantity of the following substances is an immediate
12 precursor:

13 (a) phenylacetone, an immediate precursor to amphetamine and methamphetamine. Trade or other names
14 for phenylacetone include phenyl-2-propanone, P2P, benzyl methyl ketone, and methyl benzyl ketone.

15 (b) 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile (PCC), immediate precursors to
16 phencyclidine (PCP)."

17

18 **Section 4.** Section 50-32-226, MCA, is amended to read:

19 **"50-32-226. Specific dangerous drugs included in Schedule III.** Schedule III consists of the drugs and
20 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

21 (1) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
22 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
23 effect on the central nervous system, including ~~its~~ salts, isomers (whether optical, position, or geometric), and salts
24 of ~~each~~ isomers whenever the existence of ~~each~~ those salts, isomers, and salts of isomers is possible within the
25 specific chemical designation:

26 (a) benzphetamine;

27 (b) chlorphentermine;

28 (c) clortermine; and

29 (d) phendimetrazine.

30 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,

1 mixture, or preparation that contains any quantity of the following substances is a depressant having a depressant
2 effect on the central nervous system:

3 ~~(a) any substance that contains any quantity of a derivative of barbituric acid or any salt thereof;~~

4 ~~(b) chlorhexadol;~~

5 ~~(c) glutethimide;~~

6 (a) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any salt
7 of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;

8 (b) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of
9 these drugs approved by the federal food and drug administration for marketing only as a suppository;

10 (c) any substance that contains any quantity of a derivative of barbituric acid or any salt of barbituric acid;

11 (d) chlorhexadol;

12 ~~(e)~~ lysergic acid;

13 ~~(f)~~ lysergic acid amide;

14 ~~(g)~~ methyprylon;

15 ~~(h)~~ sulfondiethylmethane;

16 ~~(i)~~ sulfonethylmethane;

17 ~~(j)~~ sulfonmethane; and

18 ~~(k)~~ tiletamine and zolazepam or any of their salts; A trade or other name for a tiletamine-zolazepam
19 combination product is telazol. A trade or other name for tiletamine is 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.

20 A trade or other name for zolazepam is 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]

21 [1,4]-diazepin-7(1H)-one, flupyrzapon.

22 ~~(k) any compound, mixture, or preparation containing amobarbital, secobarbital, or pentobarbital or any~~
23 ~~salt of any of these drugs and one or more other active medicinal ingredients that are not listed in any schedule;~~

24 and

25 ~~(l) any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of any of~~
26 ~~these drugs approved by the federal food and drug administration for marketing only as a suppository.~~

27 (3) Nalorphine.

28 (4) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
29 mixture, or preparation containing any of the following is a narcotic drug or drug, including its salts calculated as
30 the free anhydrous base or alkaloid in the following limited quantities:

- 1 (a) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
 2 with an equal or greater quantity of an isoquinoline alkaloid of opium;
- 3 (b) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit,
 4 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- 5 (c) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
 6 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;
- 7 (d) not more than 300 milligrams of dihydrocodeinone (hydrocodone) per 100 milliliters or not more than
 8 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- 9 (e) not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per
 10 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- 11 (f) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per
 12 dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- 13 (g) not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25
 14 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or
- 15 (h) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active,
 16 nonnarcotic ingredients in recognized therapeutic amounts.
- 17 (5) Anabolic steroids. Any. The term "anabolic steroid" means any drug or hormonal substance, chemically
 18 and pharmacologically related to testosterone, other than estrogens, progestins, and corticosteroids, that promotes
 19 muscle growth. Unless specifically excepted or listed in another schedule, any material, compound, mixture, or
 20 preparation containing an anabolic steroid, including but not limited to the following: any quantity of the following
 21 substances is an anabolic steroid, including salts, isomers, and salts of isomers whenever the existence of those
 22 salts of isomers is possible within the specific chemical designation:
- 23 (a) ~~androisoxazole;~~
- 24 (b) ~~androstandiol;~~
- 25 (c) ~~bolandiol;~~
- 26 (d) ~~bolacteron;~~
- 27 (e) boldenone;
- 28 (f) ~~chlormethandienone;~~
- 29 (b) chlorotestosterone, also known as 4-chlortestosterone;
- 30 (g)(c) clostebol;

- 1 (d) dihydrochlormethyltestosterone;
- 2 (e) dihydrotestosterone, also known as 4-dihydrotestosterone;
- 3 (f) drostanolone;
- 4 ~~(h) dihydromesterone;~~
- 5 ~~(i)(g) ethylestrenol;~~
- 6 ~~(i)(h) fluoxymesterone;~~
- 7 (j) formebulone, also known as formebolone;
- 8 ~~(k) formyldienolone;~~
- 9 ~~(l) 4 hydroxy-19 nortestosterone;~~
- 10 ~~(m)(i) mesterolone;~~
- 11 (k) methandienone;
- 12 (l) methandranone;
- 13 ~~(n)(m) methandriol;~~
- 14 ~~(e)(n) methandrostenolone;~~
- 15 ~~(p)(o) methenolone;~~
- 16 ~~(q) 17-methyltestosterone~~ (p) methyltestosterone;
- 17 ~~(r) methyltrienolone;~~
- 18 (g) mibolerone;
- 19 ~~(s)(r) nandrolone;~~
- 20 ~~(t) norbolethone;~~
- 21 ~~(u)(s) norethandrolone;~~
- 22 ~~(v) normethandrolone;~~
- 23 ~~(w)(t) oxandrolone;~~
- 24 ~~(x)(u) oxymestron;~~
- 25 ~~(y)(v) oxymetholone;~~
- 26 ~~(z) quinbolone;~~
- 27 ~~(aa)(w) stanolone;~~
- 28 ~~(bb)(x) stanozolol;~~
- 29 ~~(cc) stenbolone;~~
- 30 (y) testolactone;

1 ~~(dd)(z)~~ testosterone; or
 2 ~~(ee)(aa)~~ trenbolone."

3

4 **Section 5.** Section 50-32-229, MCA, is amended to read:

5 **"50-32-229. Specific dangerous drugs included in Schedule IV.** Schedule IV consists of the drugs and
 6 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

7 (1) Narcotic drugs. Unless specifically excepted or listed in another schedule, any material, compound,
 8 mixture, or preparation containing any of the following is a narcotic drug or drug, including its salts calculated as
 9 the free anhydrous base or alkaloid in the following limited quantities:

10 (a) not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage
 11 unit; and

12 (b) dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

13 (2) Depressants. Unless specifically excepted or listed in another schedule, any material, compound,
 14 mixture, or preparation that contains any quantity of the following substances is a depressant, including ~~its~~ salts,
 15 isomers, and salts of isomers whenever the existence of ~~such those~~ salts, isomers, and salts of isomers is possible
 16 within the specific chemical designation:

17 (a) alprazolam;

18 (b) barbital;

19 (c) bromazepam;

20 (d) camazepam;

21 (e) chloral betaine;

22 (f) chloral hydrate;

23 (g) chlordiazepoxide;

24 (h) clobazam;

25 (i) clonazepam;

26 (j) clorazepate;

27 (k) clotiazepam;

28 (l) cloxazolam;

29 (m) delorazepam;

30 (n) diazepam;

- 1 (o) estazolam;
- 2 (p) ethchlorvynol;
- 3 (q) ethinamate;
- 4 (r) ethyl loflazepate;
- 5 (s) fludiazepam;
- 6 (t) flunitrazepam;
- 7 (u) flurazepam;
- 8 (v) halazepam;
- 9 (w) haloxazolam;
- 10 (x) ketazolam;
- 11 (y) loprazolam;
- 12 (z) lorazepam;
- 13 (aa) lormetazepam;
- 14 (bb) mebutamate;
- 15 (cc) medazepam;
- 16 (dd) meprobamate;
- 17 (ee) methohexital;
- 18 (ff) methylphenobarbital (~~mephobarbital~~), also known as mephobarbital;
- 19 (gg) midazolam;
- 20 (hh) nimetazepam;
- 21 (ii) nitrazepam;
- 22 (jj) nordiazepam;
- 23 (kk) oxazepam;
- 24 (ll) oxazolam;
- 25 (mm) paraldehyde;
- 26 (nn) petrichloral;
- 27 (oo) phenobarbital;
- 28 (pp) pinazepam;
- 29 (qq) prazepam;
- 30 (rr) quazepam;

1 (ss) temazepam;

2 (tt) tetrazepam; ~~and~~

3 (uu) triazolam; and

4 (vv) zolpidem.

5 (3) Fenfluramine. Any material, compound, mixture, or preparation that contains any quantity of ~~the~~
6 ~~following substance~~ fenfluramine, including its salts, isomers (whether optical, position, or geometric), and salts of
7 ~~such~~ isomers whenever the existence of ~~such~~ those salts, isomers, and salts of isomers is possible.

8 ~~(a) fenfluramine.~~

9 (4) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound,
10 mixture, or preparation that contains any quantity of the following substances is a stimulant having a stimulant
11 effect on the central nervous system, including its salts, isomers, and salts of isomers:

12 (a) cathine;

13 (b) diethylpropion;

14 (c) fencamfamin;

15 (d) fenproporex;

16 (e) mazindol;

17 (f) mefenorex;

18 (g) pemoline, including organometallic complexes and chelates thereof;

19 (h) phentermine;

20 (i) pipradrol; and

21 (j) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

22 (5) Other substances. Unless specifically excepted or listed in another schedule, any material, compound,
23 mixture, or preparation that contains any quantity of the following substances, including its salts:

24 (a) pentazocine."

25

26 **Section 6.** Section 50-32-232, MCA, is amended to read:

27 **"50-32-232. Specific dangerous drugs included in Schedule V.** Schedule V consists of the drugs and
28 other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

29 (1) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material,
30 compound, mixture, or preparation containing buprenorphine and its salts is included in this category.

1 ~~(1)(2)~~ Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or
 2 preparation containing any of the following is a narcotic drug or drug, including its salts, calculated as the free
 3 anhydrous base or alkaloid in limited quantities as set forth in subsections ~~(1)(a)~~ (2)(a) through ~~(1)(f)~~ (2)(f), which
 4 include one or more nonnarcotic, active medicinal ingredients in sufficient proportion to confer upon the compound,
 5 mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

6 (a) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

7 (b) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

8 (c) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

9 (d) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per
 10 dosage unit;

11 (e) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; and

12 (f) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per
 13 dosage unit.

14 ~~(2) Buprenorphine.~~

15 (3) ~~Propylhexedrine~~ Stimulants. Unless specifically exempted or excluded or unless listed in another
 16 schedule, any material, compound, mixture, or preparation that contains any quantity of pyrovalerone is a stimulant
 17 having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers

18 ~~(4) Pyrovalerone."~~

19
 20 **NEW SECTION. Section 7. Exempt anabolic steroid products.** The following anabolic steroid-containing
 21 compounds, mixtures, or preparations are exempt from this chapter:

22 (1) androgyn L.A.;

23 (2) andro-estro 90-4;

24 (3) depandrogyn;

25 (4) DEPO-T.E.;

26 (5) deptestrogen;

27 (6) duomone;

28 (7) duratestrin;

29 (8) duo-span II;

30 (9) estratest;

- 1 (10) estratest HS;
- 2 (11) pan estra test;
- 3 (12) premarin with methyltestosterone;
- 4 (13) synovex H pellets in process;
- 5 (14) synovex H pellets in process granulation;
- 6 (15) test-estro cypionates;
- 7 (16) testagen;
- 8 (17) testosterone cyp 50 estradiol cyp 2;
- 9 (18) testosterone, cypionate-estradiol, cypionate injection;
- 10 (19) testosterone, enanthate-estradiol, valerate injection; and
- 11 (20) tilapia sex reversal feed (investigational).

12

13 ~~NEW SECTION. Section 9. Excluded substances. The following nonnarcotic substances that may, under~~
 14 ~~the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301), be lawfully sold over the counter without a prescription~~
 15 ~~are excluded from all schedules:~~

- 16 (1) ~~theophed;~~
- 17 (2) ~~guiaphed elixir;~~
- 18 (3) ~~tedrigen tablets;~~
- 19 (4) ~~choate's leg freeze;~~
- 20 (5) ~~tedral;~~
- 21 (6) ~~tedral elixir;~~
- 22 (7) ~~tedral S.A.;~~
- 23 (8) ~~tedral suspension;~~
- 24 (9) ~~asthma-ace;~~
- 25 (10) ~~azma-aide;~~
- 26 (11) ~~benzedrex;~~
- 27 (12) ~~bronkolixir;~~
- 28 (13) ~~bronkotabs;~~
- 29 (14) ~~vicks inhaler; and~~
- 30 (15) ~~primatone (P tablets).~~

