

Opioid Terminology Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

LONG TITLE**General Description:**

This bill addresses terminology related to opioids.

Highlighted Provisions:

This bill:

▸ makes the following changes throughout the code and makes related, conforming changes:

- changes the defined term "opiate" to "opioid-like substance";
- changes the defined term "opiate antagonist" to "opioid antagonist"; and
- changes the defined term "opiate-related drug overdose event" to "opioid-related drug

overdose event";

▸ changes the term "opiate" to "substance" in the description of certain controlled substances;

▸ defines terms; and

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-72-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

17-72-408 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

26B-4-501 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 173, 340 and 470

26B-4-508 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2023, Chapter 307

31 **26B-4-509 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
32 Chapter 307

33 **26B-4-510 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
34 Chapter 307

35 **26B-4-511 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
36 Chapter 307

37 **26B-4-512 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
38 Session, Chapter 9

39 **26B-4-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507

40 **26B-4-514 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
41 Chapter 307

42 **26B-7-110 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
43 Chapter 308

44 **26B-7-117 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 243

45 **53G-9-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 122

46 **58-17b-309 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328

47 **58-17b-507 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328

48 **58-31b-703 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

49 **58-37-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 396

50 **58-37-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 216

51 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32)**, as last amended by Laws of
52 Utah 2022, Chapter 415

53 **58-37-7 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381

54 **58-37-8.2 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
55 Chapters 173, 173

56 **58-37-19 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381

57 **58-67-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

58 **58-68-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

59 **58-69-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

60 **58-70a-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

61 **63I-1-258 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 236

62 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws
63 of Utah 2025, First Special Session, Chapter 17

64 **64-13-45 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245, 341

65

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

67 Section 1. Section **17-72-101** is amended to read:

68 **17-72-101 (Effective 05/06/26). Definitions.**

69 As used in this chapter:

- 70 (1) "Commissary account" means an account from which a prisoner may withdraw money,
71 deposited by the prisoner or another individual, to purchase discretionary items for sale
72 by a correctional facility.
- 73 (2) "Commissary purchase" means a transaction initiated by a prisoner by which the
74 prisoner obtains an item or items offered for sale by the correctional facility in exchange
75 for money withdrawn from the prisoner's commissary account.
- 76 (3) "Commission" means the State Commission on Criminal and Juvenile Justice created in
77 Section 63M-7-201.
- 78 (4) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 79 (5) "County inmate" means an inmate who is sentenced to a county jail.
- 80 (6) "Cross-sex hormone treatment" means the same as that term is defined in Section
81 26B-4-1001.[~~281-12(6)~~]
- 82 (7)(a) "In-custody death" means a prisoner death that occurs while the prisoner is in the
83 custody of a county jail.
- 84 (b) "In-custody death" includes a prisoner death that occurs while the prisoner is:
85 (i) being transported for health care; or
86 (ii) receiving health care outside of a county jail.
- 87 (8) "Inmate" means a prisoner who is in the custody of a correctional facility following a
88 criminal conviction.
- 89 (9) "Medication assisted treatment plan" means a prescription plan to use prescribed
90 medication approved by the Food and Drug Administration, such as buprenorphine,
91 methadone, or naltrexone to treat substance use withdrawal symptoms or an opioid use
92 disorder.
- 93 (10) "Notice" means all papers and orders, except process, required to be served in any
94 proceeding before any court, board, commission, or officer, or when required by law to
95 be served independently of a court proceeding.
- 96 (11) "[~~Opiate~~] Opioid-like substance" means the same as that term is defined in Section
97 58-37-2.
- 98 (12) "Primary sex characteristic surgical procedure" means the same as that term is defined

99 in Section 26B-4-1001.

100 (13) "Prisoner" means an individual who is:

101 (a) in custody of a peace officer in accordance with a lawful arrest; or

102 (b) confined in a county jail.

103 (14) "Police interlocal entity" means the same as that term is defined in Sections 17-76-201
104 and 17-76-301.

105 (15) "Police special district" means the same as that term is defined in Section 17-76-201.

106 (16) "Probationer" means an individual on probation under the supervision of the county
107 sheriff.

108 (17) "Process" means all writs, warrants, summonses and orders of the courts of justice or
109 judicial officers.

110 (18)(a) "Qualifying domestic violence offense" means the same as that term is defined in
111 Section 77-36-1.1.

112 (b) "Qualifying domestic violence offense" does not include criminal mischief as that
113 term is defined in Section 76-6-106.

114 [~~19~~] "~~State inmate~~" means an inmate who is sentenced to the Department of Corrections,
115 created in Section 64-13-2, even if the inmate is in the custody of a county jail.]

116 [~~(20)~~] (19) "Secondary sex characteristic surgical procedure" means the same as that term is
117 defined in Section 26B-4-1001.

118 (20) "State inmate" means an inmate who is sentenced to the Department of Corrections,
119 created in Section 64-13-2, even if the inmate is in the custody of a county jail.

120 (21) "Violent felony" means the same as that term is defined in Section 76-3-203.5.

121 Section 2. Section **17-72-408** is amended to read:

122 **17-72-408 (Effective 05/06/26). County jail reporting requirements.**

123 (1) Each county jail shall submit a report to the commission before June 15 of each year
124 that includes, for the preceding calendar year:

125 (a) the average daily prisoner population each month;

126 (b) the number of prisoners in the county jail on the last day of each month who identify
127 as each race or ethnicity included in the Standards for Transmitting Race and
128 Ethnicity published by the United States Federal Bureau of Investigation;

129 (c) the number of prisoners booked into the county jail;

130 (d) the number of prisoners held in the county jail each month on behalf of each of the
131 following entities:

132 (i) the Bureau of Indian Affairs;

- 133 (ii) a state prison;
- 134 (iii) a federal prison;
- 135 (iv) the United States Immigration and Customs Enforcement; and
- 136 (v) any other entity with which a county jail has entered a contract to house inmates
137 on the entity's behalf;
- 138 (e) the number of prisoners that are denied pretrial release and held in the custody of the
139 county jail while the prisoner awaited final disposition of the prisoner's criminal
140 charges;
- 141 (f) for each prisoner booked into the county jail:
- 142 (i) the name of the agency that arrested the prisoner;
- 143 (ii) the date and time the prisoner was booked into and released from the custody of
144 the county jail;
- 145 (iii) if the prisoner was released from the custody of the county jail, the reason the
146 inmate was released from the custody of the county jail;
- 147 (iv) if the prisoner was released from the custody of the county jail on a financial
148 condition, whether the financial condition was set by a county sheriff or a court;
- 149 (v) the number of days the prisoner was held in the custody of the county jail before
150 disposition of the prisoner's criminal charges;
- 151 (vi) whether the prisoner was released from the custody of the county jail before final
152 disposition of the prisoner's criminal charges; and
- 153 (vii) the prisoner's state identification number;
- 154 (g) the number of in-custody deaths that occurred at the county jail;
- 155 (h) for each in-custody death:
- 156 (i) the deceased's name, gender, race, ethnicity, age, and known or suspected medical
157 diagnosis or disability, if any;
- 158 (ii) the date, time, and location of death;
- 159 (iii) the law enforcement agency that detained, arrested, or was in the process of
160 arresting the deceased; and
- 161 (iv) a brief description of the circumstances surrounding the death;
- 162 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
163 each of the in-custody deaths described in Subsection (2)(g);
- 164 (j) the county jail's policy for notifying an inmate's next of kin after the prisoner's
165 in-custody death;
- 166 (k) the county jail policies, procedures, and protocols:

- 167 (i) for treatment of a prisoner experiencing withdrawal from alcohol or substance use,
168 including use of [~~opiates~~] opioid-like substances;
- 169 (ii) that relate to the county jail's provision, or lack of provision, of medications used
170 to treat, mitigate, or address a prisoner's symptoms of withdrawal, including
171 methadone and all forms of buprenorphine and naltrexone; and
- 172 (iii) that relate to screening, assessment, and treatment of a prisoner for a substance
173 use or mental health disorder, including the policies, procedures, and protocols
174 that implement the requirements described in Section 17-72-501;
- 175 (l)(i) the number of prisoners whose screening described in Section 17-72-501
176 indicated the presence of a substance use disorder; and
- 177 (ii) of the prisoners whose screening indicated the presence of a substance use
178 disorder, the number of prisoners who received medication under a medication
179 assisted treatment plan; and
- 180 (m) any report the county jail provides or is required to provide under federal law or
181 regulation relating to prisoner deaths.
- 182 (2)(a) Subsection (1) does not apply to a county jail if the county jail:
- 183 (i) collects and stores the data described in Subsection (1); and
- 184 (ii) enters into a memorandum of understanding with the commission that allows the
185 commission to access the data described in Subsection (1).
- 186 (b) The memorandum of understanding described in Subsection (2)(a)(ii) shall include a
187 provision to protect any information related to an ongoing investigation and comply
188 with all applicable federal and state laws.
- 189 (c) If the commission accesses data from a county jail in accordance with Subsection
190 (2)(a), the commission may not release a report prepared from that data, unless:
- 191 (i) the commission provides the report for review to:
- 192 (A) the county jail; and
- 193 (B) any arresting agency that is named in the report; and
- 194 (ii)(A) the county jail approves the report for release;
- 195 (B) the county jail reviews the report and prepares a response to the report to be
196 published with the report; or
- 197 (C) the county jail fails to provide a response to the report within four weeks after
198 the day on which the commission provides the report to the county jail.
- 199 (3) The commission shall:
- 200 (a) compile the information from the reports described in Subsection (1);

- 201 (b) omit or redact any identifying information of an inmate in the compilation to the
 202 extent omission or redaction is necessary to comply with state and federal law;
- 203 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
 204 Committee and the Utah Substance Use and Mental Health Advisory Committee
 205 before November 1 of each year; and
- 206 (d) submit the compilation to the protection and advocacy agency designated by the
 207 governor before November 1 of each year.
- 208 (4) The commission may not provide access to or use a county jail's policies, procedures, or
 209 protocols submitted under this section in a manner or for a purpose not described in this
 210 section.
- 211 (5) Upon request, a county jail shall make a report, including only the names and causes of
 212 death of deceased inmates and the facility in which the deceased inmates were being
 213 held in custody, available to the public.

214 Section 3. Section **26B-4-501** is amended to read:

215 **26B-4-501 (Effective 05/06/26). Definitions.**

216 As used in this part:

- 217 (1) "Controlled substance" means the same as that term is defined in Title 58, Chapter 37,
 218 Utah Controlled Substances Act.
- 219 (2) "Critical access hospital" means a critical access hospital that meets the criteria of 42
 220 U.S.C. Sec. 1395i-4(c)(2).
- 221 (3) "Designated facility" means:
 222 (a) a freestanding urgent care center;
 223 (b) a general acute hospital; or
 224 (c) a critical access hospital.
- 225 (4) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 226 (5) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 227 (6) "Emergency contraception" means the use of a substance, approved by the United States
 228 Food and Drug Administration, to prevent pregnancy after sexual intercourse.
- 229 (7) "Freestanding urgent care center" means the same as that term is defined in Section
 230 59-12-801.
- 231 (8) "General acute hospital" means the same as that term is defined in Section 26B-2-201.
- 232 (9) "Health care facility" means a hospital, a hospice inpatient residence, a nursing facility,
 233 a dialysis treatment facility, an assisted living residence, an entity that provides home-
 234 and community-based services, a hospice or home health care agency, or another facility

235 that provides or contracts to provide health care services, which facility is licensed under
236 Chapter 2, Part 2, Health Care Facility Licensing and Inspection.

237 (10) "Health care provider" means:

238 (a) a physician, as defined in Section 58-67-102;

239 (b) an advanced practice registered nurse, as defined in Section 58-31b-102;

240 (c) a physician assistant, as defined in Section 58-70a-102; or

241 (d) an individual licensed to engage in the practice of dentistry, as defined in Section
242 58-69-102.

243 (11) "Increased risk" means risk exceeding the risk typically experienced by an individual
244 who is not using, and is not likely to use, an [~~opiate~~] opiod-like substance.

245 (12) "[~~Op~~iate] Opiod-like substance" means the same as that term is defined in Section
246 58-37-2.

247 (13) "[~~Op~~iate] Opiod antagonist" means naloxone hydrochloride or any similarly acting
248 drug that is not a controlled substance and that is approved by the federal Food and Drug
249 Administration for the diagnosis or treatment of an [~~opiate-related~~] opiod-related drug
250 overdose.

251 (14) "[~~Op~~iate-related] Opiod-related drug overdose event" means an acute condition,
252 including a decreased level of consciousness or respiratory depression resulting from the
253 consumption or use of a controlled substance, or another substance with which a
254 controlled substance was combined, and that a person would reasonably believe to
255 require medical assistance.

256 (15) "Overdose outreach provider" means:

257 (a) a law enforcement agency;

258 (b) a fire department;

259 (c) an emergency medical service provider, as defined in Section 53-2d-101;

260 (d) emergency medical service personnel, as defined in Section 53-2d-101;

261 (e) an organization providing treatment or recovery services for drug or alcohol use;

262 (f) an organization providing support services for an individual, or a family of an
263 individual, with a substance use disorder;

264 (g) a certified peer support specialist, as defined in Section 26B-5-610;

265 (h) an organization providing substance use or mental health services under contract
266 with a local substance abuse authority, as defined in Section 26B-5-101, or a local
267 mental health authority, as defined in Section 26B-5-101;

268 (i) an organization providing services to the homeless;

- 269 (j) a local health department;
- 270 (k) an individual licensed to practice under:
- 271 (i) Title 58, Chapter 17b, Pharmacy Practice Act;
- 272 (ii) Title 58, Chapter 60, Part 2, Social Worker Licensing Act; or
- 273 (iii) Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act; or
- 274 (l) an individual.
- 275 (16) "Patient counseling" means the same as that term is defined in Section 58-17b-102.
- 276 (17) "Pharmacist" means the same as that term is defined in Section 58-17b-102.
- 277 (18) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.
- 278 (19) "Physician" means the same as that term is defined in Section 58-67-102.
- 279 (20) "Practitioner" means:
- 280 (a) a physician; or
- 281 (b) any other person who is permitted by law to prescribe emergency contraception.
- 282 (21) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 283 (22)(a) "Self-administered hormonal contraceptive" means a self-administered hormonal
- 284 contraceptive that is approved by the United States Food and Drug Administration to
- 285 prevent pregnancy.
- 286 (b) "Self-administered hormonal contraceptive" includes an oral hormonal contraceptive,
- 287 a hormonal vaginal ring, and a hormonal contraceptive patch.
- 288 (c) "Self-administered hormonal contraceptive" does not include any drug intended to
- 289 induce an abortion, as that term is defined in Section 76-7-301.
- 290 (23)(a) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5,
- 291 Part 4, Sexual Offenses, that may result in a pregnancy.
- 292 (b) "Sexual assault" does not include criminal conduct described in:
- 293 (i) Section 76-5-417, enticing a minor;
- 294 (ii) Section 76-5-418, sexual battery;
- 295 (iii) Section 76-5-419, lewdness; or
- 296 (iv) Section 76-5-420, lewdness involving a child.
- 297 (24) "Victim of sexual assault" means any person who presents to receive, or receives,
- 298 medical care in consequence of being subjected to sexual assault.
- 299 Section 4. Section **26B-4-508** is amended to read:
- 300 **26B-4-508 (Effective 05/06/26). Voluntary participation.**
- 301 Sections 26B-4-509 through 26B-4-514 do not create a duty or standard of care for a
- 302 person to prescribe or administer an [opiate] opioid antagonist.

303 Section 5. Section **26B-4-509** is amended to read:

304 **26B-4-509 (Effective 05/06/26). Prescribing, dispensing, and administering an**
305 **opioid antagonist -- Immunity from liability.**

306 (1)(a)(i) For purposes of Subsection (1)(a)(ii), "a person other than a health care
307 facility or health care provider" includes the following, regardless of whether the
308 person has received funds from the department through the [~~Op~~iate] Opioid
309 Overdose Outreach Pilot Program created in Section 26B-4-512:

310 (A) a person described in Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F);

311 or

312 (B) an organization, defined by department rule made under Subsection
313 26B-4-512(7)(e), that is in a position to assist an individual who is at increased
314 risk of experiencing an [~~opi~~ate-related] opioid-related drug overdose event.

315 (ii) Except as provided in Subsection (1)(b), the following persons are not liable for
316 any civil damages for acts or omissions made as a result of administering an [~~o~~
317 ~~pi~~ate] opioid antagonist when the person acts in good faith to administer the [~~o~~
318 ~~pi~~ate] opioid antagonist to an individual whom the person believes to be
319 experiencing an [~~opi~~ate-related] opioid-related drug overdose event:

320 (A) an overdose outreach provider; or

321 (B) a person other than a health care facility or health care provider.

322 (b) A health care provider:

323 (i) is not immune from liability under Subsection (1)(a) when the health care provider
324 is acting within the scope of the health care provider's responsibilities or duty of
325 care; and

326 (ii) is immune from liability under Subsection (1)(a) if the health care provider is
327 under no legal duty to respond and otherwise complies with Subsection (1)(a).

328 (2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care provider
329 who is licensed to prescribe an [~~opi~~ate] opioid antagonist may prescribe, including by a
330 standing prescription drug order issued in accordance with Subsection 26B-4-510(2), or
331 dispense an [~~opi~~ate] opioid antagonist:

332 (a)(i) to an individual who is at increased risk of experiencing an [~~opi~~ate-related]
333 opioid-related drug overdose event;

334 (ii) for an individual described in Subsection (2)(a)(i), to a family member, friend, or
335 other person, including a person described in Subsections 26B-4-512(1)(a)(i)(A)
336 through (1)(a)(i)(F), that is in a position to assist the individual; or

- 337 (iii) to an overdose outreach provider for:
- 338 (A) furnishing the [~~opiate~~] opioid antagonist to an individual described in
- 339 Subsection (2)(a)(i) or (ii), as provided in Section 26B-4-511; or
- 340 (B) administering to an individual experiencing an [~~opiate-related~~] opioid-related
- 341 drug overdose event;
- 342 (b) without a prescriber-patient relationship; and
- 343 (c) without liability for any civil damages for acts or omissions made as a result of
- 344 prescribing or dispensing the [~~opiate~~] opioid antagonist in good faith.
- 345 (3) A health care provider who dispenses an [~~opiate~~] opioid antagonist to an individual or an
- 346 overdose outreach provider under Subsection (2)(a) shall provide education to the
- 347 individual or overdose outreach provider that includes written instruction on how to:
- 348 (a) recognize an [~~opiate-related~~] opioid-related drug overdose event; and
- 349 (b) respond appropriately to an [~~opiate-related~~] opioid-related drug overdose event,
- 350 including how to:
- 351 (i) administer an [~~opiate~~] opioid antagonist; and
- 352 (ii) ensure that an individual to whom an [~~opiate~~] opioid antagonist has been
- 353 administered receives, as soon as possible, additional medical care and a medical
- 354 evaluation.

355 Section 6. Section **26B-4-510** is amended to read:

356 **26B-4-510 (Effective 05/06/26). Standing prescription drug orders for an opioid**

357 **antagonist.**

- 358 (1) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under
- 359 Title 58, Chapter 17b, Pharmacy Practice Act, to dispense an [~~opiate~~] opioid antagonist
- 360 may dispense the [~~opiate~~] opioid antagonist:
- 361 (a) pursuant to a standing prescription drug order made in accordance with Subsection
- 362 (2); and
- 363 (b) without any other prescription drug order from a person licensed to prescribe an [
- 364 ~~opiate~~] opioid antagonist.
- 365 (2) A physician who is licensed to prescribe an [~~opiate~~] opioid antagonist, including a
- 366 physician acting in the physician's capacity as an employee of the department, or a
- 367 medical director of a local health department, as defined in Section [~~26B-4-512~~]
- 368 26A-1-102, may issue a standing prescription drug order authorizing the dispensing of
- 369 the [~~opiate~~] opioid antagonist under Subsection (1) in accordance with a protocol that:
- 370 (a) limits dispensing of the [~~opiate~~] opioid antagonist to:

- 371 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~
 372 opioid-related drug overdose event;
- 373 (ii) a family member of, friend of, or other person, including a person described in
 374 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 375 assist an individual who is at increased risk of experiencing an [~~opiate-related~~
 376 opioid-related drug overdose event; or
- 377 (iii) an overdose outreach provider for:
- 378 (A) furnishing to an individual who is at increased risk of experiencing an [
 379 ~~opiate-related~~] opioid-related drug overdose event, or to a family member of,
 380 friend of, or other individual who is in a position to assist an individual who is
 381 at increased risk of experiencing an [~~opiate-related~~] opioid-related drug
 382 overdose event, as provided in Section 26B-4-511; or
- 383 (B) administering to an individual experiencing an [~~opiate-related~~] opioid-related
 384 drug overdose event;
- 385 (b) requires the physician to specify the persons, by professional license number,
 386 authorized to dispense the [~~opiate~~] opioid antagonist;
- 387 (c) requires the physician to review at least annually the dispensing practices of those
 388 authorized by the physician to dispense the [~~opiate~~] opioid antagonist;
- 389 (d) requires those authorized by the physician to dispense the [~~opiate~~] opioid antagonist
 390 to make and retain a record of each person to whom the [~~opiate~~] opioid antagonist is
 391 dispensed, which shall include:
- 392 (i) the name of the person;
- 393 (ii) the drug dispensed; and
- 394 (iii) other relevant information; and
- 395 (e) is approved by the Division of Professional Licensing within the Department of
 396 Commerce by administrative rule made in accordance with Title 63G, Chapter 3,
 397 Utah Administrative Rulemaking Act.

398 Section 7. Section **26B-4-511** is amended to read:

399 **26B-4-511 (Effective 05/06/26). Overdose outreach providers.**

400 Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502:

- 401 (1) an overdose outreach provider may:
- 402 (a) obtain an [~~opiate~~] opioid antagonist dispensed on prescription by:
- 403 (i) a health care provider, in accordance with Subsections 26B-4-509(2) and (3); or
- 404 (ii) a pharmacist or pharmacy intern, as otherwise authorized by Title 58, Chapter

- 405 17b, Pharmacy Practice Act;
- 406 (b) store the [~~opiate~~] opioid antagonist; and
- 407 (c) furnish the [~~opiate~~] opioid antagonist:
- 408 (i)(A) to an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 409 opioid-related drug overdose event; or
- 410 (B) to a family member, friend, overdose outreach provider, or other individual
- 411 who is in a position to assist an individual who is at increased risk of
- 412 experiencing an [~~opiate-related~~] opioid-related drug overdose event; and
- 413 (ii) without liability for any civil damages for acts or omissions made as a result of
- 414 furnishing the [~~opiate~~] opioid antagonist in good faith; and
- 415 (2) when furnishing an [~~opiate~~] opioid antagonist under Subsection (1), an overdose
- 416 outreach provider:
- 417 (a) shall also furnish to the recipient of the [~~opiate~~] opioid antagonist:
- 418 (i) the written instruction under Subsection [~~26B-4-504(3)~~] 26B-4-509(3) received by
- 419 the overdose outreach provider from the health care provider at the time the [~~opiate~~]
- 420 opioid antagonist was dispensed to the overdose outreach provider; or
- 421 (ii) if the [~~opiate~~] opioid antagonist was dispensed to the overdose outreach provider
- 422 by a pharmacist or pharmacy intern, any written patient counseling under Section
- 423 58-17b-613 received by the overdose outreach provider at the time of dispensing;
- 424 and
- 425 (b) may provide additional instruction on how to recognize and respond appropriately to
- 426 an [~~opiate-related~~] opioid-related drug overdose event.

427 Section 8. Section **26B-4-512** is amended to read:

428 **26B-4-512 (Effective 05/06/26). Opioid Overdose Outreach Pilot Program --**

429 **Grants -- Annual reporting by grantees -- Rulemaking -- Annual reporting by**

430 **department.**

431 (1) As used in this section:

- 432 (a) "Persons that are in a position to assist an individual who is at increased risk of
- 433 experiencing an [~~opiate-related~~] opioid-related drug overdose event":
- 434 (i) means the following organizations:
- 435 (A) a law enforcement agency;
- 436 (B) the department or a local health department, as defined in Section 26A-1-102;
- 437 (C) an organization that provides drug or alcohol treatment services;
- 438 (D) an organization that provides services to the homeless;

- 439 (E) an organization that provides training on the proper administration of an [
440 ~~opiate~~] opioid antagonist in response to an [~~opiate-related~~] opioid-related drug
441 overdose event;
- 442 (F) a school; or
- 443 (G) except as provided in Subsection (1)(a)(ii), any other organization, as defined
444 by department rule made under Subsection (7)(e), that is in a position to assist
445 an individual who is at increased risk of experiencing an [~~opiate-related~~]
446 opioid-related drug overdose event; and
- 447 (ii) does not mean:
- 448 (A) a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act;
- 449 (B) a health care facility; or
- 450 (C) an individual.
- 451 (b) "School" means:
- 452 (i) a public school:
- 453 (A) for elementary or secondary education, including a charter school; or
- 454 (B) for other purposes;
- 455 (ii) a private school:
- 456 (A) for elementary or secondary education; or
- 457 (B) accredited for other purposes, including higher education or specialty training;
- 458 or
- 459 (iii) an institution of higher education, listed in Section 53H-1-102.
- 460 (2) There is created within the department the [~~"Opiate~~] "Opioid Overdose Outreach Pilot
461 Program."
- 462 (3) The department may use funds appropriated for the program to:
- 463 (a) provide grants under Subsection (4);
- 464 (b) promote public awareness of the signs, symptoms, and risks of opioid misuse and
465 overdose;
- 466 (c) increase the availability of educational materials and other resources designed to
467 assist individuals at increased risk of opioid overdose, their families, and others in a
468 position to help prevent or respond to an overdose event;
- 469 (d) increase public awareness of, access to, and use of [~~opiate~~] an opioid antagonist;
- 470 (e) update the department's Utah Clinical Guidelines on Prescribing Opioids for
471 Treatment of Pain and promote its use by prescribers and dispensers of opioids;
- 472 (f) develop a directory of substance misuse treatment programs and promote its

- 473 dissemination to and use by opioid prescribers, dispensers, and others in a position to
474 assist individuals at increased risk of opioid overdose;
- 475 (g) coordinate a multi-agency coalition to address opioid misuse and overdose; and
476 (h) maintain department data collection efforts designed to guide the development of
477 opioid overdose interventions and track their effectiveness.
- 478 (4) No later than September 1, 2016, and with available funding, the department shall grant
479 funds through the program to persons that are in a position to assist an individual who is
480 at increased risk of experiencing an [~~opiate-related~~] opioid-related drug overdose event.
- 481 (5) Funds granted by the program:
- 482 (a) may be used by a grantee to:
- 483 (i) pay for the purchase by the grantee of an [~~opiate~~] opioid antagonist; or
484 (ii) pay for the grantee's cost of providing training on the proper administration of an [~~opiate~~]
485 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug
486 overdose event; and
- 487 (b) may not be used:
- 488 (i) to pay for costs associated with the storage or dispensing of an [~~opiate~~] opioid
489 antagonist; or
490 (ii) for any other purposes.
- 491 (6) Grantees shall report annually to the department on the use of granted funds in
492 accordance with department rules made under Subsection (7)(d).
- 493 (7) No later than July 1, 2016, the department shall, in accordance with Title 63G, Chapter
494 3, Utah Administrative Rulemaking Act, make rules specifying:
- 495 (a) how to apply for a grant from the program;
- 496 (b) the criteria used by the department to determine whether a grant request is approved,
497 including criteria providing that:
- 498 (i) grants are awarded to areas of the state, including rural areas, that would benefit
499 most from the grant; and
- 500 (ii) no more than 15% of the total amount granted by the program is used to pay for
501 grantees' costs of providing training on the proper administration of an [~~opiate~~]
502 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug overdose
503 event;
- 504 (c) the criteria used by the department to determine the amount of a grant;
- 505 (d) the information a grantee shall report annually to the department under Subsection (6),
506 including:

- 507 (i) the amount of [~~opiate~~] opioid antagonist purchased and dispensed by the grantee
 508 during the reporting period;
- 509 (ii) the number of individuals to whom the [~~opiate~~] opioid antagonist was dispensed
 510 by the grantee;
- 511 (iii) the number of lives known to have been saved during the reporting period as a
 512 result of [~~opiate~~] an opioid antagonist dispensed by the grantee; and
- 513 (iv) the manner in which the grantee shall record, preserve, and make available for
 514 audit by the department the information described in Subsections (7)(d)(i) through
 515 (7)(d)(iii); and
- 516 (e) as required by Subsection (1)(a)(i)(G), any other organization that is in a position to
 517 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
 518 opioid-related drug overdose event.

519 Section 9. Section **26B-4-513** is amended to read:

520 **26B-4-513 (Effective 05/06/26). Coprescription guidelines.**

521 (1) As used in this section:

- 522 (a) "Controlled substance prescriber" means the same as that term is defined in Section
 523 58-37-6.5.
- 524 (b) "Coprescribe" means to issue a prescription for an [~~opiate~~] opioid antagonist with a
 525 prescription for an [~~opiate~~] opioid-like substance.

526 (2) The department shall, in consultation with the Medical Licensing Board created in
 527 Section 58-67-201, and the Division of Professional Licensing created in Section
 528 58-1-103, establish by rule, made in accordance with Title 63G, Chapter 3, Utah
 529 Administrative Rulemaking Act, scientifically based guidelines for controlled substance
 530 prescribers to coprescribe an [~~opiate~~] opioid antagonist to a patient.

531 Section 10. Section **26B-4-514** is amended to read:

532 **26B-4-514 (Effective 05/06/26). Opioid-like substance abuse prevention**
 533 **pamphlet.**

534 (1) As funding is available, the department shall produce and distribute, in conjunction with
 535 the Office of Substance Use and Mental Health, a pamphlet about [~~opiates~~] opioid-like
 536 substances that includes information regarding:

- 537 (a) the risk of dependency and addiction;
- 538 (b) methods for proper storage and disposal;
- 539 (c) alternative options for pain management;
- 540 (d) the benefits of and ways to obtain naloxone; and

- 541 (e) resources if the patient believes that the patient has a substance use disorder.
- 542 (2) The pamphlet described in Subsection (1) shall be:
- 543 (a) evaluated periodically for effectiveness at conveying necessary information and
- 544 revised accordingly;
- 545 (b) written in simple and understandable language; and
- 546 (c) available in English and other languages that the department determines to be
- 547 appropriate and necessary.

548 Section 11. Section **26B-7-110** is amended to read:

549 **26B-7-110 (Effective 05/06/26). Duty to establish program to reduce deaths and**

550 **other harm from prescription opioid-like substances used for chronic noncancer pain.**

- 551 (1) As used in this section, "[~~opiate~~] opioid-like substance" means any drug or other
- 552 substance having an addiction-forming or addiction-sustaining liability similar to
- 553 morphine or being capable of conversion into a drug having addiction-forming or
- 554 addiction-sustaining liability.
- 555 (2) In addition to the duties listed in Section 26B-1-202, the department shall develop and
- 556 implement a two-year program in coordination with the Division of Professional
- 557 Licensing, the Utah Labor Commission, and the Utah attorney general, to:
- 558 (a) investigate the causes of and risk factors for death and nonfatal complications of
- 559 prescription [~~opiate~~] opioid-like substance use and misuse in Utah for chronic pain by
- 560 utilizing the Utah Controlled Substance Database created in Section 58-37f-201;
- 561 (b) study the risks, warning signs, and solutions to the risks associated with prescription [~~opiate~~]
- 562 opioid-like substance medications for chronic pain, including risks and
- 563 prevention of misuse and diversion of those medications;
- 564 (c) provide education to health care providers, patients, insurers, and the general public
- 565 on the appropriate management of chronic pain, including the effective use of
- 566 medical treatment and quality care guidelines that are scientifically based and peer
- 567 reviewed; and
- 568 (d) educate the public regarding:
- 569 (i) the purpose of the Controlled Substance Database established in Section
- 570 58-37f-201; and
- 571 (ii) the requirement that a person's name and prescription information be recorded on
- 572 the database when the person fills a prescription for a schedule II, III, IV, or V
- 573 controlled substance.

574 Section 12. Section **26B-7-117** is amended to read:

575 **26B-7-117 (Effective 05/06/26). Syringe exchange and education.**

- 576 (1) The following may operate a syringe exchange program in the state to prevent the
577 transmission of disease, reduce morbidity and mortality, and facilitate access to
578 treatment and recovery services among individuals who inject drugs, and those
579 individuals' contacts:
- 580 (a) a government entity, including:
- 581 (i) the department;
- 582 (ii) a local health department; or
- 583 (iii) a local substance abuse authority, as defined in Section 26B-5-101;
- 584 (b) a nongovernment entity, including:
- 585 (i) a nonprofit organization; or
- 586 (ii) a for-profit organization; or
- 587 (c) any other entity that complies with Subsections (2) and (4).
- 588 (2) An entity operating a syringe exchange program in the state shall:
- 589 (a) facilitate the exchange of an individual's used syringe for one or more new syringes
590 in sealed sterile packages;
- 591 (b) ensure that a recipient of a new syringe is given verbal and written instruction on:
- 592 (i) methods for preventing the transmission of blood-borne diseases, including
593 hepatitis C and human immunodeficiency virus; and
- 594 (ii) options for obtaining:
- 595 (A) services for the treatment of a substance use disorder;
- 596 (B) testing for a blood-borne disease; and
- 597 (C) an [opiate] opioid antagonist, as that term is defined in Section 26B-4-501; and
- 598 (c) report annually to the department the following information about the program's
599 activities:
- 600 (i) the number of individuals who have exchanged syringes;
- 601 (ii) the number of used syringes exchanged for new syringes;
- 602 (iii) the number of new syringes provided in exchange for used syringes;
- 603 (iv) information the program provided to individuals about recovery and treatment
604 resources; and
- 605 (v) of the individuals who have exchanged syringes, the number of individuals who
606 received services for the treatment of a substance use disorder within 12 months
607 of exchanging syringes.
- 608 (3) A person that is licensed by the department to provide residential treatment for a

- 609 substance use disorder shall include as part of the person's admissions materials a
 610 question asking whether the individual seeking treatment has ever received services
 611 from a syringe exchange program.
- 612 (4) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
 613 Administrative Rulemaking Act, as necessary or advisable to implement the provisions
 614 of this section, including rules:
- 615 (a) specifying requirements for:
- 616 (i) syringe distribution;
- 617 (ii) data collection; and
- 618 (iii) the evaluation of an entity operating a syringe exchange program to ensure
 619 compliance with applicable statutes and rules; and
- 620 (b) specifying how and when an entity operating a syringe exchange program shall make
 621 the report required by Subsection (2)(c).
- 622 (5) An entity operating a syringe exchange program may not facilitate the exchange of
 623 syringes at a homeless shelter, as that term is defined in Section 35A-16-501, or
 624 permanent supportive housing.
- 625 (6)(a) The use of state funds to operate a syringe exchange program is prohibited.
- 626 (b) Nothing in this section should be construed to prohibit the use or distribution of
 627 municipal, county, or federal funds in operating or financing a syringe exchange
 628 program under this section.

629 Section 13. Section **53G-9-502** is amended to read:

630 **53G-9-502 (Effective 05/06/26). Administration of medication to students --**

631 **Prerequisites -- Immunity from liability -- Applicability.**

- 632 (1) A public or private school that holds any classes in grades kindergarten through 12 may
 633 provide for the administration of medication, including epinephrine nasal spray as that
 634 term is defined in Section 26B-4-401, to any student during periods when the student is
 635 under the control of the school, subject to the following conditions:
- 636 (a) the local school board, charter school governing board, or the private equivalent,
 637 after consultation with the Department of Health and Human Services and school
 638 nurses shall adopt policies that provide for:
- 639 (i) the designation of volunteer employees who may administer medication;
- 640 (ii) proper identification and safekeeping of medication;
- 641 (iii) the training of designated volunteer employees by the school nurse;
- 642 (iv) maintenance of records of administration; and

- 643 (v) notification to the school nurse of medication that will be administered to
644 students; and
- 645 (b) medication may only be administered to a student if:
- 646 (i) the student's parent has provided a current written and signed request that
647 medication be administered during regular school hours to the student; and
- 648 (ii) the student's licensed health care provider has prescribed the medication and
649 provides documentation as to the method, amount, and time schedule for
650 administration, and a statement that administration of medication by school
651 employees during periods when the student is under the control of the school is
652 medically necessary.
- 653 (2) Authorization for administration of medication by school personnel may be withdrawn
654 by the school at any time following actual notice to the student's parent.
- 655 (3) School personnel who provide assistance under Subsection (1) in substantial compliance
656 with the licensed health care provider's written prescription and the employers of these
657 school personnel are not liable, civilly or criminally, for:
- 658 (a) any adverse reaction suffered by the student as a result of taking the medication; and
659 (b) discontinuing the administration of the medication under Subsection (2).
- 660 (4) Subsections (1) through (3) do not apply to:
- 661 (a) the administration of glucagon in accordance with Section 53G-9-504;
662 (b) the administration of a seizure rescue medication in accordance with Section
663 53G-9-505;
664 (c) the administration of an [opiate] opioid antagonist in accordance with Title 26B,
665 Chapter 4, Part 5, Treatment Access; or
666 (d) the administration of an adrenal insufficiency medication in accordance with Section
667 53G-9-507.
- 668 Section 14. Section **58-17b-309** is amended to read:
- 669 **58-17b-309 (Effective 05/06/26). Exemptions from licensure.**
- 670 In addition to the exemptions from licensure in Section 58-1-307, the following
671 individuals may engage in the acts or practices described in this section without being licensed
672 under this chapter:
- 673 (1) a person selling or providing contact lenses in accordance with Section 58-16a-801;
674 (2) an animal shelter that:
- 675 (a) under the indirect supervision of a veterinarian, stores, handles, or administers a drug
676 used for euthanising an animal; and

- 677 (b) under the indirect supervision of a veterinarian who is under contract with the animal
 678 shelter, stores, handles, or administers a rabies vaccine;
- 679 (3) an overdose outreach provider, as defined in Section 26B-4-501, that obtains, stores, or
 680 furnishes an [opioid] opioid antagonist in accordance with Title 26B, Chapter 4, Part 5,
 681 Treatment Access; and
- 682 (4) a dispensing practitioner, as defined in Section 58-88-201, dispensing a drug under
 683 Chapter 88, Part 2, Dispensing Practice.

684 Section 15. Section **58-17b-507** is amended to read:

685 **58-17b-507 (Effective 05/06/26). Opioid antagonist -- Immunity from liability --**
 686 **Exclusion from unlawful or unprofessional conduct.**

687 (1) As used in this section:

- 688 (a) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
 689 26B-4-501.
- 690 (b) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 691 defined in Section 26B-4-501.

692 (2) A person licensed under this chapter that dispenses an [opioid] opioid antagonist to an
 693 individual with a prescription for an [opioid] opioid antagonist, to an overdose outreach
 694 provider with a prescription for an [opioid] opioid antagonist, or pursuant to a standing
 695 prescription drug order issued in accordance with Subsection 26B-4-510(2) is not liable
 696 for any civil damages resulting from the outcomes of the eventual administration of the [
 697 ~~opioid~~] opioid antagonist to an individual who another individual believes is experiencing
 698 an [~~opioid-related~~] opioid-related drug overdose event.

699 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 700 not establish a duty or standard of care in the prescribing, dispensing, or administration
 701 of an [opioid] opioid antagonist.

702 (4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
 703 dispense an [opioid] opioid antagonist to a person, including a person described in
 704 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), on behalf of an individual if the
 705 person obtaining the [opioid] opioid antagonist has a prescription for the [opioid] opioid
 706 antagonist from a licensed prescriber or the [opioid] opioid antagonist is dispensed
 707 pursuant to a standing prescription drug order issued in accordance with Subsection
 708 26B-4-510(2).

709 (5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
 710 dispense an [opioid] opioid antagonist to an overdose outreach provider if the overdose

711 outreach provider has a prescription for the [~~opiate~~] opioid antagonist from a licensed
712 prescriber issued pursuant to Subsection 26B-4-509(2)(a)(iii).

713 Section 16. Section **58-31b-703** is amended to read:

714 **58-31b-703 (Effective 05/06/26). Opioid antagonist -- Exclusion from**
715 **unprofessional or unlawful conduct.**

716 (1) As used in this section:

717 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

718 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.

719 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
720 26B-4-501.

721 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
722 defined in Section 26B-4-501.

723 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

724 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
725 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
726 the [~~opiate~~] opioid antagonist:

727 (a) in a good faith effort to assist:

728 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
729 opioid-related drug overdose event; or

730 (ii) a family member of, friend of, or other person, including a person described in
731 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
732 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
733 opioid-related drug overdose event; or

734 (b) to an overdose outreach provider pursuant to Section 26B-4-509.

735 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
736 not establish a duty or standard of care in the prescribing, dispensing, or administration
737 of an [~~opiate~~] opioid antagonist.

738 Section 17. Section **58-37-2** is amended to read:

739 **58-37-2 (Effective 05/06/26). Definitions.**

740 (1) As used in this chapter:

741 (a) "Administer" means the direct application of a controlled substance, whether by
742 injection, inhalation, ingestion, or any other means, to the body of a patient or
743 research subject by:

744 (i) a practitioner or, in the practitioner's presence, by the practitioner's authorized

- 745 agent; or
- 746 (ii) the patient or research subject at the direction and in the presence of the
747 practitioner.
- 748 (b) "Agent" means an authorized person who acts on behalf of or at the direction of a
749 manufacturer, distributor, or practitioner but does not include a motor carrier, public
750 warehouseman, or employee of any of them.
- 751 (c) "Consumption" means ingesting or having any measurable amount of a controlled
752 substance in a person's body, but this Subsection (1)(c) does not include the
753 metabolite of a controlled substance.
- 754 (d) "Continuing criminal enterprise" means any individual, sole proprietorship,
755 partnership, corporation, business trust, association, or other legal entity, and any
756 union or groups of individuals associated in fact although not a legal entity, and
757 includes illicit as well as licit entities created or maintained for the purpose of
758 engaging in conduct which constitutes the commission of episodes of activity made
759 unlawful by this chapter, Chapter 37a, Utah Drug Paraphernalia Act, Chapter 37b,
760 Imitation Controlled Substances Act, Chapter 37c, Utah Controlled Substance
761 Precursor Act, or Chapter 37d, Clandestine Drug Lab Act, which episodes are not
762 isolated, but have the same or similar purposes, results, participants, victims, methods
763 of commission, or otherwise are interrelated by distinguishing characteristics. Taken
764 together, the episodes shall demonstrate continuing unlawful conduct and be related
765 either to each other or to the enterprise.
- 766 (e) "Control" means to add, remove, or change the placement of a drug, substance, or
767 immediate precursor under Section 58-37-3.
- 768 (f)(i) "Controlled substance" means a drug or substance:
- 769 (A) included in Schedules I, II, III, IV, or V of Section 58-37-4;
- 770 (B) included in Schedules I, II, III, IV, or V of the federal Controlled Substances
771 Act, Title II, P.L. 91-513;
- 772 (C) that is a controlled substance analog; or
- 773 (D) listed in Section 58-37-4.2.
- 774 (ii) "Controlled substance" does not include:
- 775 (A) distilled spirits, wine, or malt beverages, as those terms are defined in Title
776 32B, Alcoholic Beverage Control Act;
- 777 (B) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
778 or prevention of disease in human or other animals, which contains ephedrine,

- 779 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is
780 lawfully purchased, sold, transferred, or furnished as an over-the-counter
781 medication without prescription; or
- 782 (C) dietary supplements, vitamins, minerals, herbs, or other similar substances
783 including concentrates or extracts, which:
- 784 (I) are not otherwise regulated by law; and
- 785 (II) may contain naturally occurring amounts of chemical or substances listed
786 in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
787 Administrative Rulemaking Act.
- 788 (g)(i) "Controlled substance analog" means:
- 789 (A) a substance the chemical structure of which is substantially similar to the
790 chemical structure of a controlled substance listed in Schedules I and II of
791 Section 58-37-4, a substance listed in Section 58-37-4.2, or in Schedules I and
792 II of the federal Controlled Substances Act, Title II, P.L. 91-513;
- 793 (B) a substance that has a stimulant, depressant, or hallucinogenic effect on the
794 central nervous system substantially similar to the stimulant, depressant, or
795 hallucinogenic effect on the central nervous system of controlled substances
796 listed in Schedules I and II of Section 58-37-4, substances listed in Section
797 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
798 Substances Act, Title II, P.L. 91-513; or
- 799 (C) ~~[A]~~ a substance that, with respect to a particular individual, is represented or
800 intended to have a stimulant, depressant, or hallucinogenic effect on the central
801 nervous system substantially similar to the stimulant, depressant, or
802 hallucinogenic effect on the central nervous system of controlled substances
803 listed in Schedules I and II of Section 58-37-4, substances listed in Section
804 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
805 Substances Act, Title II, P.L. 91-513.
- 806 (ii) "Controlled substance analog" does not include:
- 807 (A) a controlled substance currently scheduled in Schedules I through V of
808 Section 58-37-4;
- 809 (B) a substance for which there is an approved new drug application;
- 810 (C) a substance with respect to which an exemption is in effect for investigational
811 use by a particular person under Section 505 of the Food, Drug, and Cosmetic
812 Act, 21 U.S.C. Sec. 355, to the extent the conduct with respect to the substance

- 813 is permitted by the exemption;
- 814 (D) any substance to the extent not intended for human consumption before an
815 exemption takes effect with respect to the substance;
- 816 (E) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
817 or prevention of disease in man or other animals, which contains ephedrine,
818 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is
819 lawfully purchased, sold, transferred, or furnished as an over-the-counter
820 medication without prescription; or
- 821 (F) dietary supplements, vitamins, minerals, herbs, or other similar substances
822 including concentrates or extracts, which are not otherwise regulated by law,
823 which may contain naturally occurring amounts of chemical or substances
824 listed in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
825 Administrative Rulemaking Act.
- 826 (h)(i) "Conviction" means a determination of guilt by verdict, whether jury or bench,
827 or plea, whether guilty or no contest, for any offense proscribed by:
- 828 (A) this chapter;
- 829 (B) Chapter 37a, Utah Drug Paraphernalia Act;
- 830 (C) Chapter 37b, Imitation Controlled Substances Act;
- 831 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or
- 832 (E) Chapter 37d, Clandestine Drug Lab Act; or
- 833 (ii) for any offense under the laws of the United States and any other state which, if
834 committed in this state, would be an offense under:
- 835 (A) this chapter;
- 836 (B) Chapter 37a, Utah Drug Paraphernalia Act;
- 837 (C) Chapter 37b, Imitation Controlled Substances Act;
- 838 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or
- 839 (E) Chapter 37d, Clandestine Drug Lab Act.
- 840 (i) "Counterfeit substance" means:
- 841 (i) any controlled substance or container or labeling of any controlled substance that:
- 842 (A) without authorization bears the trademark, trade name, or other identifying
843 mark, imprint, number, device, or any likeness of them, of a manufacturer,
844 distributor, or dispenser other than the person or persons who in fact
845 manufactured, distributed, or dispensed the substance which falsely purports to
846 be a controlled substance distributed by any other manufacturer, distributor, or

- 847 dispenser; and
- 848 (B) a reasonable person would believe to be a controlled substance distributed by
- 849 an authorized manufacturer, distributor, or dispenser based on the appearance
- 850 of the substance as described under Subsection (1)(i)(i)(A) or the appearance of
- 851 the container of that controlled substance; or
- 852 (ii) any substance other than under Subsection (1)(i)(i) that:
- 853 (A) is falsely represented to be any legally or illegally manufactured controlled
- 854 substance; and
- 855 (B) a reasonable person would believe to be a legal or illegal controlled substance.
- 856 (j) "Deliver" or "delivery" means the actual, constructive, or attempted transfer of a
- 857 controlled substance or a listed chemical, whether or not an agency relationship exists.
- 858 (k) "Department" means the Department of Commerce.
- 859 (l) "Depressant or stimulant substance" means:
- 860 (i) a drug which contains any quantity of barbituric acid or any of the salts of
- 861 barbituric acid;
- 862 (ii) a drug which contains any quantity of:
- 863 (A) amphetamine or any of its optical isomers;
- 864 (B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or
- 865 (C) any substance which the Secretary of Health and Human Services or the
- 866 Attorney General of the United States after investigation has found and by
- 867 regulation designated habit-forming because of its stimulant effect on the
- 868 central nervous system;
- 869 (iii) lysergic acid diethylamide; or
- 870 (iv) any drug which contains any quantity of a substance which the Secretary of
- 871 Health and Human Services or the Attorney General of the United States after
- 872 investigation has found to have, and by regulation designated as having, a
- 873 potential for abuse because of its depressant or stimulant effect on the central
- 874 nervous system or its hallucinogenic effect.
- 875 (m) "Dispense" means the delivery of a controlled substance by a pharmacist to an
- 876 ultimate user pursuant to the lawful order or prescription of a practitioner, and
- 877 includes distributing to, leaving with, giving away, or disposing of that substance as
- 878 well as the packaging, labeling, or compounding necessary to prepare the substance
- 879 for delivery.
- 880 (n) "Dispenser" means a pharmacist who dispenses a controlled substance.

- 881 (o) "Distribute" means to deliver other than by administering or dispensing a controlled
882 substance or a listed chemical.
- 883 (p) "Distributor" means a person who distributes controlled substances.
- 884 (q) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 885 (r)(i) "Drug" means:
- 886 (A) a substance recognized in the official United States Pharmacopoeia, Official
887 Homeopathic Pharmacopoeia of the United States, or Official National
888 Formulary, or any supplement to any of them, intended for use in the
889 diagnosis, cure, mitigation, treatment, or prevention of disease in humans or
890 animals;
- 891 (B) a substance that is required by any applicable federal or state law or rule to be
892 dispensed by prescription only or is restricted to administration by practitioners
893 only;
- 894 (C) a substance other than food intended to affect the structure or any function of
895 the body of humans or other animals; and
- 896 (D) substances intended for use as a component of any substance specified in
897 Subsections (1)(r)(i)(A), (B), and (C).
- 898 (ii) "Drug" does not include dietary supplements.
- 899 (iii) "Drug" includes a food intended for human consumption that intentionally
900 contains a vaccine or vaccine material as provided in Section 4-5-107.
- 901 (s) "Drug dependent person" means any individual who unlawfully and habitually uses
902 any controlled substance to endanger the public morals, health, safety, or welfare, or
903 who is so dependent upon the use of controlled substances as to have lost the power
904 of self-control with reference to the individual's dependency.
- 905 (t)(i) "Food" means:
- 906 (A) any nutrient or substance of plant, mineral, or animal origin other than a drug
907 as specified in this chapter, and normally ingested by human beings; and
- 908 (B) foods for special dietary uses as exist by reason of a physical, physiological,
909 pathological, or other condition including the conditions of disease,
910 convalescence, pregnancy, lactation, allergy, hypersensitivity to food,
911 underweight, and overweight; uses for supplying a particular dietary need
912 which exist by reason of age including the ages of infancy and childbirth, and
913 also uses for supplementing and for fortifying the ordinary or unusual diet with
914 any vitamin, mineral, or other dietary property for use of a food.

- 915 (ii) Any particular use of a food is a special dietary use regardless of the nutritional
916 purposes.
- 917 (u) "Immediate precursor" means a substance which the Attorney General of the United
918 States has found to be, and by regulation designated as being, the principal compound
919 used or produced primarily for use in the manufacture of a controlled substance, or
920 which is an immediate chemical intermediary used or likely to be used in the
921 manufacture of a controlled substance, the control of which is necessary to prevent,
922 curtail, or limit the manufacture of the controlled substance.
- 923 (v) "Indian" means a member of an Indian tribe.
- 924 (w) "Indian religion" means a religion:
- 925 (i) the origin and interpretation of which is from within a traditional Indian culture or
926 community; and
- 927 (ii) that is practiced by Indians.
- 928 (x) "Indian tribe" means any tribe, band, nation, pueblo, or other organized group or
929 community of Indians, including any Alaska Native village, which is legally
930 recognized as eligible for and is consistent with the special programs, services, and
931 entitlements provided by the United States to Indians because of their status as
932 Indians.
- 933 (y) "Manufacture" means the production, preparation, propagation, compounding, or
934 processing of a controlled substance, either directly or indirectly by extraction from
935 substances of natural origin, or independently by means of chemical synthesis or by a
936 combination of extraction and chemical synthesis.
- 937 (z) "Manufacturer" includes any person who packages, repackages, or labels any
938 container of any controlled substance, except pharmacists who dispense or compound
939 prescription orders for delivery to the ultimate consumer.
- 940 (aa)(i) "Marijuana" means all species of the genus cannabis and all parts of the genus,
941 whether growing or not, including:
- 942 (A) seeds;
- 943 (B) resin extracted from any part of the plant, including the resin extracted from
944 the mature stalks;
- 945 (C) every compound, manufacture, salt, derivative, mixture, or preparation of the
946 plant, seeds, or resin;
- 947 (D) any synthetic equivalents of the substances contained in the plant cannabis
948 sativa or any other species of the genus cannabis which are chemically

- 949 indistinguishable and pharmacologically active; and
- 950 (E) any component part or cannabinoid extracted or isolated from the plant,
- 951 including extracted or isolated tetrahydrocannabinols.
- 952 (ii) "Marijuana" does not include:
- 953 (A) the mature stalks of the plant;
- 954 (B) fiber produced from the stalks;
- 955 (C) oil or cake made from the seeds of the plant;
- 956 (D) except as provided in Subsection (1)(aa)(i), any other compound,
- 957 manufacture, salt, derivative, mixture, or preparation of the mature stalks,
- 958 fiber, oil or cake;
- 959 (E) the sterilized seed of the plant which is incapable of germination;
- 960 (F) any compound, mixture, or preparation approved by the federal Food and
- 961 Drug Administration under the federal Food, Drug, and Cosmetic Act, 21
- 962 U.S.C. Sec. 301 et seq. that is not listed in a schedule of controlled substances
- 963 in Section 58-37-4 or in the federal Controlled Substances Act, Title II, P.L.
- 964 91-513; or
- 965 (G) transportable industrial hemp concentrate as that term is defined in Section
- 966 4-41-102.
- 967 (bb) "Money" means officially issued coin and currency of the United States or any
- 968 foreign country.
- 969 (cc) "Narcotic drug" means any of the following, whether produced directly or indirectly
- 970 by extraction from substances of vegetable origin, or independently by means of
- 971 chemical synthesis, or by a combination of extraction and chemical synthesis:
- 972 (i) opium, coca leaves, and [~~opiates~~] opioid-like substances;
- 973 (ii) a compound, manufacture, salt, derivative, or preparation of opium, coca leaves,
- 974 or [~~opiates~~] opioid-like substances;
- 975 (iii) opium poppy and poppy straw; or
- 976 (iv) a substance, and any compound, manufacture, salt, derivative, or preparation of
- 977 the substance, which is chemically identical with any of the substances referred to
- 978 in Subsection (1)(cc)(i), (ii), or (iii), except narcotic drug does not include
- 979 decocainized coca leaves or extracts of coca leaves which do not contain cocaine
- 980 or ecgonine.
- 981 (dd) "Negotiable instrument" means documents, containing an unconditional promise to
- 982 pay a sum of money, which are legally transferable to another party by endorsement

983 or delivery.

984 (ee) "[~~Opiate~~] Opioid-like substance" means any drug or other substance having an
985 addiction-forming or addiction-sustaining liability similar to morphine or being
986 capable of conversion into a drug having addiction-forming or addiction-sustaining
987 liability.

988 (ff) "Opium poppy" means the plant of the species papaver somniferum L., except the
989 seeds of the plant.

990 (gg) "Person" means any corporation, association, partnership, trust, other institution or
991 entity or one or more individuals.

992 (hh) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

993 (ii) "Possession" or "use" means the joint or individual ownership, control, occupancy,
994 holding, retaining, belonging, maintaining, or the application, inhalation, swallowing,
995 injection, or consumption, as distinguished from distribution, of controlled
996 substances and includes individual, joint, or group possession or use of controlled
997 substances. For a person to be a possessor or user of a controlled substance, it is not
998 required that the person be shown to have individually possessed, used, or controlled
999 the substance, but it is sufficient if it is shown that the person jointly participated with
1000 one or more persons in the use, possession, or control of any substances with
1001 knowledge that the activity was occurring, or the controlled substance is found in a
1002 place or under circumstances indicating that the person had the ability and the intent
1003 to exercise dominion and control over the controlled substance.

1004 (jj) "Practitioner" means a physician, dentist, naturopathic physician, veterinarian,
1005 pharmacist, scientific investigator, pharmacy, hospital, or other person licensed,
1006 registered, or otherwise permitted to distribute, dispense, conduct research with
1007 respect to, administer, or use in teaching or chemical analysis a controlled substance
1008 in the course of professional practice or research in this state.

1009 (kk) "Prescribe" means to issue a prescription:

1010 (i) orally or in writing; or

1011 (ii) by telephone, facsimile transmission, computer, or other electronic means of
1012 communication as defined by division rule.

1013 (ll) "Prescription" means an order issued:

1014 (i) by a licensed practitioner, in the course of that practitioner's professional practice
1015 or by collaborative pharmacy practice agreement; and

1016 (ii) for a controlled substance or other prescription drug or device for use by a patient

1017 or an animal.

1018 (mm) "Production" means the manufacture, planting, cultivation, growing, or harvesting
1019 of a controlled substance.

1020 (nn) "Securities" means any stocks, bonds, notes, or other evidences of debt or of
1021 property.

1022 (oo) "State" means the state of Utah.

1023 (pp) "Ultimate user" means any person who lawfully possesses a controlled substance
1024 for the person's own use, for the use of a member of the person's household, or for
1025 administration to an animal owned by the person or a member of the person's
1026 household.

1027 (2) If a term used in this chapter is not defined, the definition and terms of Title 76, Utah
1028 Criminal Code, shall apply.

1029 Section 18. Section **58-37-4** is amended to read:

1030 **58-37-4 (Effective 05/06/26). Schedules of controlled substances -- Schedules I**
1031 **through V -- Findings required -- Specific substances included in schedules.**

1032 (1) There are established five schedules of controlled substances known as Schedules I, II,
1033 III, IV, and V which consist of substances listed in this section.

1034 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by the
1035 official name, common or usual name, chemical name, or brand name designated:

1036 (a) Schedule I:

1037 (i) Unless specifically excepted or unless listed in another schedule, any of the
1038 following [opiates] substances, including their isomers, esters, ethers, salts, and
1039 salts of isomers, esters, and ethers, when the existence of the isomers, esters,
1040 ethers, and salts is possible within the specific chemical designation:

1041 (A) Acetyl-alpha-methylfentanyl

1042 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

1043 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

1044 (C) Acetylmethadol;

1045 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);

1046 (E) Allylprodine;

1047 (F) Alphacetylmethadol, except levo-alpha-cetylmethadol also known as
1048 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

1049 (G) Alphameprodine;

1050 (H) Alphamethadol;

- 1051 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
1052 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
1053 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
1054 piperidiny]-N-phenylpropanamide);
1055 (K) Benzylpiperazine;
1056 (L) Benzethidine;
1057 (M) Betacetylmethadol;
1058 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
1059 piperidiny]-N-phenylpropanamide);
1060 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
1061 phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
1062 (P) Betameprodine;
1063 (Q) Betamethadol;
1064 (R) Betaprodine;
1065 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidiny)-N-phenylbutyramide);
1066 (T) Clonitazene;
1067 (U) Cyclopropyl fentanyl
1068 (N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
1069 (V) Dextromoramide;
1070 (W) Diampromide;
1071 (X) Diethylthiambutene;
1072 (Y) Difenoxin;
1073 (Z) Dimenoxadol;
1074 (AA) Dimepheptanol;
1075 (BB) Dimethylthiambutene;
1076 (CC) Dioxaphetyl butyrate;
1077 (DD) Dipipanone;
1078 (EE) Ethylmethylthiambutene;
1079 (FF) Etizolam
1080 (1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
1081 (GG) Etonitazene;
1082 (HH) Etoxidine;
1083 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
1084 furan-2-carboxamide);

- 1085 (JJ) Furethidine;
- 1086 (KK) Hydroxypethidine;
- 1087 (LL) Ketobemidone;
- 1088 (MM) Levomoramide;
- 1089 (NN) Levophenacylmorphane;
- 1090 (OO) Methoxyacetyl fentanyl
(2-Methoxy-N-(1-phenylethylpiperidin-4-yl)-N-acetamide);
- 1091 (PP) Morpheridine;
- 1092 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 1093 (RR) Noracymethadol;
- 1094 (SS) Norlevorphanol;
- 1095 (TT) Normethadone;
- 1096 (UU) Norpipanone;
- 1097 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]
propanamide);
- 1098 (WW) Para-fluoroisobutyryl fentanyl
(N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
- 1099 (XX) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 1100 (YY) Phenadoxone;
- 1101 (ZZ) Phenampromide;
- 1102 (AAA) Phenibut;
- 1103 (BBB) Phenomorphan;
- 1104 (CCC) Phenoperidine;
- 1105 (DDD) Piritramide;
- 1106 (EEE) Proheptazine;
- 1107 (FFF) Properidine;
- 1108 (GGG) Propiram;
- 1109 (HHH) Racemoramide;
- 1110 (III) Tetrahydrofuran fentanyl
(N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
- 1111 (JJJ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
propanamide);
- 1112 (KKK) Tianeptine;
- 1113 (LLL) Tilidine;
- 1114 (MMM) Trimeperidine;

- 1119 (NNN) 3-methylfentanyl, including the optical and geometric isomers
1120 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
1121 (OOO) 3-methylthiofentanyl
1122 (N-[(3-methyl-1-(2-thienyl)ethyl)-4-piperidinyl]-N-phenylpropanamide);
1123 (PPP) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
1124 known as U-47700; and
1125 (QQQ) 4-cyano CUMYL-BUTINACA.
- 1126 (ii) Unless specifically excepted or unless listed in another schedule, any of the
1127 following opium derivatives, their salts, isomers, and salts of isomers when the
1128 existence of the salts, isomers, and salts of isomers is possible within the specific
1129 chemical designation:
- 1130 (A) Acetorphine;
1131 (B) Acetyldihydrocodeine;
1132 (C) Benzylmorphine;
1133 (D) Codeine methylbromide;
1134 (E) Codeine-N-Oxide;
1135 (F) Cyprenorphine;
1136 (G) Desomorphine;
1137 (H) Dihydromorphine;
1138 (I) Drotebanol;
1139 (J) Etorphine (except hydrochloride salt);
1140 (K) Heroin;
1141 (L) Hydromorphenol;
1142 (M) Methyldesorphine;
1143 (N) Methylhydromorphine;
1144 (O) Morphine methylbromide;
1145 (P) Morphine methylsulfonate;
1146 (Q) Morphine-N-Oxide;
1147 (R) Myrophine;
1148 (S) Nicocodeine;
1149 (T) Nicomorphine;
1150 (U) Normorphine;
1151 (V) Pholcodine; and
1152 (W) Thebacon.

- 1153 (iii) Unless specifically excepted or unless listed in another schedule, any material,
1154 compound, mixture, or preparation which contains any quantity of the following
1155 hallucinogenic substances, or which contains any of their salts, isomers, and salts
1156 of isomers when the existence of the salts, isomers, and salts of isomers is possible
1157 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
1158 only, "isomer" includes the optical, position, and geometric isomers:
- 1159 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α
1160 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
- 1161 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
1162 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
- 1163 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:
1164 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
1165 2C-B, Nexus;
- 1166 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
1167 -methylphenethylamine; 2,5-DMA;
- 1168 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
- 1169 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
1170 -methylphenethylamine; paramethoxyamphetamine, PMA;
- 1171 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 1172 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
1173 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
- 1174 (I) 3,4-methylenedioxy amphetamine;
- 1175 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 1176 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
1177 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
1178 MDEA;
- 1179 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
1180 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
1181 MDA;
- 1182 (M) 3,4,5-trimethoxy amphetamine;
- 1183 (N) Bufotenine, some trade and other names: 3-(β
1184 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
1185 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 1186 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;

- 1187 (P) Dimethyltryptamine, some trade or other names: DMT;
- 1188 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β
- 1189 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
- 1190 azepino [5,4-b] indole; Tabernanthe iboga;
- 1191 (R) Lysergic acid diethylamide;
- 1192 (S) Marijuana;
- 1193 (T) Mescaline;
- 1194 (U) Parahexyl, some trade or other names:
- 1195 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
- 1196 Synhexyl;
- 1197 (V) Peyote, meaning all parts of the plant presently classified botanically as
- 1198 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any
- 1199 extract from any part of such plant, and every compound, manufacture, salts,
- 1200 derivative, mixture, or preparation of such plant, its seeds or extracts
- 1201 (Interprets 21 USC 812(c), Schedule I(c) (12));
- 1202 (W) N-ethyl-3-piperidyl benzilate;
- 1203 (X) N-methyl-3-piperidyl benzilate;
- 1204 (Y) Psilocybin;
- 1205 (Z) Psilocyn;
- 1206 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus *Cannabis*
- 1207 (*cannabis* plant), except for marijuana as defined in Subsection
- 1208 58-37-2(1)(aa)(i)(E), as well as synthetic equivalents of the substances
- 1209 contained in the *cannabis* plant, or in the resinous extractives of *Cannabis*, sp.
- 1210 and/or synthetic substances, derivatives, and their isomers with similar
- 1211 chemical structure and pharmacological activity to those substances contained
- 1212 in the plant, such as the following: Δ 1 cis or trans tetrahydrocannabinol, and
- 1213 their optical isomers Δ 6 cis or trans tetrahydrocannabinol, and their optical
- 1214 isomers Δ 3,4 cis or trans tetrahydrocannabinol, and its optical isomers, and since
- 1215 nomenclature of these substances is not internationally standardized,
- 1216 compounds of these structures, regardless of numerical designation of atomic
- 1217 positions covered;
- 1218 (BB) Ethylamine analog of phencyclidine, some trade or other names:
- 1219 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
- 1220 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

- 1221 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
 1222 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 1223 (DD) Thiophene analog of phencyclidine, some trade or other names:
 1224 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine,
 1225 TPCP, TCP; and
- 1226 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.
- 1227 (iv) Unless specifically excepted or unless listed in another schedule, any material
 1228 compound, mixture, or preparation which contains any quantity of the following
 1229 substances having a depressant effect on the central nervous system, including its
 1230 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
 1231 salts of isomers is possible within the specific chemical designation:
- 1232 (A) Mecloqualone; and
 1233 (B) Methaqualone.
- 1234 (v) Any material, compound, mixture, or preparation containing any quantity of the
 1235 following substances having a stimulant effect on the central nervous system,
 1236 including their salts, isomers, and salts of isomers:
- 1237 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
 1238 or 4,5-dihydro-5-phenyl-2-oxazolamine;
- 1239 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
 1240 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
- 1241 (C) Fenethylamine;
 1242 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
 1243 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
 1244 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone;
 1245 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432,
 1246 its salts, optical isomers, and salts of optical isomers;
- 1247 (E) (\pm)cis-4-methylaminorex ((\pm)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
 1248 (F) N-ethylamphetamine; and
 1249 (G) N,N-dimethylamphetamine, also known as
 1250 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 1251 (vi) Any material, compound, mixture, or preparation which contains any quantity of
 1252 the following substances, including their optical isomers, salts, and salts of
 1253 isomers, subject to temporary emergency scheduling:
 1254 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and

- 1255 (B) N-[1- (2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl).
- 1256 (vii) Unless specifically excepted or unless listed in another schedule, any material,
- 1257 compound, mixture, or preparation which contains any quantity of gamma
- 1258 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
- 1259 salts of isomers.
- 1260 (b) Schedule II:
- 1261 (i) Unless specifically excepted or unless listed in another schedule, any of the
- 1262 following substances whether produced directly or indirectly by extraction from
- 1263 substances of vegetable origin, or independently by means of chemical synthesis,
- 1264 or by a combination of extraction and chemical synthesis:
- 1265 (A) Opium and opiate, and any salt, compound, derivative, or preparation of
- 1266 opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene,
- 1267 naloxone, and naltrexone, and their respective salts, but including:
- 1268 (I) Raw opium;
- 1269 (II) Opium extracts;
- 1270 (III) Opium fluid;
- 1271 (IV) Powdered opium;
- 1272 (V) Granulated opium;
- 1273 (VI) Tincture of opium;
- 1274 (VII) Codeine;
- 1275 (VIII) Ethylmorphine;
- 1276 (IX) Etorphine hydrochloride;
- 1277 (X) Hydrocodone;
- 1278 (XI) Hydromorphone;
- 1279 (XII) Metopon;
- 1280 (XIII) Morphine;
- 1281 (XIV) Oxycodone;
- 1282 (XV) Oxymorphone; and
- 1283 (XVI) Thebaine;
- 1284 (B) Any salt, compound, derivative, or preparation which is chemically equivalent
- 1285 or identical with any of the substances referred to in Subsection (2)(b)(i)(A),
- 1286 except that these substances may not include the isoquinoline alkaloids of
- 1287 opium;
- 1288 (C) Opium poppy and poppy straw;

- 1289 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves,
1290 and any salt, compound, derivative, or preparation which is chemically
1291 equivalent or identical with any of these substances, and includes cocaine and
1292 ecgonine, their salts, isomers, derivatives, and salts of isomers and derivatives,
1293 whether derived from the coca plant or synthetically produced, except the
1294 substances may not include decocainized coca leaves or extraction of coca
1295 leaves, which extractions do not contain cocaine or ecgonine; and
- 1296 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in
1297 either liquid, solid, or powder form which contains the phenanthrene alkaloids
1298 of the opium poppy.
- 1299 (ii) Unless specifically excepted or unless listed in another schedule, any of the
1300 following [~~opiates~~] substances, including their isomers, esters, ethers, salts, and
1301 salts of isomers, esters, and ethers, when the existence of the isomers, esters,
1302 ethers, and salts is possible within the specific chemical designation, except
1303 dextrorphan and levopropoxyphene:
- 1304 (A) Alfentanil;
1305 (B) Alphaprodine;
1306 (C) Anileridine;
1307 (D) Bezitramide;
1308 (E) Bulk dextropropoxyphene (nondosage forms);
1309 (F) Carfentanil;
1310 (G) Dihydrocodeine;
1311 (H) Diphenoxylate;
1312 (I) Fentanyl;
1313 (J) Isomethadone;
1314 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
1315 levomethadyl acetate, or LAAM;
1316 (L) Levomethorphan;
1317 (M) Levorphanol;
1318 (N) Metazocine;
1319 (O) Methadone;
1320 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
1321 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
1322 1-diphenylpropane-carboxylic acid;

- 1323 (R) Pethidine (meperidine);
- 1324 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 1325 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 1326 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 1327 (V) Phenazocine;
- 1328 (W) Piminodine;
- 1329 (X) Racemethorphan;
- 1330 (Y) Racemorphan;
- 1331 (Z) Remifentanil; and
- 1332 (AA) Sufentanil.
- 1333 (iii) Unless specifically excepted or unless listed in another schedule, any material,
- 1334 compound, mixture, or preparation which contains any quantity of the following
- 1335 substances having a stimulant effect on the central nervous system:
- 1336 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 1337 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
- 1338 (C) Phenmetrazine and its salts; and
- 1339 (D) Methylphenidate.
- 1340 (iv) Unless specifically excepted or unless listed in another schedule, any material,
- 1341 compound, mixture, or preparation which contains any quantity of the following
- 1342 substances having a depressant effect on the central nervous system, including its
- 1343 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
- 1344 salts of isomers is possible within the specific chemical designation:
- 1345 (A) Amobarbital;
- 1346 (B) Glutethimide;
- 1347 (C) Pentobarbital;
- 1348 (D) Phencyclidine;
- 1349 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
- 1350 1-piperidinocyclohexanecarbonitrile (PCC); and
- 1351 (F) Secobarbital.
- 1352 (v)(A) Unless specifically excepted or unless listed in another schedule, any
- 1353 material, compound, mixture, or preparation which contains any quantity of
- 1354 Phenylacetone.
- 1355 (B) Some of these substances may be known by trade or other names:
- 1356 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.

- 1357 (vi) Nabilone, another name for nabilone: (\pm
1358)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,
1359 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.
- 1360 (vii) A drug product or preparation that contains any component of marijuana,
1361 including tetrahydrocannabinol, and is approved by the United States Food and
1362 Drug Administration and scheduled by the Drug Enforcement Administration in
1363 Schedule II of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1364 (c) Schedule III:
- 1365 (i) Unless specifically excepted or unless listed in another schedule, any material,
1366 compound, mixture, or preparation which contains any quantity of the following
1367 substances having a stimulant effect on the central nervous system, including its
1368 salts, isomers whether optical, position, or geometric, and salts of the isomers
1369 when the existence of the salts, isomers, and salts of isomers is possible within the
1370 specific chemical designation:
- 1371 (A) Those compounds, mixtures, or preparations in dosage unit form containing
1372 any stimulant substances listed in Schedule II, which compounds, mixtures, or
1373 preparations were listed on August 25, 1971, as excepted compounds under
1374 Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other
1375 drug of the quantitative composition shown in that list for those drugs or which
1376 is the same except that it contains a lesser quantity of controlled substances;
- 1377 (B) Benzphetamine;
- 1378 (C) Chlorphentermine;
- 1379 (D) Clortermine; and
- 1380 (E) Phendimetrazine.
- 1381 (ii) Unless specifically excepted or unless listed in another schedule, any material,
1382 compound, mixture, or preparation which contains any quantity of the following
1383 substances having a depressant effect on the central nervous system:
- 1384 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
1385 pentobarbital, or any salt of any of them, and one or more other active
1386 medicinal ingredients which are not listed in any schedule;
- 1387 (B) Any suppository dosage form containing amobarbital, secobarbital, or
1388 pentobarbital, or any salt of any of these drugs which is approved by the United
1389 States Food and Drug Administration for marketing only as a suppository;
- 1390 (C) Any substance which contains any quantity of a derivative of barbituric acid

- 1391 or any salt of any of them;
- 1392 (D) Chlorhexadol;
- 1393 (E) Buprenorphine;
- 1394 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
1395 isomers, and salts of isomers, for which an application is approved under the
1396 federal Food, Drug, and Cosmetic Act, Section 505;
- 1397 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
1398 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 1399 (H) Lysergic acid;
- 1400 (I) Lysergic acid amide;
- 1401 (J) Methyprylon;
- 1402 (K) Sulfondiethylmethane;
- 1403 (L) Sulfonethylmethane;
- 1404 (M) Sulfonmethane; and
- 1405 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
1406 a tiletamine-zolazepam combination product: Telazol, some trade or other
1407 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
1408 or other names for zolazepam:
1409 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
1410 [1,4]-diazepin-7(1H)-one, flupyrzapon.
- 1411 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
1412 a U.S. Food and Drug Administration approved drug product, some other names
1413 for dronabinol:
1414 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
1415 or (-)-delta-9-(trans)-tetrahydrocannabinol.
- 1416 (iv) Nalorphine.
- 1417 (v) Unless specifically excepted or unless listed in another schedule, any material,
1418 compound, mixture, or preparation containing limited quantities of any of the
1419 following narcotic drugs, or their salts calculated as the free anhydrous base or
1420 alkaloid:
- 1421 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
1422 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline
1423 alkaloid of opium;
- 1424 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90

- 1425 milligrams per dosage unit, with one or more active non-narcotic ingredients in
1426 recognized therapeutic amounts;
- 1427 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
1428 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of
1429 an isoquinoline alkaloid of opium;
- 1430 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
1431 more than 15 milligrams per dosage unit, with one or more active, non-narcotic
1432 ingredients in recognized therapeutic amounts;
- 1433 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more
1434 than 90 milligrams per dosage unit, with one or more active non-narcotic
1435 ingredients in recognized therapeutic amounts;
- 1436 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
1437 than 15 milligrams per dosage unit, with one or more active, non-narcotic
1438 ingredients in recognized therapeutic amounts;
- 1439 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
1440 or not more than 25 milligrams per dosage unit, with one or more active,
1441 non-narcotic ingredients in recognized therapeutic amounts; and
- 1442 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
1443 with one or more active, non-narcotic ingredients in recognized therapeutic
1444 amounts.
- 1445 (vi) Unless specifically excepted or unless listed in another schedule, anabolic
1446 steroids including any of the following or any isomer, ester, salt, or derivative of
1447 the following that promotes muscle growth:
- 1448 (A) Boldenone;
- 1449 (B) Chlorotestosterone (4-chlortestosterone);
- 1450 (C) Clostebol;
- 1451 (D) Dehydrochlormethyltestosterone;
- 1452 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 1453 (F) Drostanolone;
- 1454 (G) Ethylestrenol;
- 1455 (H) Fluoxymesterone;
- 1456 (I) Formebolone (formebolone);
- 1457 (J) Mesterolone;
- 1458 (K) Methandienone;

- 1459 (L) Methandranone;
- 1460 (M) Methandriol;
- 1461 (N) Methandrostenolone;
- 1462 (O) Methenolone;
- 1463 (P) Methyltestosterone;
- 1464 (Q) Mibolerone;
- 1465 (R) Nandrolone;
- 1466 (S) Norethandrolone;
- 1467 (T) Oxandrolone;
- 1468 (U) Oxymesterone;
- 1469 (V) Oxymetholone;
- 1470 (W) Stanolone;
- 1471 (X) Stanozolol;
- 1472 (Y) Testolactone;
- 1473 (Z) Testosterone; and
- 1474 (AA) Trenbolone.

1475 (vii) Anabolic steroids expressly intended for administration through implants to
1476 cattle or other nonhuman species, and approved by the Secretary of Health and
1477 Human Services for use, may not be classified as a controlled substance.

1478 (viii) A drug product or preparation that contains any component of marijuana,
1479 including tetrahydrocannabinol, and is approved by the United States Food and
1480 Drug Administration and scheduled by the Drug Enforcement Administration in
1481 Schedule III of the federal Controlled Substances Act, Title II, P.L. 91-513.

1482 (ix) Nabiximols.

1483 (d) Schedule IV:

1484 (i) Unless specifically excepted or unless listed in another schedule, any material,
1485 compound, mixture, or preparation containing not more than 1 milligram of
1486 difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or
1487 any salts of any of them.

1488 (ii) Unless specifically excepted or unless listed in another schedule, any material,
1489 compound, mixture, or preparation which contains any quantity of the following
1490 substances, including its salts, isomers, and salts of isomers when the existence of
1491 the salts, isomers, and salts of isomers is possible within the specific chemical
1492 designation:

- 1493 (A) Alprazolam;
- 1494 (B) Barbitol;
- 1495 (C) Bromazepam;
- 1496 (D) Butorphanol;
- 1497 (E) Camazepam;
- 1498 (F) Carisoprodol;
- 1499 (G) Chloral betaine;
- 1500 (H) Chloral hydrate;
- 1501 (I) Chlordiazepoxide;
- 1502 (J) Clobazam;
- 1503 (K) Clonazepam;
- 1504 (L) Clorazepate;
- 1505 (M) Clotiazepam;
- 1506 (N) Cloxazolam;
- 1507 (O) Delorazepam;
- 1508 (P) Diazepam;
- 1509 (Q) Dichloralphenazone;
- 1510 (R) Estazolam;
- 1511 (S) Ethchlorvynol;
- 1512 (T) Ethinamate;
- 1513 (U) Ethyl loflazepate;
- 1514 (V) Fludiazepam;
- 1515 (W) Flunitrazepam;
- 1516 (X) Flurazepam;
- 1517 (Y) Halazepam;
- 1518 (Z) Haloxazolam;
- 1519 (AA) Ketazolam;
- 1520 (BB) Loprazolam;
- 1521 (CC) Lorazepam;
- 1522 (DD) Lormetazepam;
- 1523 (EE) Mebutamate;
- 1524 (FF) Medazepam;
- 1525 (GG) Meprobamate;
- 1526 (HH) Methohexital;

- 1527 (II) Methylphenobarbital (mephobarbital);
1528 (JJ) Midazolam;
1529 (KK) Nimetazepam;
1530 (LL) Nitrazepam;
1531 (MM) Nordiazepam;
1532 (NN) Oxazepam;
1533 (OO) Oxazolam;
1534 (PP) Paraldehyde;
1535 (QQ) Pentazocine;
1536 (RR) Petrichloral;
1537 (SS) Phenobarbital;
1538 (TT) Pinazepam;
1539 (UU) Prazepam;
1540 (VV) Quazepam;
1541 (WW) Temazepam;
1542 (XX) Tetrazepam;
1543 (YY) Tramadol;
1544 (ZZ) Triazolam;
1545 (AAA) Zaleplon; and
1546 (BBB) Zolpidem.
- 1547 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
1548 any quantity of the following substances, including its salts, isomers whether
1549 optical, position, or geometric, and salts of the isomers when the existence of the
1550 salts, isomers, and salts of isomers is possible.
- 1551 (iv) Unless specifically excepted or unless listed in another schedule, any material,
1552 compound, mixture, or preparation which contains any quantity of the following
1553 substances having a stimulant effect on the central nervous system, including its
1554 salts, isomers whether optical, position, or geometric isomers, and salts of the
1555 isomers when the existence of the salts, isomers, and salts of isomers is possible
1556 within the specific chemical designation:
- 1557 (A) Cathine ((+)-norpseudoephedrine);
1558 (B) Diethylpropion;
1559 (C) Fencamfamine;
1560 (D) Fenproporex;

- 1561 (E) Mazindol;
- 1562 (F) Mefenorex;
- 1563 (G) Modafinil;
- 1564 (H) Pemoline, including organometallic complexes and chelates thereof;
- 1565 (I) Phentermine;
- 1566 (J) Pipradrol;
- 1567 (K) Sibutramine; and
- 1568 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).
- 1569 (v) Unless specifically excepted or unless listed in another schedule, any material,
- 1570 compound, mixture, or preparation which contains any quantity of
- 1571 dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
- 1572 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.
- 1573 (vi) A drug product or preparation that contains any component of marijuana and is
- 1574 approved by the United States Food and Drug Administration and scheduled by
- 1575 the Drug Enforcement Administration in Schedule IV of the federal Controlled
- 1576 Substances Act, Title II, P.L. 91-513.
- 1577 (e) Schedule V:
- 1578 (i) Any compound, mixture, or preparation containing any of the following limited
- 1579 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or
- 1580 alkaloid, which includes one or more non-narcotic active medicinal ingredients in
- 1581 sufficient proportion to confer upon the compound, mixture, or preparation
- 1582 valuable medicinal qualities other than those possessed by the narcotic drug alone:
- 1583 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- 1584 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
- 1585 grams;
- 1586 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
- 1587 grams;
- 1588 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
- 1589 micrograms of atropine sulfate per dosage unit;
- 1590 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- 1591 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
- 1592 atropine sulfate per dosage unit; and
- 1593 (G) unless specifically exempted or excluded or unless listed in another schedule,
- 1594 any material, compound, mixture, or preparation which contains Pyrovalerone

1595 having a stimulant effect on the central nervous system, including its salts,
1596 isomers, and salts of isomers.

1597 (ii) A drug product or preparation that contains any component of marijuana,
1598 including cannabidiol, and is approved by the United States Food and Drug
1599 Administration and scheduled by the Drug Enforcement Administration in
1600 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.

1601 (iii) Gabapentin.

1602 Section 19. Section **58-37-6** is amended to read:

1603 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32). License to**
1604 **manufacture, produce, distribute, dispense, administer, or conduct research -- Issuance**
1605 **by division -- Denial, suspension, or revocation -- Records required -- Prescriptions.**

1606 (1)(a) The division may adopt rules relating to the licensing and control of the
1607 manufacture, distribution, production, prescription, administration, dispensing,
1608 conducting of research with, and performing of laboratory analysis upon controlled
1609 substances within this state.

1610 (b) The division may assess reasonable fees to defray the cost of issuing original and
1611 renewal licenses under this chapter [~~pursuant to~~] in accordance with Section 63J-1-504.

1612 (2)(a)(i) Every person who manufactures, produces, distributes, prescribes, dispenses,
1613 administers, conducts research with, or performs laboratory analysis upon any
1614 controlled substance in Schedules I through V within this state, or who proposes
1615 to engage in manufacturing, producing, distributing, prescribing, dispensing,
1616 administering, conducting research with, or performing laboratory analysis upon
1617 controlled substances included in Schedules I through V within this state shall
1618 obtain a license issued by the division.

1619 (ii) The division shall issue each license under this chapter in accordance with a
1620 two-year renewal cycle established by rule. The division may by rule extend or
1621 shorten a renewal period by as much as one year to stagger the renewal cycles it
1622 administers.

1623 (b) Persons licensed to manufacture, produce, distribute, prescribe, dispense, administer,
1624 conduct research with, or perform laboratory analysis upon controlled substances in
1625 Schedules I through V within this state may possess, manufacture, produce,
1626 distribute, prescribe, dispense, administer, conduct research with, or perform
1627 laboratory analysis upon those substances to the extent authorized by their license
1628 and in conformity with this chapter.

- 1629 (c) The following persons are not required to obtain a license and may lawfully possess
1630 controlled substances included in Schedules II through V under this section:
- 1631 (i) an agent or employee, except a sales representative, of any registered
1632 manufacturer, distributor, or dispenser of any controlled substance, if the agent or
1633 employee is acting in the usual course of the agent or employee's business or
1634 employment; however, nothing in this subsection shall be interpreted to permit an
1635 agent, employee, sales representative, or detail man to maintain an inventory of
1636 controlled substances separate from the location of the person's employer's
1637 registered and licensed place of business;
- 1638 (ii) a motor carrier or warehouseman, or an employee of a motor carrier or
1639 warehouseman, who possesses a controlled substance in the usual course of the
1640 person's business or employment; and
- 1641 (iii) an ultimate user, or a person who possesses any controlled substance pursuant to
1642 a lawful order of a practitioner.
- 1643 (d) The division may enact rules waiving the license requirement for certain
1644 manufacturers, producers, distributors, prescribers, dispensers, administrators,
1645 research practitioners, or laboratories performing analysis if waiving the license
1646 requirement is consistent with public health and safety.
- 1647 (e) A separate license is required at each principal place of business or professional
1648 practice where the applicant manufactures, produces, distributes, dispenses, conducts
1649 research with, or performs laboratory analysis upon controlled substances.
- 1650 (f) The division may enact rules providing for the inspection of a licensee or applicant's
1651 establishment, and may inspect the establishment according to those rules.
- 1652 (3)(a)(i) Upon proper application, the division shall license a qualified applicant to
1653 manufacture, produce, distribute, conduct research with, or perform laboratory
1654 analysis upon controlled substances included in Schedules I through V, unless it
1655 determines that issuance of a license is inconsistent with the public interest.
- 1656 (ii) The division may not issue a license to any person to prescribe, dispense, or
1657 administer a Schedule I controlled substance except under Subsection (3)(a)(i).
- 1658 (iii) In determining public interest under this Subsection (3)(a), the division shall
1659 consider whether the applicant has:
- 1660 (A) maintained effective controls against diversion of controlled substances and
1661 any Schedule I or II substance compounded from any controlled substance into
1662 channels other than legitimate medical, scientific, or industrial channels;

- 1663 (B) complied with applicable state and local law;
- 1664 (C) been convicted under federal or state laws relating to the manufacture,
1665 distribution, or dispensing of substances;
- 1666 (D) past experience in the manufacture of controlled dangerous substances;
- 1667 (E) established effective controls against diversion; and
- 1668 (F) complied with any other factors that the division establishes that promote the
1669 public health and safety.
- 1670 (b) Licenses granted under Subsection (3)(a) do not entitle a licensee to manufacture,
1671 produce, distribute, conduct research with, or perform laboratory analysis upon
1672 controlled substances in Schedule I other than those specified in the license.
- 1673 (c)(i) Practitioners shall be licensed to administer, dispense, or conduct research with
1674 substances in Schedules II through V if they are authorized to administer,
1675 dispense, or conduct research under the laws of this state.
- 1676 (ii) The division need not require a separate license for practitioners engaging in
1677 research with nonnarcotic controlled substances in Schedules II through V where
1678 the licensee is already licensed under this chapter in another capacity.
- 1679 (iii) With respect to research involving narcotic substances in Schedules II through V,
1680 or where the division by rule requires a separate license for research of
1681 nonnarcotic substances in Schedules II through V, a practitioner shall apply to the
1682 division prior to conducting research.
- 1683 (iv) Licensing for purposes of bona fide research with controlled substances by a
1684 practitioner considered qualified may be denied only on a ground specified in
1685 Subsection (4), or upon evidence that the applicant will abuse or unlawfully
1686 transfer or fail to safeguard adequately the practitioner's supply of substances
1687 against diversion from medical or scientific use.
- 1688 (v) Practitioners registered under federal law to conduct research in Schedule I
1689 substances may conduct research in Schedule I substances within this state upon
1690 providing the division with evidence of federal registration.
- 1691 (d) Compliance by manufacturers, producers, and distributors with the provisions of
1692 federal law respecting registration, excluding fees, entitles them to be licensed under
1693 this chapter.
- 1694 (e) The division shall initially license those persons who own or operate an
1695 establishment engaged in the manufacture, production, distribution, dispensation, or
1696 administration of controlled substances prior to April 3, 1980, and who are licensed

1697 by the state.

1698 (4)(a) Any license issued [~~pursuant to~~] in accordance with Subsection (2) or (3) may be
1699 denied, suspended, placed on probation, or revoked by the division upon finding that
1700 the applicant or licensee has:

1701 (i) materially falsified any application filed or required pursuant to this chapter;

1702 (ii) been convicted of an offense under this chapter or any law of the United States, or
1703 any state, relating to any substance defined as a controlled substance;

1704 (iii) been convicted of a felony under any other law of the United States or any state
1705 within five years of the date of the issuance of the license;

1706 (iv) had a federal registration or license denied, suspended, or revoked by competent
1707 federal authority and is no longer authorized to manufacture, distribute, prescribe,
1708 or dispense controlled substances;

1709 (v) had the licensee's license suspended or revoked by competent authority of another
1710 state for violation of laws or regulations comparable to those of this state relating
1711 to the manufacture, distribution, or dispensing of controlled substances;

1712 (vi) violated any division rule that reflects adversely on the licensee's reliability and
1713 integrity with respect to controlled substances;

1714 (vii) refused inspection of records required to be maintained under this chapter by a
1715 person authorized to inspect them; or

1716 (viii) prescribed, dispensed, administered, or injected an anabolic steroid for the
1717 purpose of manipulating human hormonal structure so as to:

1718 (A) increase muscle mass, strength, or weight without medical necessity and
1719 without a written prescription by any practitioner in the course of the
1720 practitioner's professional practice; or

1721 (B) improve performance in any form of human exercise, sport, or game.

1722 (b) The division may limit revocation or suspension of a license to a particular
1723 controlled substance with respect to which grounds for revocation or suspension exist.

1724 (c)(i) Proceedings to deny, revoke, or suspend a license shall be conducted [~~pursuant~~
1725 ~~to~~] in accordance with this section and in accordance with the procedures set forth
1726 in Title 58, Chapter 1, Division of Professional Licensing Act, and conducted in
1727 conjunction with the appropriate representative committee designated by the
1728 director of the department.

1729 (ii) Nothing in this Subsection (4)(c) gives the Division of Professional Licensing
1730 exclusive authority in proceedings to deny, revoke, or suspend licenses, except

1731 where the division is designated by law to perform those functions, or, when not
1732 designated by law, is designated by the executive director of the Department of
1733 Commerce to conduct the proceedings.

1734 (d)(i) The division may suspend any license simultaneously with the institution of
1735 proceedings under this section if it finds there is an imminent danger to the public
1736 health or safety.

1737 (ii) Suspension shall continue in effect until the conclusion of proceedings, including
1738 judicial review, unless withdrawn by the division or dissolved by a court of
1739 competent jurisdiction.

1740 (e)(i) If a license is suspended or revoked under this Subsection (4), all controlled
1741 substances owned or possessed by the licensee may be placed under seal in the
1742 discretion of the division.

1743 (ii) Disposition may not be made of substances under seal until the time for taking an
1744 appeal has lapsed, or until all appeals have been concluded, unless a court, upon
1745 application, orders the sale of perishable substances and the proceeds deposited
1746 with the court.

1747 (iii) If a revocation order becomes final, all controlled substances shall be forfeited.

1748 (f) The division shall notify promptly the United States Drug Enforcement
1749 Administration of all orders suspending or revoking a license and all forfeitures of
1750 controlled substances.

1751 (g) If an individual's United States Drug Enforcement Administration registration is
1752 denied, revoked, surrendered, or suspended, the division shall immediately suspend
1753 the individual's controlled substance license, which shall only be reinstated by the
1754 division upon reinstatement of the federal registration, unless the division has taken
1755 further administrative action under Subsection (4)(a)(iv), which would be grounds for
1756 the continued denial of the controlled substance license.

1757 (5)(a) A person licensed under Subsection (2) or (3) shall maintain records and
1758 inventories in conformance with the record keeping and inventory requirements of
1759 federal and state law and any additional rules issued by the division.

1760 (b)(i) A physician, dentist, naturopathic physician, veterinarian, practitioner, or other
1761 individual who is authorized to administer or professionally use a controlled
1762 substance shall keep a record of the drugs received by the individual and a record
1763 of all drugs administered, dispensed, or professionally used by the individual
1764 otherwise than by a prescription.

- 1765 (ii) An individual using small quantities or solutions or other preparations of those
1766 drugs for local application has complied with this Subsection (5)(b) if the
1767 individual keeps a record of the quantity, character, and potency of those solutions
1768 or preparations purchased or prepared by the individual, and of the dates when
1769 purchased or prepared.
- 1770 (6) Controlled substances in Schedules I through V may be distributed only by a licensee
1771 and pursuant to an order form prepared in compliance with division rules or a lawful
1772 order under the rules and regulations of the United States.
- 1773 (7)(a) An individual may not write or authorize a prescription for a controlled substance
1774 unless the individual is:
- 1775 (i) a practitioner authorized to prescribe drugs and medicine under the laws of this
1776 state or under the laws of another state having similar standards; and
1777 (ii) licensed under this chapter or under the laws of another state having similar
1778 standards.
- 1779 (b) An individual other than a pharmacist licensed under the laws of this state, or the
1780 pharmacist's licensed intern, as required by Sections 58-17b-303 and 58-17b-304,
1781 may not dispense a controlled substance.
- 1782 (c)(i) A controlled substance may not be dispensed without the written prescription of
1783 a practitioner, if the written prescription is required by the federal Controlled
1784 Substances Act.
- 1785 (ii) ~~[That]~~ The written prescription described in Subsection (7)(c)(i) shall be made in
1786 accordance with Subsection (7)(a) and in conformity with Subsection (7)(d).
- 1787 (iii) In emergency situations, as defined by division rule, controlled substances may
1788 be dispensed upon oral prescription of a practitioner, if reduced promptly to
1789 writing on forms designated by the division and filed by the pharmacy.
- 1790 (iv) Prescriptions reduced to writing by a pharmacist shall be in conformity with
1791 Subsection (7)(d).
- 1792 (d) Except for emergency situations designated by the division, an individual may not
1793 issue, fill, compound, or dispense a prescription for a controlled substance unless the
1794 prescription is signed by the prescriber in ink or indelible pencil or is signed with an
1795 electronic signature of the prescriber as authorized by division rule, and contains the
1796 following information:
- 1797 (i) the name, address, and registry number of the prescriber;
1798 (ii) the name, address, and age of the person to whom or for whom the prescription is

- 1799 issued;
- 1800 (iii) the date of issuance of the prescription; and
- 1801 (iv) the name, quantity, and specific directions for use by the ultimate user of the
- 1802 controlled substance.
- 1803 (e) A prescription may not be written, issued, filled, or dispensed for a Schedule I
- 1804 controlled substance unless:
- 1805 (i) the individual who writes the prescription is licensed under Subsection (2); and
- 1806 (ii) the prescribed controlled substance is to be used in research.
- 1807 (f) Except when administered directly to an ultimate user by a licensed practitioner,
- 1808 controlled substances are subject to the restrictions of this Subsection (7)(f).
- 1809 (i) A prescription for a Schedule II substance may not be refilled.
- 1810 (ii) A Schedule II controlled substance may not be filled in a quantity to exceed a
- 1811 one-month's supply, as directed on the daily dosage rate of the prescriptions.
- 1812 (iii)(A) A prescription for a Schedule II or Schedule III controlled substance that
- 1813 is an ~~[opiate]~~ opioid-like substance and that is issued for an acute condition
- 1814 shall be completely or partially filled in a quantity not to exceed a seven-day
- 1815 supply as directed on the daily dosage rate of the prescription.
- 1816 (B) Subsection (7)(f)(iii)(A) does not apply to prescriptions issued for complex or
- 1817 chronic conditions which are documented as being complex or chronic in the
- 1818 medical record.
- 1819 (C) A pharmacist is not required to verify that a prescription is in compliance with
- 1820 this Subsection (7)(f)(iii).
- 1821 (iv) A Schedule III or IV controlled substance may be filled only within six months
- 1822 of issuance, and may not be refilled more than six months after the date of its
- 1823 original issuance or be refilled more than five times after the date of the
- 1824 prescription unless renewed by the practitioner.
- 1825 (v) All other controlled substances in Schedule V may be refilled as the prescriber's
- 1826 prescription directs, but they may not be refilled one year after the date the
- 1827 prescription was issued unless renewed by the practitioner.
- 1828 (vi) Any prescription for a Schedule II substance may not be dispensed if it is not
- 1829 presented to a pharmacist for dispensing by a pharmacist or a pharmacy intern
- 1830 within 30 days after the date the prescription was issued, or 30 days after the
- 1831 dispensing date, if that date is specified separately from the date of issue.
- 1832 (vii) A practitioner may issue more than one prescription at the same time for the

- 1833 same Schedule II controlled substance, but only under the following conditions:
- 1834 (A) no more than three prescriptions for the same Schedule II controlled substance
- 1835 may be issued at the same time;
- 1836 (B) no one prescription may exceed a 30-day supply; and
- 1837 (C) a second or third prescription shall include the date of issuance and the date
- 1838 for dispensing.
- 1839 (g) An order for a controlled substance in Schedules II through V for use by an inpatient
- 1840 or an outpatient of a licensed hospital is exempt from all requirements of this
- 1841 Subsection (7) if the order is:
- 1842 (i) issued or made by a prescribing practitioner who holds an unrestricted registration
- 1843 with the [federal] United States Drug Enforcement Administration, and an active
- 1844 Utah controlled substance license in good standing issued by the division under
- 1845 this section, or a medical resident who is exempted from licensure under
- 1846 Subsection 58-1-307(1)(c);
- 1847 (ii) authorized by the prescribing practitioner treating the patient and the prescribing
- 1848 practitioner designates the quantity ordered;
- 1849 (iii) entered upon the record of the patient, the record is signed by the prescriber
- 1850 affirming the prescriber's authorization of the order within 48 hours after filling or
- 1851 administering the order, and the patient's record reflects the quantity actually
- 1852 administered; and
- 1853 (iv) filled and dispensed by a pharmacist practicing the pharmacist's profession
- 1854 within the physical structure of the hospital, or the order is taken from a supply
- 1855 lawfully maintained by the hospital and the amount taken from the supply is
- 1856 administered directly to the patient authorized to receive it.
- 1857 (h) A practitioner licensed under this chapter may not prescribe, administer, or dispense
- 1858 a controlled substance to a child, without first obtaining the consent required in
- 1859 Section 78B-3-406 of a parent, guardian, or person standing in loco parentis of the
- 1860 child except in cases of an emergency. For purposes of Subsection (7)(h), "child" has
- 1861 the same meaning as defined in Section 80-1-102, and "emergency" means any
- 1862 physical condition requiring the administration of a controlled substance for
- 1863 immediate relief of pain or suffering.
- 1864 (i) A practitioner licensed under this chapter may not prescribe or administer dosages of
- 1865 a controlled substance in excess of medically recognized quantities necessary to treat
- 1866 the ailment, malady, or condition of the ultimate user.

- 1867 (j) A practitioner licensed under this chapter may not prescribe, administer, or dispense
1868 any controlled substance to another person knowing that the other person is using a
1869 false name, address, or other personal information for the purpose of securing the
1870 controlled substance.
- 1871 (k) A person who is licensed under this chapter to manufacture, distribute, or dispense a
1872 controlled substance may not manufacture, distribute, or dispense a controlled
1873 substance to another licensee or any other authorized person not authorized by this
1874 license.
- 1875 (l) A person licensed under this chapter may not omit, remove, alter, or obliterate a
1876 symbol required by this chapter or by a rule issued under this chapter.
- 1877 (m) A person licensed under this chapter may not refuse or fail to make, keep, or furnish
1878 any record notification, order form, statement, invoice, or information required under
1879 this chapter.
- 1880 (n) A person licensed under this chapter may not refuse entry into any premises for
1881 inspection as authorized by this chapter.
- 1882 (o) A person licensed under this chapter may not furnish false or fraudulent material
1883 information in any application, report, or other document required to be kept by this
1884 chapter or willfully make any false statement in any prescription, order, report, or
1885 record required by this chapter.
- 1886 (8)(a)(i) Any person licensed under this chapter who is found by the division to have
1887 violated any of the provisions of Subsections (7)(k) through (o) or Subsection (10)
1888 is subject to a penalty not to exceed \$5,000. The division shall determine the
1889 procedure for adjudication of any violations in accordance with Sections 58-1-106
1890 and 58-1-108.
- 1891 (ii) The division shall deposit all penalties collected under Subsection (8)(a)(i) into
1892 the General Fund as a dedicated credit to be used by the division under Subsection
1893 58-37f-502(1).
- 1894 (iii) The director may collect a penalty that is not paid by:
1895 (A) referring the matter to a collection agency; or
1896 (B) bringing an action in the district court of the county where the person against
1897 whom the penalty is imposed resides or in the county where the office of the
1898 director is located.
- 1899 (iv) A county attorney or the attorney general of the state shall provide legal
1900 assistance and advice to the director in an action to collect a penalty.

- 1901 (v) A court shall award reasonable attorney fees and costs to the prevailing party in
1902 an action brought by the division to collect a penalty.
- 1903 (b) Any person who knowingly and intentionally violates Subsections (7)(h) through (j)
1904 or Subsection (10) is:
- 1905 (i) upon first conviction, guilty of a class B misdemeanor;
1906 (ii) upon second conviction, guilty of a class A misdemeanor; and
1907 (iii) on third or subsequent conviction, guilty of a third degree felony.
- 1908 (c) Any person who knowingly and intentionally violates Subsections (7)(k) through (o)
1909 shall upon conviction be guilty of a third degree felony.
- 1910 (9) Any information communicated to any licensed practitioner in an attempt to unlawfully
1911 procure, or to procure the administration of, a controlled substance is not considered to
1912 be a privileged communication.
- 1913 (10) A person holding a valid license under this chapter who is engaged in medical research
1914 may produce, possess, administer, prescribe, or dispense a controlled substance for
1915 research purposes as licensed under Subsection (2) but may not otherwise prescribe or
1916 dispense a controlled substance listed in Section 58-37-4.2.
- 1917 (11)(a) As used in this Subsection (11):
- 1918 (i) "Database" means the controlled substance database created in Section 58-37f-201.
1919 (ii) "High risk prescription" means a prescription for an [opiate] opioid-like substance
1920 or a benzodiazepine that is written to continue for longer than 30 consecutive days.
1921 ~~[(ii) "Database" means the controlled substance database created in Section~~
1922 ~~58-37f-201.]~~
- 1923 (b) A practitioner who issues a high risk prescription to a patient shall, before issuing the
1924 high risk prescription to the patient, verify in the database that the patient does not
1925 have a high risk prescription from a different practitioner that is currently active.
- 1926 (c) If the database shows that the patient has received a high risk prescription that is
1927 currently active from a different practitioner, the practitioner may not issue a high
1928 risk prescription to the patient unless the practitioner:
- 1929 (i) contacts and consults with each practitioner who issued a high risk prescription
1930 that is currently active to the patient;
- 1931 (ii) documents in the patient's medical record that the practitioner made contact with
1932 each practitioner in accordance with Subsection (11)(c)(i); and
- 1933 (iii) documents in the patient's medical record the reason why the practitioner
1934 believes that the patient needs multiple high risk prescriptions from different

1935 practitioners.

1936 (d) A practitioner shall satisfy the requirement described in Subsection (11)(c) in a
1937 timely manner, which may be after the practitioner issues the high risk prescription to
1938 the patient.

1939 Section 20. Section **58-37-7** is amended to read:

1940 **58-37-7 (Effective 05/06/26). Labeling and packaging controlled substance --**
1941 **Informational pamphlet for opioid-like substances -- Naloxone education and offer to**
1942 **dispense.**

1943 (1) A person licensed pursuant to this act may not distribute a controlled substance unless it
1944 is packaged and labeled in compliance with the requirements of Section 305 of the
1945 Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

1946 (2) No person except a pharmacist for the purpose of filling a prescription shall alter,
1947 deface, or remove any label affixed by the manufacturer.

1948 (3) Whenever a pharmacy sells or dispenses any controlled substance on a prescription
1949 issued by a practitioner, the pharmacy shall affix to the container in which the substance
1950 is sold or dispensed:

1951 (a) a label showing the:

1952 (i) pharmacy name and address;

1953 (ii) serial number; and

1954 (iii) date of initial filling;

1955 (b) the prescription number, the name of the patient, or if the patient is an animal, the
1956 name of the owner of the animal and the species of the animal;

1957 (c) the name of the practitioner by whom the prescription was written;

1958 (d) any directions stated on the prescription; and

1959 (e) any directions required by rules and regulations promulgated by the department.

1960 (4) Whenever a pharmacy sells or dispenses a Schedule II or Schedule III controlled
1961 substance that is an [opiate] opioid-like substance, the pharmacy shall:

1962 (a) affix a warning to the container or the lid for the container in which the substance is
1963 sold or dispensed that contains the following text:

1964 (i) "Caution: Opioid. Risk of overdose and addiction"; or

1965 (ii) any other language that is approved by the Department of Health and Human
1966 Services;

1967 (b) beginning January 1, 2024:

1968 (i) offer to counsel the patient or the patient's representative on the use and

- 1969 availability of an [opiate] opioid antagonist as defined in Section 26B-4-501; and
- 1970 (ii) offer to dispense an [opiate] opioid antagonist as defined in Section 26B-4-501 to
- 1971 the patient or the patient's representative, under a prescription from a practitioner
- 1972 or under Section 26B-4-510, if the patient:
- 1973 (A) receives a single prescription for 50 morphine milligram equivalents or more
- 1974 per day, calculated in accordance with guidelines developed by the United
- 1975 States Centers for Disease Control and Prevention;
- 1976 (B) is being dispensed an [opioid] opioid-like substance and the pharmacy
- 1977 dispensed a benzodiazepine to the patient in the previous 30 day period; or
- 1978 (C) is being dispensed a benzodiazepine and the pharmacy dispensed an [opioid]
- 1979 opioid-like substance to the patient in the previous 30 day period.
- 1980 (5)(a) A pharmacy who sells or dispenses a Schedule II or Schedule III controlled
- 1981 substance that is an [opiate] opioid-like substance shall, if available from the
- 1982 Department of Health and Human Services, prominently display at the point of sale
- 1983 the informational pamphlet developed by the Department of Health and Human
- 1984 Services under Section 26B-4-514.
- 1985 (b) The board and the Department of Health and Human Services shall encourage
- 1986 pharmacies to use the informational pamphlet to engage in patient counseling
- 1987 regarding the risks associated with taking [opiates] opioid-like substances.
- 1988 (c) The requirement in Subsection (5)(a) does not apply to a pharmacy if the pharmacy
- 1989 is unable to obtain the informational pamphlet from the Department of Health and
- 1990 Human Services for any reason.
- 1991 (6) A person may not alter the face or remove any label so long as any of the original
- 1992 contents remain.
- 1993 (7)(a) An individual to whom or for whose use any controlled substance has been
- 1994 prescribed, sold, or dispensed by a practitioner and the owner of any animal for
- 1995 which any controlled substance has been prescribed, sold, or dispensed by a
- 1996 veterinarian may lawfully possess it only in the container in which it was delivered to
- 1997 the individual by the person selling or dispensing it.
- 1998 (b) It is a defense to a prosecution under this subsection that the person being prosecuted
- 1999 produces in court a valid prescription for the controlled substance or the original
- 2000 container with the label attached.
- 2001 Section 21. Section **58-37-8.2** is amended to read:
- 2002 **58-37-8.2 (Effective 05/06/26). Duty to report drug diversion.**

- 2003 (1) As used in this section:
- 2004 (a) "Diversion" means a practitioner's transfer of a significant amount of drugs to
- 2005 another individual for an unlawful purpose.
- 2006 (b) "Drug" means a Schedule II or Schedule III controlled substance, as defined in
- 2007 Section 58-37-4, that is an [opioid] opioid-like substance.
- 2008 (c) "HIPAA" means the same as that term is defined in Section 26B-3-126.
- 2009 (d) "[Opioid] Opioid-like substance" means the same as that term is defined in Section
- 2010 58-37-2.
- 2011 (e) "Practitioner" means an individual:
- 2012 (i) licensed, registered, or otherwise authorized by the appropriate jurisdiction to
- 2013 administer, dispense, distribute, or prescribe a drug in the course of professional
- 2014 practice; or
- 2015 (ii) employed by a person who is licensed, registered, or otherwise authorized by the
- 2016 appropriate jurisdiction to administer, dispense, distribute, or prescribe a drug in
- 2017 the course of professional practice or standard operations.
- 2018 (f) "Significant amount" means an aggregate amount equal to, or more than, 500
- 2019 morphine milligram equivalents calculated in accordance with guidelines developed
- 2020 by the United States Centers for Disease Control and Prevention.

2021 (2) An individual is guilty of a class B misdemeanor if the individual:

- 2022 (a) knows that a practitioner is involved in diversion; and
- 2023 (b) knowingly fails to report the diversion to a peace officer or law enforcement agency.

2024 (3) Subsection (2) does not apply to the extent that an individual is prohibited from

2025 reporting by 42 C.F.R. Part 2 or HIPAA.

2026 Section 22. Section **58-37-19** is amended to read:

2027 **58-37-19 (Effective 05/06/26). Opioid-like substance prescription consultation --**

2028 **Prescription for opioid antagonist required.**

2029 (1) As used in this section:

- 2030 (a) "Initial [opioid] opioid-like substance prescription" means a prescription for an [opioid]
- 2031 opioid-like substance to a patient who:
- 2032 (i) has never previously been issued a prescription for an [opioid] opioid-like substance;
- 2033 or
- 2034 (ii) was previously issued a prescription for an [opioid] opioid-like substance, but the
- 2035 date on which the current prescription is being issued is more than one year after
- 2036 the date on which an [opioid] opioid-like substance was previously prescribed or

- 2037 administered to the patient.
- 2038 (b) "[~~Op~~iate] Opioid antagonist" means the same as that term is defined in Section
2039 26B-4-501.
- 2040 (c) "Prescriber" means an individual authorized to prescribe a controlled substance under
2041 this chapter.
- 2042 (2) Except as provided in Subsection (3), a prescriber may not issue an initial [~~opi~~ate]
2043 opioid-like substance prescription without discussing with the patient, or the patient's
2044 parent or guardian if the patient is under 18 years old and is not an emancipated minor:
- 2045 (a) the risks of addiction and overdose associated with [~~opi~~ate ~~drugs~~] opioid-like
2046 substances;
- 2047 (b) the dangers of taking [~~opi~~ates] opioid-like substances with alcohol, benzodiazepines,
2048 and other central nervous system depressants;
- 2049 (c) the reasons why the prescription is necessary;
- 2050 (d) alternative treatments that may be available; and
- 2051 (e) other risks associated with the use of the drugs being prescribed.
- 2052 (3) Subsection (2) does not apply to a prescription for:
- 2053 (a) a patient who is currently in active treatment for cancer;
- 2054 (b) a patient who is receiving hospice care from a licensed hospice as defined in Section
2055 26B-2-201; or
- 2056 (c) a medication that is being prescribed to a patient for the treatment of the patient's
2057 substance abuse or [~~opi~~ate] opioid-like substance dependence.
- 2058 (4)(a) Beginning January 1, 2024, a prescriber shall offer to prescribe or dispense an [~~opi~~ate]
2059 opioid antagonist to a patient if the patient receives an initial [~~opi~~ate]
2060 opioid-like substance prescription for:
- 2061 (i) 50 morphine milligram equivalents or more per day, calculated in accordance with
2062 guidelines developed by the United States Centers for Disease Control and
2063 Prevention; or
- 2064 (ii) any [~~opi~~ate] opioid-like substance if the practitioner is also prescribing a
2065 benzodiazepine to the patient.
- 2066 (b) Subsection (4)(a) does not apply if the initial [~~opi~~ate] opioid-like substance
2067 prescription:
- 2068 (i) is administered directly to an ultimate user by a licensed practitioner; or
2069 (ii) is for a three-day supply or less.
- 2070 (c) This Subsection (4) does not require a patient to purchase or obtain an [~~opi~~ate] opioid

2071 antagonist as a condition of receiving the patient's initial [~~opiate~~] opioid-like substance
2072 prescription.

2073 Section 23. Section **58-67-702** is amended to read:

2074 **58-67-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
2075 **unprofessional conduct.**

2076 (1) As used in this section:

2077 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2078 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.

2079 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
2080 26B-4-501.

2081 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
2082 defined in Section 26B-4-501.

2083 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2084 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
2085 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
2086 the [~~opiate~~] opioid antagonist:

2087 (a) in a good faith effort to assist:

2088 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
2089 opioid-related drug overdose event; or

2090 (ii) a family member of, friend of, or other person, including a person described in
2091 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
2092 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
2093 opioid-related drug overdose event; or

2094 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
2095 26B-4-509(2)(a)(iii).

2096 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
2097 not establish a duty or standard of care in the prescribing, dispensing, or administration
2098 of an [~~opiate~~] opioid antagonist.

2099 Section 24. Section **58-68-702** is amended to read:

2100 **58-68-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
2101 **unprofessional conduct.**

2102 (1) As used in this section:

2103 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2104 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.

- 2105 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
 2106 26B-4-501.
- 2107 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 2108 defined in Section 26B-4-501.
- 2109 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 2110 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2111 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2112 the [~~opiate~~] opioid antagonist:
- 2113 (a) in a good faith effort to assist:
- 2114 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2115 opioid-related drug overdose event; or
- 2116 (ii) a family member of, friend of, or other person, including a person described in
 2117 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2118 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2119 opioid-related drug overdose event; or
- 2120 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
 2121 26B-4-509(2)(a)(iii).
- 2122 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2123 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2124 of an [~~opiate~~] opioid antagonist.
- 2125 Section 25. Section **58-69-702** is amended to read:
- 2126 **58-69-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2127 **unprofessional conduct.**
- 2128 (1) As used in this section:
- 2129 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 2130 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 2131 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
 2132 26B-4-501.
- 2133 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 2134 defined in Section 26B-4-501.
- 2135 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 2136 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by an individual licensed
 2137 under this chapter to engage in the practice of dentistry is not unprofessional or unlawful
 2138 conduct if the licensee prescribed or dispensed the [~~opiate~~] opioid antagonist:

- 2139 (a) in a good faith effort to assist:
- 2140 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 2141 opioid-related drug overdose event; or
- 2142 (ii) a family member of, friend of, or other person, including a person described in
- 2143 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
- 2144 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 2145 opioid-related drug overdose event; or
- 2146 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
- 2147 26B-4-509(2)(a)(iii).
- 2148 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
- 2149 not establish a duty or standard of care in the prescribing, dispensing, or administration
- 2150 of an [~~opiate~~] opioid antagonist.
- 2151 Section 26. Section **58-70a-505** is amended to read:
- 2152 **58-70a-505 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
- 2153 **unprofessional conduct.**
- 2154 (1) As used in this section:
- 2155 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 2156 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 2157 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
- 2158 26B-4-501.
- 2159 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
- 2160 defined in Section 26B-4-501.
- 2161 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 2162 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
- 2163 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
- 2164 the [~~opiate~~] opioid antagonist:
- 2165 (a) in a good faith effort to assist:
- 2166 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 2167 opioid-related drug overdose event; or
- 2168 (ii) a family member of, friend of, or other person, including a person described in
- 2169 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
- 2170 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 2171 opioid-related drug overdose event; or
- 2172 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection

2173 26B-4-509(2)(a)(iii).

2174 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
2175 not establish a duty or standard of care in the prescribing, dispensing, or administration
2176 of an [opiate] opioid antagonist.

2177 Section 27. Section **63I-1-258** is amended to read:

2178 **63I-1-258 (Effective 05/06/26). Repeal dates: Title 58.**

2179 (1) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed
2180 July 1, 2026.

2181 (2) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2035.

2182 (3) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.

2183 (4) Section 58-37-3.5, Drugs for behavioral health treatment, is repealed July 1, 2027.

2184 (5) Subsection 58-37-6(7)(f)(iii), regarding a seven-day [opiate] opioid-like substance
2185 supply restriction, is repealed July 1, 2032.

2186 (6) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2033.

2187 (7) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is
2188 repealed July 1, 2029.

2189 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1,
2190 2033.

2191 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2034.

2192 (10) Subsection 58-47b-102(8), defining massage assistant, is repealed July 1, 2029.

2193 (11) Subsection 58-47b-102(9), defining massage assistant-in-training, is repealed July 1,
2194 2029.

2195 (12) Subsection 58-47b-302(1), regarding applicant for a massage assistant-in-training, is
2196 repealed July 1, 2029.

2197 (13) Subsection 58-47b-302(2), regarding applicant for a massage assistant, is repealed July
2198 1, 2029.

2199 (14) Subsection 58-47b-303(3)(b), regarding expiration of a massage assistant-in-training
2200 license, is repealed July 1, 2029.

2201 (15) Subsection 58-55-201(2), regarding the Alarm System and Security Licensing
2202 Advisory Board, is repealed July 1, 2027.

2203 (16) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1, 2026.

2204 Section 28. Section **63J-1-602.2** is amended to read:

2205 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
2206 **appropriations to programs.**

- 2207 Appropriations made to the following programs are nonlapsing:
- 2208 (1) The Legislature and the Legislature's committees.
- 2209 (2) The State Board of Education, including all appropriations to agencies, line items, and
2210 programs under the jurisdiction of the State Board of Education, in accordance with
2211 Section 53F-9-103.
- 2212 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 2213 (4) The Percent-for-Art Program created in Section 9-6-404.
- 2214 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
2215 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 2216 (6) The Utah Lake Authority created in Section 11-65-201.
- 2217 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
2218 Subsection 17-66-303(2)(d)(ii).
- 2219 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 2220 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
2221 26B-3-108(7).
- 2222 (10) The primary care grant program created in Section 26B-4-310.
- 2223 (11) The [Opiate] Opioid Overdose Outreach Pilot Program created in Section 26B-4-512.
- 2224 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
2225 26B-4-702.
- 2226 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 2227 (14) The Utah Medical Education Council for the:
- 2228 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
- 2229 (b) provision of medical residency grants described in Section 26B-4-711; and
- 2230 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 2231 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 2232 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
2233 created in Section 26B-7-122.
- 2234 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
2235 Subsection 32B-2-301(8)(a) or (b).
- 2236 (18) The General Assistance program administered by the Department of Workforce
2237 Services, as provided in Section 35A-3-401.
- 2238 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 2239 (20) The Search and Rescue Financial Assistance Program, as provided in Section
2240 53-2a-1102.

- 2241 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
2242 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
2243 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
2244 Section 53H-5-402.
2245 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
2246 53G-10-608(3).
2247 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
2248 tanks under Section 63A-9-401.
2249 (26) The Division of Technology Services for technology innovation as provided under
2250 Section 63A-16-903.
2251 (27) The State Capitol Preservation Board created by Section 63O-2-201.
2252 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
2253 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
2254 River Authority of Utah Act.
2255 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
2256 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
2257 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
2258 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
2259 Program.
2260 (32) County correctional facility contracting program for state inmates as described in
2261 Section 64-13e-103.
2262 (33) County correctional facility reimbursement program for state probationary inmates and
2263 state parole inmates as described in Section 64-13e-104.
2264 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
2265 (35) The Division of Human Resource Management user training program, as provided in
2266 Section 63A-17-106.
2267 (36) A public safety answering point's emergency telecommunications service fund, as
2268 provided in Section 69-2-301.
2269 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
2270 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
2271 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
2272 settlement of federal reserved water right claims.
2273 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
2274 77-10a-19.

- 2275 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
 2276 (41) The Utah Geological Survey, as provided in Section 79-3-401.
 2277 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
 2278 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
 2279 81-13-505.
 2280 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
 2281 Commission.
 2282 (45) The program established by the Division of Facilities Construction and Management
 2283 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
 2284 lease payments for the use and occupancy of buildings owned by the Division of
 2285 Facilities Construction and Management.
 2286 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
 2287 Section 59-2-1802.5.
 2288 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
 2289 Section 29. Section **64-13-45** is amended to read:
 2290 **64-13-45 (Effective 05/06/26). Department reporting requirements.**
 2291 (1) As used in this section:
 2292 (a) "Biological sex at birth" means the same as that term is defined in Section 26B-8-101.
 2293 (b)(i) "In-custody death" means an inmate death that occurs while the inmate is in the
 2294 custody of the department.
 2295 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:
 2296 (A) being transported for medical care; or
 2297 (B) receiving medical care outside of a correctional facility, other than a county
 2298 jail.
 2299 (c) "Inmate" means an individual who is processed or booked into custody or housed in
 2300 the department or a correctional facility other than a county jail.
 2301 (d) "[~~Opiate~~] Opioid-like substance" means the same as that term is defined in Section
 2302 58-37-2.
 2303 (e) "Transgender inmate" means the same as that term is defined in Section 64-13-7.
 2304 (2) The department shall submit a report to the State Commission on Criminal and Juvenile
 2305 Justice created in Section 63M-7-201 before June 15 of each year that includes:
 2306 (a) the number of in-custody deaths that occurred during the preceding calendar year,
 2307 including:
 2308 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors

- 2309 of each of the in-custody deaths described in this Subsection (2)(a); and
- 2310 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
- 2311 in-custody death;
- 2312 (b) the department policies, procedures, and protocols:
- 2313 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
- 2314 including use of [~~opiates~~] opioid-like substances;
- 2315 (ii) that relate to the department's provision, or lack of provision, of medications used
- 2316 to treat, mitigate, or address an inmate's symptoms of withdrawal, including
- 2317 methadone and all forms of buprenorphine and naltrexone; and
- 2318 (iii) that relate to screening, assessment, and treatment of an inmate for a substance
- 2319 use disorder or mental health disorder;
- 2320 (c) the number of inmates who gave birth and were restrained in accordance with
- 2321 Section 64-13-46, including:
- 2322 (i) the types of restraints used; and
- 2323 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
- 2324 inmate, medical or corrections staff, or the public;
- 2325 (d) the number of transgender inmates that are assigned to a living area with inmates
- 2326 whose biological sex at birth do not correspond with the transgender inmate's
- 2327 biological sex at birth in accordance with Section 64-13-7, including:
- 2328 (i) the results of the individualized security analysis conducted for each transgender
- 2329 inmate in accordance with Subsection 64-13-7(5)(a); and
- 2330 (ii) a detailed explanation regarding how the security conditions described in
- 2331 Subsection 64-13-7(5)(b) are met for each transgender inmate;
- 2332 (e) the number of transgender inmates that were:
- 2333 (i) assigned to a living area with inmates whose biological sex at birth do not
- 2334 correspond with the transgender inmate's biological sex at birth; and
- 2335 (ii) removed and assigned to a living area with inmates whose biological sex at birth
- 2336 corresponds with the transgender inmate's biological sex at birth in accordance
- 2337 with Subsection 64-13-7(6); and
- 2338 (f) any report the department provides or is required to provide under federal law or
- 2339 regulation relating to inmate deaths.
- 2340 (3) The State Commission on Criminal and Juvenile Justice shall:
- 2341 (a) compile the information from the reports described in Subsection (2);
- 2342 (b) omit or redact any identifying information of an inmate in the compilation to the

2343 extent omission or redaction is necessary to comply with state and federal law[-]; and
2344 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
2345 Committee and the Utah Substance Use and Mental Health Advisory Committee
2346 before November 1 of each year.

2347 (4) The State Commission on Criminal and Juvenile Justice may not provide access to or
2348 use the department's policies, procedures, or protocols submitted under this section in a
2349 manner or for a purpose not described in this section.

2350 Section 30. **Effective Date.**

2351 This bill takes effect on May 6, 2026.