

**CONTROLLED SUBSTANCE AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Controlled Substances Act by adding salvia divinorum as a controlled substance.

**Highlighted Provisions:**

This bill:

- ▶ adds the herb salvia divinorum to the statutory list of controlled substances; and
- ▶ designates salvia divinorum as a Schedule I controlled substance.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-37-4**, as last amended by Laws of Utah 2006, Chapter 8

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-37-4** is amended to read:

**58-37-4. Schedules of controlled substances -- Schedules I through V -- Findings required -- Specific substances included in schedules.**

(1) There are established five schedules of controlled substances known as Schedules I,



28 II, III, IV, and V which shall consist of substances listed in this section.

29 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by  
30 the official name, common or usual name, chemical name, or brand name designated:

31 (a) Schedule I:

32 (i) Unless specifically excepted or unless listed in another schedule, any of the  
33 following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and  
34 ethers, when the existence of the isomers, esters, ethers, and salts is possible within the specific  
35 chemical designation:

36 (A) Acetyl-alpha-methylfentanyl

37 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

38 (B) Acetylmethadol;

39 (C) Allylprodine;

40 (D) Alphacetylmethadol, except levo-alphacetylmethadol also known as  
41 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

42 (E) Alphameprodine;

43 (F) Alphamethadol;

44 (G) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]  
45 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

46 (H) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-  
47 piperidinyl]-N-phenylpropanamide);

48 (I) Benzethidine;

49 (J) Betacetylmethadol;

50 (K) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-  
51 piperidinyl]-N-phenylpropanamide);

52 (L) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-  
53 phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

54 (M) Betameprodine;

55 (N) Betamethadol;

56 (O) Betaprodine;

57 (P) Clonitazene;

58 (Q) Dextromoramide;

- 59 (R) Diampromide;  
60 (S) Diethylthiambutene;  
61 (T) Difenoxin;  
62 (U) Dimenoxadol;  
63 (V) Dimepheptanol;  
64 (W) Dimethylthiambutene;  
65 (X) Dioxaphetyl butyrate;  
66 (Y) Dipipanone;  
67 (Z) Ethylmethylthiambutene;  
68 (AA) Etonitazene;  
69 (BB) Etoxidine;  
70 (CC) Furethidine;  
71 (DD) Hydroxypethidine;  
72 (EE) Ketobemidone;  
73 (FF) Levomoramide;  
74 (GG) Levophenacymorphan;  
75 (HH) Morpheridine;  
76 (II) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);  
77 (JJ) Noracymethadol;  
78 (KK) Norlevorphanol;  
79 (LL) Normethadone;  
80 (MM) Norpipanone;  
81 (NN) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]  
82 propanamide;  
83 (OO) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);  
84 (PP) Phenadoxone;  
85 (QQ) Phenampromide;  
86 (RR) Phenomorphan;  
87 (SS) Phenoperidine;  
88 (TT) Piritramide;  
89 (UU) Proheptazine;

- 90 (VV) Properidine;  
91 (WW) Propiram;  
92 (XX) Racemoramide;  
93 (YY) Salvia divinorum;  
94 [~~YY~~] (ZZ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-  
95 propanamide;  
96 [~~ZZ~~] (AAA) Tilidine;  
97 [~~AAA~~] (BBB) Trimeperidine;  
98 [~~BBB~~] (CCC) 3-methylfentanyl, including the optical and geometric isomers  
99 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide); and  
100 [~~CCC~~] (DDD) 3-methylthiofentanyl  
101 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).  
102 (ii) Unless specifically excepted or unless listed in another schedule, any of the  
103 following opium derivatives, their salts, isomers, and salts of isomers when the existence of the  
104 salts, isomers, and salts of isomers is possible within the specific chemical designation:  
105 (A) Acetorphine;  
106 (B) Acetyldihydrocodeine;  
107 (C) Benzylmorphine;  
108 (D) Codeine methylbromide;  
109 (E) Codeine-N-Oxide;  
110 (F) Cyprenorphine;  
111 (G) Desomorphine;  
112 (H) Dihydromorphine;  
113 (I) Drotebanol;  
114 (J) Etorphine (except hydrochloride salt);  
115 (K) Heroin;  
116 (L) Hydromorphenol;  
117 (M) Methyldesorphine;  
118 (N) Methylhydromorphine;  
119 (O) Morphine methylbromide;  
120 (P) Morphine methylsulfonate;

- 121 (Q) Morphine-N-Oxide;
- 122 (R) Myrophine;
- 123 (S) Nicocodeine;
- 124 (T) Nicomorphine;
- 125 (U) Normorphine;
- 126 (V) Pholcodine; and
- 127 (W) Thebacon.

128 (iii) Unless specifically excepted or unless listed in another schedule, any material,  
129 compound, mixture, or preparation which contains any quantity of the following hallucinogenic  
130 substances, or which contains any of their salts, isomers, and salts of isomers when the  
131 existence of the salts, isomers, and salts of isomers is possible within the specific chemical  
132 designation; as used in this Subsection (2)(iii) only, "isomer" includes the optical, position, and  
133 geometric isomers:

- 134 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase;  
135  $\alpha$ -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;  $\alpha$ -ET; and AET;
- 136 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:  
137 4-bromo-2,5-dimethoxy- $\alpha$ -methylphenethylamine; 4-bromo-2,5-DMA;
- 138 (C) 4-bromo-2,5-dimethoxypenethylamine, some trade or other names:  
139 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus;
- 140 (D) 2,5-dimethoxyamphetamine, some trade or other names:  
141 2,5-dimethoxy- $\alpha$ -methylphenethylamine; 2,5-DMA;
- 142 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
- 143 (F) 4-methoxyamphetamine, some trade or other names:  
144 4-methoxy- $\alpha$ -methylphenethylamine; paramethoxyamphetamine, PMA;
- 145 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 146 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:  
147 4-methyl-2,5-dimethoxy- $\alpha$ -methylphenethylamine; "DOM"; and "STP";
- 148 (I) 3,4-methylenedioxy amphetamine;
- 149 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 150 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-  
151 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;

- 152 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as  
153 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA;
- 154 (M) 3,4,5-trimethoxy amphetamine;
- 155 (N) Bufotenine, some trade and other names:  
156 3-( $\beta$ -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,  
157 N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 158 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 159 (P) Dimethyltryptamine, some trade or other names: DMT;
- 160 (Q) Ibogaine, some trade and other names:  
161 7-Ethyl-6,6 $\beta$ ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino  
162 [5,4-b] indole; Tabernanthe iboga;
- 163 (R) Lysergic acid diethylamide;
- 164 (S) Marijuana;
- 165 (T) Mescaline;
- 166 (U) Parahexyl, some trade or other names:  
167 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl;
- 168 (V) Peyote, meaning all parts of the plant presently classified botanically as  
169 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from  
170 any part of such plant, and every compound, manufacture, salts, derivative, mixture, or  
171 preparation of such plant, its seeds or extracts (Interprets 21 USC 812(c), Schedule I(c) (12));
- 172 (W) N-ethyl-3-piperidyl benzilate;
- 173 (X) N-methyl-3-piperidyl benzilate;
- 174 (Y) Psilocybin;
- 175 (Z) Psilocyn;
- 176 (AA) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the  
177 plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, derivatives,  
178 and their isomers with similar chemical structure and pharmacological activity such as the  
179 following:  $\Delta$ 1 cis or trans tetrahydrocannabinol, and their optical isomers  $\Delta$ 6 cis or trans  
180 tetrahydrocannabinol, and their optical isomers  $\Delta$ 3,4 cis or trans tetrahydrocannabinol, and its  
181 optical isomers, and since nomenclature of these substances is not internationally standardized,  
182 compounds of these structures, regardless of numerical designation of atomic positions

183 covered;

184 (BB) Ethylamine analog of phencyclidine, some trade or other names:

185 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,

186 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

187 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:

188 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

189 (DD) Thiophene analog of phencyclidine, some trade or other names:

190 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP; and

191 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.

192 (iv) Unless specifically excepted or unless listed in another schedule, any material  
193 compound, mixture, or preparation which contains any quantity of the following substances  
194 having a depressant effect on the central nervous system, including its salts, isomers, and salts  
195 of isomers when the existence of the salts, isomers, and salts of isomers is possible within the  
196 specific chemical designation:

197 (A) Mecloqualone; and

198 (B) Methaqualone.

199 (v) Any material, compound, mixture, or preparation containing any quantity of the  
200 following substances having a stimulant effect on the central nervous system, including their  
201 salts, isomers, and salts of isomers:

202 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or  
203 4,5-dihydro-5-phenyl-2-oxazolamine;

204 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,  
205 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;

206 (C) Fenethylamine;

207 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;  
208 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;

209 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone;  
210 methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of  
211 optical isomers;

212 (E) ( $\pm$ )cis-4-methylaminorex (( $\pm$ )cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

213 (F) N-ethylamphetamine; and

- 214 (G) N,N-dimethylamphetamine, also known as  
215 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 216 (vi) Any material, compound, mixture, or preparation which contains any quantity of  
217 the following substances, including their optical isomers, salts, and salts of isomers, subject to  
218 temporary emergency scheduling:
- 219 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and  
220 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl).
- 221 (vii) Unless specifically excepted or unless listed in another schedule, any material,  
222 compound, mixture, or preparation which contains any quantity of gamma hydroxy butyrate  
223 (gamma hydrobutyric acid), including its salts, isomers, and salts of isomers.
- 224 (b) Schedule II:
- 225 (i) Unless specifically excepted or unless listed in another schedule, any of the  
226 following substances whether produced directly or indirectly by extraction from substances of  
227 vegetable origin, or independently by means of chemical synthesis, or by a combination of  
228 extraction and chemical synthesis:
- 229 (A) Opium and opiate, and any salt, compound, derivative, or preparation of opium or  
230 opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone,  
231 and their respective salts, but including:
- 232 (I) Raw opium;  
233 (II) Opium extracts;  
234 (III) Opium fluid;  
235 (IV) Powdered opium;  
236 (V) Granulated opium;  
237 (VI) Tincture of opium;  
238 (VII) Codeine;  
239 (VIII) Ethylmorphine;  
240 (IX) Etorphine hydrochloride;  
241 (X) Hydrocodone;  
242 (XI) Hydromorphone;  
243 (XII) Metopon;  
244 (XIII) Morphine;

245 (XIV) Oxycodone;

246 (XV) Oxymorphone; and

247 (XVI) Thebaine;

248 (B) Any salt, compound, derivative, or preparation which is chemically equivalent or  
249 identical with any of the substances referred to in Subsection (2)(b)(i)(A), except that these  
250 substances may not include the isoquinoline alkaloids of opium;

251 (C) Opium poppy and poppy straw;

252 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and  
253 any salt, compound, derivative, or preparation which is chemically equivalent or identical with  
254 any of these substances, and includes cocaine and ecgonine, their salts, isomers, derivatives,  
255 and salts of isomers and derivatives, whether derived from the coca plant or synthetically  
256 produced, except the substances may not include decocainized coca leaves or extraction of coca  
257 leaves, which extractions do not contain cocaine or ecgonine; and

258 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in either  
259 liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy.

260 (ii) Unless specifically excepted or unless listed in another schedule, any of the  
261 following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and  
262 ethers, when the existence of the isomers, esters, ethers, and salts is possible within the specific  
263 chemical designation, except dextrorphan and levopropoxyphene:

264 (A) Alfentanil;

265 (B) Alphaprodine;

266 (C) Anileridine;

267 (D) Bezitramide;

268 (E) Bulk dextropropoxyphene (nondosage forms);

269 (F) Carfentanil;

270 (G) Dihydrocodeine;

271 (H) Diphenoxylate;

272 (I) Fentanyl;

273 (J) Isomethadone;

274 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,  
275 levomethadyl acetate, or LAAM;

- 276 (L) Levomethorphan;  
277 (M) Levorphanol;  
278 (N) Metazocine;  
279 (O) Methadone;  
280 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;  
281 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic  
282 acid;  
283 (R) Pethidine (meperidine);  
284 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;  
285 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
286 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
287 (V) Phenazocine;  
288 (W) Piminodine;  
289 (X) Racemethorphan;  
290 (Y) Racemorphan;  
291 (Z) Remifentanil; and  
292 (AA) Sufentanil.
- 293 (iii) Unless specifically excepted or unless listed in another schedule, any material,  
294 compound, mixture, or preparation which contains any quantity of the following substances  
295 having a stimulant effect on the central nervous system:
- 296 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;  
297 (B) Methamphetamine, its salts, isomers, and salts of its isomers;  
298 (C) Phenmetrazine and its salts; and  
299 (D) Methylphenidate.
- 300 (iv) Unless specifically excepted or unless listed in another schedule, any material,  
301 compound, mixture, or preparation which contains any quantity of the following substances  
302 having a depressant effect on the central nervous system, including its salts, isomers, and salts  
303 of isomers when the existence of the salts, isomers, and salts of isomers is possible within the  
304 specific chemical designation:
- 305 (A) Amobarbital;  
306 (B) Glutethimide;

- 307 (C) Pentobarbital;
- 308 (D) Phencyclidine;
- 309 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and  
310 1-piperidinocyclohexanecarbonitrile (PCC); and
- 311 (F) Secobarbital.
- 312 (v) Unless specifically excepted or unless listed in another schedule, any material,  
313 compound, mixture, or preparation which contains any quantity of Phenylacetone.
- 314 Some of these substances may be known by trade or other names: phenyl-2-propanone,  
315 P2P; benzyl methyl ketone, methyl benzyl ketone.
- 316 (vi) Nabilone, another name for nabilone:  
317 ( $\pm$ )-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,  
318 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.
- 319 (c) Schedule III:
- 320 (i) Unless specifically excepted or unless listed in another schedule, any material,  
321 compound, mixture, or preparation which contains any quantity of the following substances  
322 having a stimulant effect on the central nervous system, including its salts, isomers whether  
323 optical, position, or geometric, and salts of the isomers when the existence of the salts, isomers,  
324 and salts of isomers is possible within the specific chemical designation:
- 325 (A) Those compounds, mixtures, or preparations in dosage unit form containing any  
326 stimulant substances listed in Schedule II, which compounds, mixtures, or preparations were  
327 listed on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the  
328 Code of Federal Regulations, and any other drug of the quantitative composition shown in that  
329 list for those drugs or which is the same except that it contains a lesser quantity of controlled  
330 substances;
- 331 (B) Benzphetamine;
- 332 (C) Chlorphentermine;
- 333 (D) Clortermine; and
- 334 (E) Phendimetrazine.
- 335 (ii) Unless specifically excepted or unless listed in another schedule, any material,  
336 compound, mixture, or preparation which contains any quantity of the following substances  
337 having a depressant effect on the central nervous system:

- 338 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,  
339 pentobarbital, or any salt of any of them, and one or more other active medicinal ingredients  
340 which are not listed in any schedule;
- 341 (B) Any suppository dosage form containing amobarbital, secobarbital, or  
342 pentobarbital, or any salt of any of these drugs which is approved by the Food and Drug  
343 Administration for marketing only as a suppository;
- 344 (C) Any substance which contains any quantity of a derivative of barbituric acid or any  
345 salt of any of them;
- 346 (D) Chlorhexadol;
- 347 (E) Buprenorphine;
- 348 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,  
349 isomers, and salts of isomers, for which an application is approved under the federal Food,  
350 Drug, and Cosmetic Act, Section 505;
- 351 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for ketamine:  
352  $\pm$  -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 353 (H) Lysergic acid;
- 354 (I) Lysergic acid amide;
- 355 (J) Methyprylon;
- 356 (K) Sulfondiethylmethane;
- 357 (L) Sulfonethylmethane;
- 358 (M) Sulfonmethane; and
- 359 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for a  
360 tiletamine-zolazepam combination product: Telazol, some trade or other names for tiletamine:  
361 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade or other names for zolazepam:  
362 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one,  
363 flupyrazapon.
- 364 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a  
365 U.S. Food and Drug Administration approved drug product, some other names for dronabinol:  
366 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or  
367 (-)-delta-9-(trans)-tetrahydrocannabinol.
- 368 (iv) Nalorphine.

369 (v) Unless specifically excepted or unless listed in another schedule, any material,  
370 compound, mixture, or preparation containing limited quantities of any of the following  
371 narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid:

372 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90  
373 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of  
374 opium;

375 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90  
376 milligrams per dosage unit, with one or more active non-narcotic ingredients in recognized  
377 therapeutic amounts;

378 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more  
379 than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline  
380 alkaloid of opium;

381 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more  
382 than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in  
383 recognized therapeutic amounts;

384 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90  
385 milligrams per dosage unit, with one or more active non-narcotic ingredients in recognized  
386 therapeutic amounts;

387 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more  
388 than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in  
389 recognized therapeutic amounts;

390 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not  
391 more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in  
392 recognized therapeutic amounts; and

393 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with  
394 one or more active, non-narcotic ingredients in recognized therapeutic amounts.

395 (vi) Unless specifically excepted or unless listed in another schedule, anabolic steroids  
396 including any of the following or any isomer, ester, salt, or derivative of the following that  
397 promotes muscle growth:

398 (A) Boldenone;

399 (B) Chlorotestosterone (4-chlortestosterone);

- 400 (C) Clostebol;
- 401 (D) Dehydrochlormethyltestosterone;
- 402 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 403 (F) Drostanolone;
- 404 (G) Ethylestrenol;
- 405 (H) Fluoxymesterone;
- 406 (I) Formebolone (formebolone);
- 407 (J) Mesterolone;
- 408 (K) Methandienone;
- 409 (L) Methandranone;
- 410 (M) Methandriol;
- 411 (N) Methandrostenolone;
- 412 (O) Methenolone;
- 413 (P) Methyltestosterone;
- 414 (Q) Mibolerone;
- 415 (R) Nandrolone;
- 416 (S) Norethandrolone;
- 417 (T) Oxandrolone;
- 418 (U) Oxymesterone;
- 419 (V) Oxymetholone;
- 420 (W) Stanolone;
- 421 (X) Stanozolol;
- 422 (Y) Testolactone;
- 423 (Z) Testosterone; and
- 424 (AA) Trenbolone.

425 Anabolic steroids expressly intended for administration through implants to cattle or  
426 other nonhuman species, and approved by the Secretary of Health and Human Services for use,  
427 may not be classified as a controlled substance.

428 (d) Schedule IV:

429 (i) Unless specifically excepted or unless listed in another schedule, any material,  
430 compound, mixture, or preparation containing not more than 1 milligram of difenoxin and not

431 less than 25 micrograms of atropine sulfate per dosage unit, or any salts of any of them.

432 (ii) Unless specifically excepted or unless listed in another schedule, any material,  
433 compound, mixture, or preparation which contains any quantity of the following substances,  
434 including its salts, isomers, and salts of isomers when the existence of the salts, isomers, and  
435 salts of isomers is possible within the specific chemical designation:

- 436 (A) Alprazolam;
- 437 (B) Barbital;
- 438 (C) Bromazepam;
- 439 (D) Butorphanol;
- 440 (E) Camazepam;
- 441 (F) Chloral betaine;
- 442 (G) Chloral hydrate;
- 443 (H) Chlordiazepoxide;
- 444 (I) Clobazam;
- 445 (J) Clonazepam;
- 446 (K) Clorazepate;
- 447 (L) Clotiazepam;
- 448 (M) Cloxazolam;
- 449 (N) Delorazepam;
- 450 (O) Diazepam;
- 451 (P) Dichloralphenazone;
- 452 (Q) Estazolam;
- 453 (R) Ethchlorvynol;
- 454 (S) Ethinamate;
- 455 (T) Ethyl loflazepate;
- 456 (U) Fludiazepam;
- 457 (V) Flunitrazepam;
- 458 (W) Flurazepam;
- 459 (X) Halazepam;
- 460 (Y) Haloxazolam;
- 461 (Z) Ketazolam;

- 462 (AA) Loprazolam;  
463 (BB) Lorazepam;  
464 (CC) Lormetazepam;  
465 (DD) Mebutamate;  
466 (EE) Medazepam;  
467 (FF) Meprobamate;  
468 (GG) Methohexital;  
469 (HH) Methylphenobarbital (mephobarbital);  
470 (II) Midazolam;  
471 (JJ) Nimetazepam;  
472 (KK) Nitrazepam;  
473 (LL) Nordiazepam;  
474 (MM) Oxazepam;  
475 (NN) Oxazolam;  
476 (OO) Paraldehyde;  
477 (PP) Pentazocine;  
478 (QQ) Petrichloral;  
479 (RR) Phenobarbital;  
480 (SS) Pinazepam;  
481 (TT) Prazepam;  
482 (UU) Quazepam;  
483 (VV) Temazepam;  
484 (WW) Tetrazepam;  
485 (XX) Triazolam;  
486 (YY) Zaleplon; and  
487 (ZZ) Zolpidem.
- 488 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains  
489 any quantity of the following substances, including its salts, isomers whether optical, position,  
490 or geometric, and salts of the isomers when the existence of the salts, isomers, and salts of  
491 isomers is possible.
- 492 (iv) Unless specifically excepted or unless listed in another schedule, any material,

493 compound, mixture, or preparation which contains any quantity of the following substances  
494 having a stimulant effect on the central nervous system, including its salts, isomers whether  
495 optical, position, or geometric isomers, and salts of the isomers when the existence of the salts,  
496 isomers, and salts of isomers is possible within the specific chemical designation:

- 497 (A) Cathine ((+)-norpseudoephedrine);
- 498 (B) Diethylpropion;
- 499 (C) Fencamfamine;
- 500 (D) Fenproporex;
- 501 (E) Mazindol;
- 502 (F) Mefenorex;
- 503 (G) Modafinil;
- 504 (H) Pemoline, including organometallic complexes and chelates thereof;
- 505 (I) Phentermine;
- 506 (J) Pipradrol;
- 507 (K) Sibutramine; and
- 508 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

509 (v) Unless specifically excepted or unless listed in another schedule, any material,  
510 compound, mixture, or preparation which contains any quantity of dextropropoxyphene  
511 (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.

512 (e) Schedule V: Any compound, mixture, or preparation containing any of the  
513 following limited quantities of narcotic drugs, or their salts calculated as the free anhydrous  
514 base or alkaloid, which includes one or more non-narcotic active medicinal ingredients in  
515 sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal  
516 qualities other than those possessed by the narcotic drug alone:

- 517 (i) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- 518 (ii) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100  
519 grams;
- 520 (iii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100  
521 grams;
- 522 (iv) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of  
523 atropine sulfate per dosage unit;

- 524 (v) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- 525 (vi) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
- 526 atropine sulfate per dosage unit; and
- 527 (vii) unless specifically exempted or excluded or unless listed in another schedule, any
- 528 material, compound, mixture, or preparation which contains Pyrovalerone having a stimulant
- 529 effect on the central nervous system, including its salts, isomers, and salts of isomers.

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**Legislative Review Note**  
**as of 5-13-08 7:03 AM**

**Office of Legislative Research and General Counsel**

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**H.B. 277 - Controlled Substance Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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