

Representative Ron Bigelow proposes to substitute the following bill:

CONTROLLED SUBSTANCES AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Ron Bigelow

AN ACT RELATING TO CRIMINAL LAW AND CONTROLLED SUBSTANCES;
AMENDING THE SCHEDULE OF CONTROLLED SUBSTANCES TO INCLUDE GHB;
SCHEDULING KETAMINE; CHANGING THE SCHEDULE OF ROHYPNOL; AND
INCLUDING ANALOGS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

58-37-4, as last amended by Chapter 283, Laws of Utah 1998

58-37c-3, as last amended by Chapter 100, Laws of Utah 1998

58-37c-8, as last amended by Chapter 100, Laws of Utah 1998

ENACTS:

58-37-5.5, Utah Code Annotated 1953

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

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

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

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

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

(a) Schedule I:

(i) Unless specifically excepted or unless listed in another schedule, any of the following

26 opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, when
27 the existence of the isomers, esters, ethers, and salts is possible within the specific chemical
28 designation:

- 29 (A) Acetyl-alpha-methylfentanyl
30 (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N-phenylacetamide);
- 31 (B) Acetylmethadol;
- 32 (C) Allylprodine;
- 33 (D) Alphacetylmethadol, except levo-alphacetylmethadol also known as
34 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;
- 35 (E) Alphameprodine;
- 36 (F) Alphamethadol;
- 37 (G) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
38 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N- propanilido) piperidine);
- 39 (H) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
40 piperidiny]-N-phenylpropanamide);
- 41 (I) Benzethidine;
- 42 (J) Betacetylmethadol;
- 43 (K) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
44 piperidiny]-N-phenylpropanamide);
- 45 (L) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
46 phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
- 47 (M) Betameprodine;
- 48 (N) Betamethadol;
- 49 (O) Betaprodine;
- 50 (P) Clonitazene;
- 51 (Q) Dextromoramide;
- 52 (R) Diampromide;
- 53 (S) Diethylthiambutene;
- 54 (T) Difenoxin;
- 55 (U) Dimenoxadol;
- 56 (V) Dimepheptanol;

- 57 (W) Dimethylthiambutene;
58 (X) Dioxaphetyl butyrate;
59 (Y) Dipipanone;
60 (Z) Ethylmethylthiambutene;
61 (AA) Etonitazene;
62 (BB) Etoxeridine;
63 (CC) Furethidine;
64 (DD) Hydroxypethidine;
65 (EE) Ketobemidone;
66 (FF) Levomoramide;
67 (GG) Levophenacymorphan;
68 (HH) Morpheridine;
69 (II) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
70 (JJ) Noracymethadol;
71 (KK) Norlevorphanol;
72 (LL) Normethadone;
73 (MM) Norpipanone;
74 (NN) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
75 propanamide;
76 (OO) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
77 (PP) Phenadoxone;
78 (QQ) Phenampromide;
79 (RR) Phenomorphan;
80 (SS) Phenoperidine;
81 (TT) Piritramide;
82 (UU) Proheptazine;
83 (VV) Properidine;
84 (WW) Propiram;
85 (XX) Racemoramide;
86 (YY) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;
87 (ZZ) Tilidine;

- 88 (AAA) Trimeperidine;
- 89 (BBB) 3-methylfentanyl, including the optical and geometric isomers
- 90 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide); and
- 91 (CCC) 3-methylthiofentanyl
- 92 (N-[(3-methyl-1-(2-thienyl)ethyl)-4-piperidinyl]-N-phenylpropanamide).
- 93 (ii) Unless specifically excepted or unless listed in another schedule, any of the following
- 94 opium derivatives, their salts, isomers, and salts of isomers when the existence of the salts,
- 95 isomers, and salts of isomers is possible within the specific chemical designation:
- 96 (A) Acetorphine;
- 97 (B) Acetyldihydrocodeine;
- 98 (C) Benzylmorphine;
- 99 (D) Codeine methylbromide;
- 100 (E) Codeine-N-Oxide;
- 101 (F) Cyprenorphine;
- 102 (G) Desomorphine;
- 103 (H) Dihydromorphine;
- 104 (I) Drotebanol;
- 105 (J) Etorphine (except hydrochloride salt);
- 106 (K) Heroin;
- 107 (L) Hydromorphenol;
- 108 (M) Methyldesorphine;
- 109 (N) Methylhydromorphine;
- 110 (O) Morphine methylbromide;
- 111 (P) Morphine methylsulfonate;
- 112 (Q) Morphine-N-Oxide;
- 113 (R) Myrophine;
- 114 (S) Nicocodeine;
- 115 (T) Nicomorphine;
- 116 (U) Normorphine;
- 117 (V) Pholcodine; and
- 118 (W) Thebacon.

- 119 (iii) Unless specifically excepted or unless listed in another schedule, any material,
120 compound, mixture, or preparation which contains any quantity of the following hallucinogenic
121 substances, or which contains any of their salts, isomers, and salts of isomers when the existence
122 of the salts, isomers, and salts of isomers is possible within the specific chemical designation; as
123 used in this Subsection (2)(iii) only, "isomer" includes the optical, position, and geometric isomers:
- 124 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase;
125 α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
- 126 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
127 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
- 128 (C) 4-bromo-2,5-dimethoxypenethylamine, some trade or other names:
129 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus;
- 130 (D) 2,5-dimethoxyamphetamine, some trade or other names:
131 2,5-dimethoxy- α -methylphenethylamine; 2,5-DMA;
- 132 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
- 133 (F) 4-methoxyamphetamine, some trade or other names:
134 4-methoxy- α -methylphenethylamine; paramethoxyamphetamine, PMA;
- 135 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 136 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
137 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
- 138 (I) 3,4-methylenedioxy amphetamine;
- 139 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 140 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
141 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;
- 142 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
143 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA;
- 144 (M) 3,4,5-trimethoxy amphetamine;
- 145 (N) Bufotenine, some trade and other names: 3-(β -Dimethylaminoethyl)-5-hydroxyindole;
146 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine;
147 mappine;
- 148 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 149 (P) Dimethyltryptamine, some trade or other names: DMT;

- 150 (Q) Ibogaine, some trade and other names:
151 7-Ethyl-6,6 β ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino
152 [5,4-b] indole; Tabernanthe iboga;
- 153 (R) Lysergic acid diethylamide;
- 154 (S) Marijuana;
- 155 (T) Mescaline;
- 156 (U) Parahexyl, some trade or other names:
157 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl;
- 158 (V) Peyote, meaning all parts of the plant presently classified botanically as *Lophophora*
159 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such
160 plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant,
161 its seeds or extracts (Interprets 21 USC 812(c), Schedule I(c) (12));
- 162 (W) N-ethyl-3-piperidyl benzilate;
- 163 (X) N-methyl-3-piperidyl benzilate;
- 164 (Y) Psilocybin;
- 165 (Z) Psilocyn;
- 166 (AA) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the
167 plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, derivatives, and
168 their isomers with similar chemical structure and pharmacological activity such as the following:
169 Δ 1 cis or trans tetrahydrocannabinol, and their optical isomers Δ 6 cis or trans
170 tetrahydrocannabinol, and their optical isomers Δ 3,4 cis or trans tetrahydrocannabinol, and its
171 optical isomers, and since nomenclature of these substances is not internationally standardized,
172 compounds of these structures, regardless of numerical designation of atomic positions covered;
- 173 (BB) Ethylamine analog of phencyclidine, some trade or other names:
174 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
175 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 176 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
177 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 178 (DD) Thiophene analog of phencyclidine, some trade or other names:
179 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP; and
- 180 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.

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

186 (A) Mecloqualone; and

187 (B) Methaqualone.

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

191 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or
192 4,5-dihydro-5-phenyl-2-oxazolamine;

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

195 (C) Fenethylamine;

196 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
197 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
198 alpha-N-methylaminopropionophenone; monomethylpropion; ephedrone; N-methylcathinone;
199 methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of
200 optical isomers;

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

202 (F) N-ethylamphetamine; and

203 (G) N,N-dimethylamphetamine, also known as N,N-alpha-trimethyl-benzeneethanamine;
204 N,N-alpha-trimethylphenethylamine.

205 (vi) Any material, compound, mixture, or preparation which contains any quantity of the
206 following substances, including their optical isomers, salts, and salts of isomers, subject to
207 temporary emergency scheduling:

208 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and

209 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl).

210 (vii) Unless specifically excepted or unless listed in another schedule, any material,
211 compound, mixture, or preparation which contains any quantity of gamma hydroxy butyrate

212 (gamma hydrobutyric acid), including its salts, isomers, and salts of isomers.

213 (b) Schedule II:

214 (i) Unless specifically excepted or unless listed in another schedule, any of the following
215 substances whether produced directly or indirectly by extraction from substances of vegetable
216 origin, or independently by means of chemical synthesis, or by a combination of extraction and
217 chemical synthesis:

218 (A) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
219 opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone,
220 and their respective salts, but including:

221 (I) Raw opium;

222 (II) Opium extracts;

223 (III) Opium fluid;

224 (IV) Powdered opium;

225 (V) Granulated opium;

226 (VI) Tincture of opium;

227 (VII) Codeine;

228 (VIII) Ethylmorphine;

229 (IX) Etorphine hydrochloride;

230 (X) Hydrocodone;

231 (XI) Hydromorphone;

232 (XII) Metopon;

233 (XIII) Morphine;

234 (XIV) Oxycodone;

235 (XV) Oxymorphone; and

236 (XVI) Thebaine;

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

240 (C) Opium poppy and poppy straw;

241 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any
242 salt, compound, derivative, or preparation which is chemically equivalent or identical with any of

243 these substances, and includes cocaine and ecgonine, their salts, isomers, derivatives, and salts of
244 isomers and derivatives, whether derived from the coca plant or synthetically produced, except the
245 substances may not include decocainized coca leaves or extraction of coca leaves, which
246 extractions do not contain cocaine or ecgonine; and

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

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

253 (A) Alfentanil;

254 (B) Alphaprodine;

255 (C) Anileridine;

256 (D) Bezitramide;

257 (E) Bulk dextropropoxyphene (nondosage forms);

258 (F) Carfentanil;

259 (G) Dihydrocodeine;

260 (H) Diphenoxylate;

261 (I) Fentanyl;

262 (J) Isomethadone;

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

265 (L) Levomethorphan;

266 (M) Levorphanol;

267 (N) Metazocine;

268 (O) Methadone;

269 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

270 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic
271 acid;

272 (R) Pethidine (meperidine);

273 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

- 274 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
275 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
276 (V) Phenazocine;
277 (W) Piminodine;
278 (X) Racemethorphan;
279 (Y) Racemorphan;
280 (Z) Remifentanil; and
281 (AA) Sufentanil.
- 282 (iii) Unless specifically excepted or unless listed in another schedule, any material,
283 compound, mixture, or preparation which contains any quantity of the following substances having
284 a stimulant effect on the central nervous system:
- 285 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
286 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
287 (C) Phenmetrazine and its salts; and
288 (D) Methylphenidate.
- 289 (iv) Unless specifically excepted or unless listed in another schedule, any material,
290 compound, mixture, or preparation which contains any quantity of the following substances having
291 a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers
292 when the existence of the salts, isomers, and salts of isomers is possible within the specific
293 chemical designation:
- 294 (A) Amobarbital;
295 (B) Flunitrazepam, trade name Rohypnol;
296 [~~(B)~~] (C) Glutethimide;
297 [~~(C)~~] (D) Pentobarbital;
298 [~~(D)~~] (E) Phencyclidine;
299 [~~(E)~~] (F) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
300 1-piperidinocyclohexanecarbonitrile (PCC); and
301 [~~(F)~~] (G) Secobarbital.
- 302 (v) Unless specifically excepted or unless listed in another schedule, any material,
303 compound, mixture, or preparation which contains any quantity of Phenylacetone.
304 Some of these substances may be known by trade or other names: phenyl-2-propanone,

305 P2P; benzyl methyl ketone, methyl benzyl ketone.

306 (vi) (A) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
307 a U.S. Food and Drug Administration approved drug product, some other names for dronabinol:
308 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or
309 (-)-delta-9-(trans)-tetrahydrocannabinol; and

310 (B) Nabilone, another name for nabilone:
311 (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,
312 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.

313 (c) Schedule III:

314 (i) Unless specifically excepted or unless listed in another schedule, any material,
315 compound, mixture, or preparation which contains any quantity of the following substances having
316 a stimulant effect on the central nervous system, including its salts, isomers whether optical,
317 position, or geometric, and salts of the isomers when the existence of the salts, isomers, and salts
318 of isomers is possible within the specific chemical designation:

319 (A) Those compounds, mixtures, or preparations in dosage unit form containing any
320 stimulant substances listed in Schedule II, which compounds, mixtures, or preparations were listed
321 on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the Code of
322 Federal Regulations, and any other drug of the quantitative composition shown in that list for those
323 drugs or which is the same except that it contains a lesser quantity of controlled substances;

324 (B) Benzphetamine;

325 (C) Chlorphentermine;

326 (D) Clortermine; and

327 (E) Phendimetrazine.

328 (ii) Unless specifically excepted or unless listed in another schedule, any material,
329 compound, mixture, or preparation which contains any quantity of the following substances having
330 a depressant effect on the central nervous system:

331 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
332 pentobarbital, or any salt of any of them, and one or more other active medicinal ingredients which
333 are not listed in any schedule;

334 (B) Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital,
335 or any salt of any of these drugs which is approved by the Food and Drug Administration for

336 marketing only as a suppository;

337 (C) Any substance which contains any quantity of a derivative of barbituric acid or any salt
338 of any of them;

339 (D) Chlorhexadol;

340 (E) Ketamine;

341 [~~E~~] (F) Lysergic acid;

342 [~~F~~] (G) Lysergic acid amide;

343 [~~G~~] (H) Methyprylon;

344 [~~H~~] (I) Sulfondiethylmethane;

345 [~~I~~] (J) Sulfonethylmethane;

346 [~~J~~] (K) Sulfonmethane; and

347 [~~K~~] (L) Tiletamine and zolazepam or any of their salts, some trade or other names for
348 a tiletamine-zolazepam combination product: Telazol, some trade or other names for tiletamine:
349 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade or other names for zolazepam:
350 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e] [1,4]-diazepin-7(1H)-one,
351 flupyrazapon.

352 (iii) Nalorphine.

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

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

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

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

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

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

370 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than
371 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized
372 therapeutic amounts;

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

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

378 (v) Unless specifically excepted or unless listed in another schedule, anabolic steroids
379 including any of the following or any isomer, ester, salt, or derivative of the following that
380 promotes muscle growth:

381 (A) Boldenone;

382 (B) Chlorotestosterone (4-chlortestosterone);

383 (C) Clostebol;

384 (D) Dehydrochlormethyltestosterone;

385 (E) Dihydrotestosterone (4-dihydrotestosterone);

386 (F) Drostanolone;

387 (G) Ethylestrenol;

388 (H) Fluoxymesterone;

389 (I) Formebolone (formebolone);

390 (J) Mesterolone;

391 (K) Methandienone;

392 (L) Methandranone;

393 (M) Methandriol;

394 (N) Methandrostenolone;

395 (O) Methenolone;

396 (P) Methyltestosterone;

397 (Q) Mibolerone;

- 398 (R) Nandrolone;
- 399 (S) Norethandrolone;
- 400 (T) Oxandrolone;
- 401 (U) Oxymesterone;
- 402 (V) Oxymetholone;
- 403 (W) Stanolone;
- 404 (X) Stanozolol;
- 405 (Y) Testolactone;
- 406 (Z) Testosterone; and
- 407 (AA) Trenbolone.

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

411 (d) Schedule IV:

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

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

- 419 (A) Alprazolam;
- 420 (B) Barbital;
- 421 (C) Bromazepam;
- 422 (D) Butorphanol;
- 423 (E) Camazepam;
- 424 (F) Chloral betaine;
- 425 (G) Chloral hydrate;
- 426 (H) Chlordiazepoxide;
- 427 (I) Clobazam;
- 428 (J) Clonazepam;

429 (K) Clorazepate;
430 (L) Clotiazepam;
431 (M) Cloxazolam;
432 (N) Delorazepam;
433 (O) Diazepam;
434 (P) Estazolam;
435 (Q) Ethchlorvynol;
436 (R) Ethinamate;
437 (S) Ethyl loflazepate;
438 (T) Fludiazepam;
439 [~~(U)~~] (U) Flunitrazepam;
440 [~~(V)~~] (U) Flurazepam;
441 [~~(W)~~] (V) Halazepam;
442 [~~(X)~~] (W) Haloxazolam;
443 [~~(Y)~~] (X) Ketazolam;
444 [~~(Z)~~] (Y) Loprazolam;
445 [~~(AA)~~] (Z) Lorazepam;
446 [~~(BB)~~] (AA) Lormetazepam;
447 [~~(CC)~~] (BB) Mebutamate;
448 [~~(DD)~~] (CC) Medazepam;
449 [~~(EE)~~] (DD) Meprobamate;
450 [~~(FF)~~] (EE) Methohexital;
451 [~~(GG)~~] (FF) Methylphenobarbital (mephobarbital);
452 [~~(HH)~~] (GG) Midazolam;
453 [~~(H)~~] (HH) Nimetazepam;
454 [~~(JJ)~~] (II) Nitrazepam;
455 [~~(KK)~~] (JJ) Nordiazepam;
456 [~~(LL)~~] (KK) Oxazepam;
457 [~~(MM)~~] (LL) Oxazolam;
458 [~~(NN)~~] (MM) Paraldehyde;
459 [~~(OO)~~] (NN) Pentazocine;

460 [~~PP~~] (OO) Petrichloral;
461 [~~QQ~~] (PP) Phenobarbital;
462 [~~RR~~] (QQ) Pinazepam;
463 [~~SS~~] (RR) Prazepam;
464 [~~TT~~] (SS) Quazepam;
465 [~~UU~~] (TT) Temazepam;
466 [~~VV~~] (UU) Tetrazepam;
467 [~~WW~~] (VV) Triazolam; and
468 [~~XX~~] (WW) Zolpidem.

469 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains any
470 quantity of the following substances, including its salts, isomers whether optical, position, or
471 geometric, and salts of the isomers when the existence of the salts, isomers, and salts of isomers
472 is possible.

473 (iv) Unless specifically excepted or unless listed in another schedule, any material,
474 compound, mixture, or preparation which contains any quantity of the following substances having
475 a stimulant effect on the central nervous system, including its salts, isomers whether optical,
476 position, or geometric isomers, and salts of the isomers when the existence of the salts, isomers,
477 and salts of isomers is possible within the specific chemical designation:

478 (A) Cathine ((+)-norpseudoephedrine);
479 (B) Diethylpropion;
480 (C) Fencamfamine;
481 (D) Fenproporex;
482 (E) Mazindol;
483 (F) Mefenorex;
484 (G) Pemoline, including organometallic complexes and chelates thereof;
485 (H) Phentermine;
486 (I) Pipradrol; and
487 (J)SPA ((-)-1-dimethylamino-1,2-diphenylethane).

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

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

496 (i) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

497 (ii) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

498 (iii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

499 (iv) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of
500 atropine sulfate per dosage unit;

501 (v) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

502 (vi) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine
503 sulfate per dosage unit;

504 (vii) unless specifically exempted or excluded or unless listed in another schedule, any
505 material, compound, mixture, or preparation which contains Pyrovalerone having a stimulant effect
506 on the central nervous system, including its salts, isomers, and salts of isomers; and

507 (viii) unless specifically excepted or unless listed in another schedule, any material,
508 compound, mixture, or preparation containing any Buprenorphine and its salts.

509 Section 2. Section **58-37-5.5** is enacted to read:

510 **58-37-5.5. Recognized controlled substance analogs.**

511 (1) A substance listed under Subsection (2) is an analog, as defined in Section
512 58-37-2(1)(f), if the substance, in any quantity, and in any material, compound, mixture, or
513 preparation, is present in:

514 (a) any product manufactured, distributed, or possessed for the purpose of human
515 consumption; or

516 (b) any product, the use or administration of which results in human consumption.

517 (2) Substances referred to in Subsection (1) include, but are not limited to:

518 (a) gamma butyrolactone (GBL);

519 (b) butyrolactone;

520 (c) 1,2 butanolide;

521 (d) 2-oxanolone;

- 522 (e) tetrahydro-2-furanone;
523 (f) dihydro-2 (3H)-furanone;
524 (g) tetramethylene glycol; and
525 (h) 1,4 butanediol.

526 Section 3. Section **58-37c-3** is amended to read:

527 **58-37c-3. Definitions.**

528 In addition to the definitions in Section 58-1-102, as used in this chapter:

529 (1) "Board" means the Controlled Substance Precursor Advisory Board created in Section
530 58-37c-4.

531 (2) "Controlled substance precursor" includes a chemical reagent and means any of the
532 following:

- 533 (a) Phenyl-2-propanone;
534 (b) Methylamine;
535 (c) Ethylamine;
536 (d) D-lysergic acid;
537 (e) Ergotamine and its salts;
538 (f) Diethyl malonate;
539 (g) Malonic acid;
540 (h) Ethyl malonate;
541 (i) Barbituric acid;
542 (j) Piperidine and its salts;
543 (k) N-acetylanthranilic acid and its salts;
544 (l) Pyrrolidine;
545 (m) Phenylacetic acid and its salts;
546 (n) Anthranilic acid and its salts;
547 (o) Morpholine;
548 (p) Ephedrine;
549 (q) Pseudoephedrine;
550 (r) Norpseudoephedrine;
551 (s) Phenylpropanolamine;
552 (t) Benzyl cyanide;

- 553 (u) Ergonovine and its salts;
- 554 (v) 3,4-Methylenedioxyphenyl-2-propanone;
- 555 (w) propionic anhydride;
- 556 (x) Insosafrole;
- 557 (y) Safrole;
- 558 (z) Piperonal;
- 559 (aa) N-Methylephedrine;
- 560 (bb) N-ethylephedrine;
- 561 (cc) N-methylpseudoephedrine;
- 562 (dd) N-ethylpseudoephedrine;
- 563 (ee) Hydriotic acid;
- 564 (ff) gamma butyrolactone(GBL), including butyrolactone, 1,2 butanolide, 2-oxanolone,
- 565 tetrahydro-2-furanone, dihydro-2(3H)-furanone, and tetramethylene glycol, but not including
- 566 gamma aminobutric acid (GABA);
- 567 (gg) 1,4 butanediol;
- 568 [(ff)] (hh) any salt, isomer, or salt of an isomer of the chemicals listed in Subsections (a)
- 569 through [(ee)] (gg) of this section;
- 570 [(gg)] (ii) Crystal iodine;
- 571 [(hh)] (jj) any controlled substance precursor listed under the provisions of the Federal
- 572 Controlled Substances Act which is designated by the director under the emergency listing
- 573 provisions set forth in Section 58-37c-14; and
- 574 [(ii)] (kk) any chemical which is designated by the director under the emergency listing
- 575 provisions set forth in Section 58-37c-14.
- 576 (3) "Deliver," "delivery," "transfer," or "furnish" means the actual, constructive, or
- 577 attempted transfer of a controlled substance precursor.
- 578 (4) "Matrix" means something, as a substance, in which something else originates,
- 579 develops, or is contained.
- 580 (5) "Person" means any individual, group of individuals, proprietorship, partnership, joint
- 581 venture, corporation, or organization of any type or kind.
- 582 (6) "Practitioner" means a physician, dentist, podiatric physician, veterinarian, pharmacist,
- 583 scientific investigator, pharmacy, hospital, pharmaceutical manufacturer, or other person licensed,

584 registered, or otherwise permitted to distribute, dispense, conduct research with respect to,
585 administer, or use in teaching, or chemical analysis a controlled substance in the course of
586 professional practice or research in this state.

587 (7) (a) "Regulated distributor" means a person within the state who provides, sells,
588 furnishes, transfers, or otherwise supplies a listed controlled substance precursor chemical in a
589 regulated transaction.

590 (b) "Regulated distributor" does not include any person excluded from regulation under
591 this chapter.

592 (8) (a) "Regulated purchaser" means any person within the state who receives a listed
593 controlled substance precursor chemical in a regulated transaction.

594 (b) "Regulated purchaser" does not include any person excluded from regulation under this
595 chapter.

596 (9) "Regulated transaction" means any actual, constructive or attempted:

597 (a) transfer, distribution, delivery, or furnishing by a person within the state to another
598 person within or outside of the state of a threshold amount of a listed precursor chemical; or

599 (b) purchase or acquisition by any means by a person within the state from another person
600 within or outside the state of a threshold amount of a listed precursor chemical.

601 (10) "Retail distributor" means a grocery store, general merchandise store, drug store, or
602 other entity or person whose activities as a distributor are limited almost exclusively to sales for
603 personal use:

604 (a) in both number of sales and volume of sales; and

605 (b) either directly to walk-in customers or in face-to-face transactions by direct sales.

606 (11) "Threshold amount of a listed precursor chemical" means any amount of a controlled
607 substance precursor; however, the division may exempt from the provisions of this chapter a
608 specific controlled substance precursor in a specific amount and in certain types of transactions
609 which provisions for exemption shall be defined by the division by rule adopted pursuant to Title
610 63, Chapter 46a, Utah Administrative Rulemaking Act.

611 (12) "Unlawful conduct" as defined in Section 58-1-501 includes knowingly and
612 intentionally:

613 (a) engaging in a regulated transaction without first being appropriately licensed or
614 exempted from licensure under this chapter;

615 (b) acting as a regulated distributor and selling, transferring, or in any other way conveying
616 a controlled substance precursor to a person within the state who is not appropriately licensed or
617 exempted from licensure as a regulated purchaser, or selling, transferring, or otherwise conveying
618 a controlled substance precursor to a person outside of the state and failing to report the transaction
619 as required;

620 (c) acting as a regulated purchaser and purchasing or in any other way obtaining a
621 controlled substance precursor from a person within the state who is not a licensed regulated
622 distributor, or purchasing or otherwise obtaining a controlled substance precursor from a person
623 outside of the state and failing to report the transaction as required;

624 (d) engaging in a regulated transaction and failing to submit reports and keep required
625 records of inventories required under the provisions of this chapter or rules adopted pursuant to
626 this chapter;

627 (e) making any false statement in any application for license, in any record to be kept, or
628 on any report submitted as required under this chapter;

629 (f) with the intent of causing the evasion of the recordkeeping or reporting requirements
630 of this chapter and rules related to this chapter, receiving or distributing any listed controlled
631 substance precursor chemical in any manner designed so that the making of records or filing of
632 reports required under this chapter is not required;

633 (g) failing to take immediate steps to comply with licensure, reporting, or recordkeeping
634 requirements of this chapter because of lack of knowledge of those requirements, upon becoming
635 informed of the requirements;

636 (h) presenting false or fraudulent identification where or when receiving or purchasing a
637 listed controlled substance precursor chemical;

638 (i) creating a chemical mixture for the purpose of evading any licensure, reporting or
639 recordkeeping requirement of this chapter or rules related to this chapter, or receiving a chemical
640 mixture created for that purpose;

641 (j) if the person is at least 18 years of age, employing, hiring, using, persuading, inducing,
642 enticing, or coercing another person under 18 years of age to violate any provision of this chapter,
643 or assisting in avoiding detection or apprehension for any violation of this chapter by any federal,
644 state, or local law enforcement official; and

645 (k) obtaining or attempting to obtain or to possess any controlled substance precursor or

646 any combination of controlled substance precursors knowing or having a reasonable cause to
647 believe that the controlled substance precursor is intended to be used in the unlawful manufacture
648 of any controlled substance.

649 (13) "Unprofessional conduct" as defined in Section 58-1-102 and as may be further
650 defined by rule includes the following:

651 (a) violation of any provision of this chapter, the Controlled Substance Act of this state
652 or any other state, or the Federal Controlled Substance Act; and

653 (b) refusing to allow agents or representatives of the division or authorized law
654 enforcement personnel to inspect inventories or controlled substance precursors or records or
655 reports relating to purchases and sales or distribution of controlled substance precursors as such
656 records and reports are required under this chapter.

657 Section 4. Section **58-37c-8** is amended to read:

658 **58-37c-8. License -- Exceptions from licensure or regulation.**

659 (1) Any person engaged in a regulated transaction must be appropriately licensed under
660 this chapter as a regulated distributor and regulated purchaser unless excepted from licensure under
661 this chapter.

662 (2) The division shall:

663 (a) establish the form of application for a license, the requirements for licensure, and fees
664 for initial licensure and renewal; and

665 (b) identify required information to be contained in the application as a condition of
666 licensure.

667 (3) A practitioner who holds a Utah Controlled Substance License and a Controlled
668 Substance Registration issued by the Drug Enforcement Administration of the U.S. Government
669 is excepted from licensure under this chapter.

670 (4) Any purchase, sale, transfer, furnishing, or receipt of any drug intended for lawful use
671 in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals,
672 which contains ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if such
673 drug is lawfully purchased, sold, transferred, or furnished as an over-the-counter medication
674 without prescription pursuant to the federal Food, Drug and Cosmetic Act, 21 USC, Sec. 301 et
675 seq., or regulations adopted thereunder are excepted from licensure, reporting, and recordkeeping
676 under this chapter.

677 (5) Any purchase, sale, transfer, receipt, or manufacture of any dietary supplement,
678 vitamins, minerals, herbs, or other similar substances including concentrates or extracts, which are
679 not otherwise prohibited by law, which may contain naturally occurring amounts of chemicals or
680 substances listed in this chapter, or in rules adopted pursuant to Title 63, Chapter 46a, Utah
681 Administrative Rulemaking Act, are exempt from licensure under this chapter.

682 (6) A purchaser of two ounces or less of crystal iodine in a single transaction is not
683 required to be licensed as a regulated purchaser if the transaction complies with Section 58-37c-18.

684 (7) Any purchase, sale, transfer, receipt, or manufacture of any product that contains any
685 precursor chemical listed in Subsection 58-37c-3(2)(ff) or (gg) and that is not intended for human
686 consumption is exempt from licensure, regulation, or criminal penalties under this chapter.