

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY

AN ACT

RELATING TO CONTROLLED SUBSTANCE SCHEDULES, AMENDING SECTIONS 37-2705, 37-2707, 37-2709, 37-2711, AND 37-2713, IDAHO CODE, TO UPDATE IDAHO'S CONTROLLED SUBSTANCE SCHEDULES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended, to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl  
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl;
- (8) Alpha-methylthiofentanyl  
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (9) Benzethidine;
- (10) Betacetylmethadol;
- (11) Beta-hydroxyfentanyl  
(N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
- (12) Beta-hydroxy-3-methylfentanyl  
(N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
- (13) Betameprodine;
- (14) Betamethadol;
- (15) Betaprodine;
- (16) Clonitazene;

- (17) Dextromoramide;
- (18) Diampromide;
- (19) Diethylthiambutene;
- (20) Difenoxin;
- (21) Dimenoxadol;
- (22) Dimepheptanol;
- (23) Dimethylthiambutene;
- (24) Dioxaphetyl butyrate;
- (25) Dipipanone;
- (26) Ethylmethylthiambutene;
- (27) Etonitazene;
- (28) Etoxidine;
- (29) Furethidine;
- (30) Hydroxypethidine;
- (31) Ketobemidone;
- (32) Levomoramide;
- (33) Levophenacilmorphan;
- (34) 3-Methylfentanyl;
- (35) 3-methylthiofentanyl  
(N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide]);
- (36) Morpheridine;
- (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (38) Noracymethadol;
- (39) Norlevorphanol;
- (40) Normethadone;
- (41) Norpipanone;
- (42) Para-fluorofentanyl  
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);
- (43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (44) Phenadoxone;
- (45) Phenampromide;
- (46) Phenomorphan;
- (47) Phenoperidine;
- (48) Piritramide;
- (49) Proheptazine;
- (50) Properidine;
- (51) Propiram;
- (52) Racemoramide;
- (53) Thiofentanyl  
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide);
- (54) Tilidine;
- (55) Trimeperidine.

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphanol;
- (13) Methyl-desorphine;
- (14) Methyl-dihydromorphine;
- (15) Morphine methylbromide;
- (16) Morphine methylsulfonate;
- (17) Morphine-N-Oxide;
- (18) Myrophine;
- (19) Nicocodeine;
- (20) Nicomorphine;
- (21) Normorphine;
- (22) Pholcodine;
- (23) Thebacon.

(d) Hallucinogenic substances. Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

- (1) 4-bromo-2,5-dimethoxy-amphetamine;
- (2) 2,5-dimethoxyamphetamine;
- (3) 4-bromo-2,5-dimethoxyphenethylamine (some other names: alpha-desmethyl DOB, 2C-B);
- (4) 2,5-dimethoxy-4-ethylamphetamine (another name: DOET);
- (5) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- (56) 4-methoxyamphetamine (PMA);
- (67) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (8) 5-methoxy-N,N-diisopropyltryptamine;
- (79) 4-methyl-2,5-dimethoxy-amphetamine (DOM, STP);
- (810) 3,4-methylenedioxy amphetamine;
- (911) 3,4-methylenedioxymethamphetamine (MDMA);
- (102) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-ethyl MDA, MDE, MDEA);
- (113) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, and N-hydroxy MDA);
- (124) 3,4,5-trimethoxy amphetamine;

(135) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-aminobutyl) indole);

(16) Alpha-methyltryptamine;

(147) Bufotenine;

(158) Diethyltryptamine (DET);

(169) Dimethyltryptamine (DMT);

(1720) Ibogaine;

(218) Lysergic acid diethylamide;

(1922) Marihuana;

(203) Mescaline;

(244) Parahexyl;

(225) Peyote;

(236) N-ethyl-3-piperidyl benzilate;

(247) N-methyl-3-piperidyl benzilate;

(258) Psilocybin;

(269) Psilocyn;

(2730) Tetrahydrocannabinols. Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

? <sup>1</sup> cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration.

? <sup>6</sup> cis or trans tetrahydrocannabinol, and their optical isomers.

? <sup>3,4</sup> cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.)

(2831) Ethylamine analog of phencyclidine (N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE; (329) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -pyrrolidine, PCPy, PHP;

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

(344) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;

(325) Spores or mycelium capable of producing mushrooms that contain psilocybin or psilocin.

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

(1) Gamma hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(2) Flunitrazepam (also known as "R2"; "Rohypnol");

(3) Mecloqualone;

(4) Methaqualone.

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

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

(2) Cathinone (some other names: alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone);

(3) Fenethylline;

(4) Methcathinone (some other names: 2-(methyl-amino)-propiofenone, alpha-(methylamino)-propiofenone, N-methylcathinone, AL-464, AL-422, AL-463 and UR1423);

(5) ~~(±)~~ cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine];

(6) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);

~~(67)~~ N-ethylamphetamine;

~~(78)~~ N,N-dimethylamphetamine (also known as: N,N-alpha-trimethylbenzeneethanamine).

(g) Temporary listing of substances subject to emergency scheduling. Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers.

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

~~(3) 4-methylaminorex (also known as 2-amino-4-methyl-5-phenyl-2-oxazoline).~~

SECTION 2. That Section 37-2707, Idaho Code, be, and the same is hereby amended, to read as follows:

37-2707. SCHEDULE II. (a) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

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

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, naltrexone and their respective salts, but including the following:

1. Raw opium;
2. Opium extracts;
3. Opium fluid extracts;
4. Powdered opium;
5. Granulated opium;
6. Tincture of opium;

7. Codeine;
8. Ethylmorphine;
9. Dihydroetorphine;
10. Diprenorphine;
911. Etorphine hydrochloride;
102. Hydrocodone;
143. Hydromorphone;
124. Metopon;
135. Morphine;
16. Oripavine;
147. Oxycodone;
158. Oxymorphone;
19. Tapentadol;
1620. Thebaine.

(2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b) (1) of this section, except that these substances shall not include the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Benzoyllecgonine.

(56) Methylbenzoyllecgonine (Cocaine - its salts, optical isomers, and salts of optical isomers).

(67) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy).

(c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, unless specifically excepted or unless listed in another schedule:

- (1) Alfentanil;
- (2) Alphaprodine;
- (3) Anileridine;
- (4) Bezitramide;
- (5) Bulk Dextropropoxyphene (nondosage forms);
- (6) Carfentanil;
- (7) Dihydrocodeine;
- (8) Diphenoxylate;
- (9) Fentanyl;
- (10) Isomethadone;
- (11) Levo-alpha-acetylmethadol (also known as levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
- (12) Levomethorphan;
- (13) Levorphanol;

- (14) Metazocine;
- (15) Methadone;
- (16) Methadone -- Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- (17) Moramide -- Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl propane-carboxylic acid;
- (18) Pethidine (meperidine);
- (19) Pethidine -- Intermediate -- A, 4-cyano-1-methyl-4-phenylpiperidine;
- (20) Pethidine -- Intermediate -- B, ethyl-4-phenylpiperidine-4-carboxylate;
- (21) Pethidine -- Intermediate -- C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (22) Phenazocine;
- (23) Piminodine;
- (24) Racemethorphan;
- (25) Racemorphan;
- (26) Remifentanil;
- (267) Sufentanil.

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) Lisdexamfetamine;
- (23) Methamphetamine, its salts, isomers, and salts of its isomers;
- (34) Phenmetrazine and its salts;
- (45) Methylphenidate.

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

- (1) Amobarbital;
- (2) Glutethimide;
- (3) Pentobarbital;
- (4) Phencyclidine;
- (5) Secobarbital.
- (f) Hallucinogenic substances.

(1) Nabilone (another name for nabilone: (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one) (21 C.F.R. 1308.12 (f)).

(g) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Immediate precursor to amphetamine and methamphetamine:
  - (a) Anthranilic acid;
  - (b) Ephedrine;
  - (c) Lead acetate;
  - (d) Methylamine;

- (e) Methyl formamide;
- (f) N-methylephedrine;
- (g) Phenylacetic acid;
- (h) Phenylacetone;
- (i) Phenylpropanolamine;
- (j) Pseudoephedrine.

Except that any combination or compound containing ephedrine, or any of its salts and isomers, or phenylpropanolamine or its salts and isomers, or pseudoephedrine, or any of its salts and isomers which is prepared for dispensing or over-the-counter distribution is not a controlled substance for the purpose of this section, unless such substance is possessed, delivered, or possessed with intent to deliver to another with the intent to manufacture methamphetamine, amphetamine or any other controlled substance in violation of section 37-2732, Idaho Code. For purposes of this provision, the requirements of the uniform controlled substances act shall not apply to a manufacturer, wholesaler or retailer of over-the-counter products containing the listed substances unless such person possesses, delivers, or possesses with intent to deliver to another the over-the-counter product with intent to manufacture a controlled substance.

- (2) Immediate precursors to phencyclidine (PCP):
  - (a) 1-phenylcyclohexylamine;
  - (b) 1-piperidinocyclohexanecarbonitrile (PCC).

SECTION 3. That Section 37-2709, Idaho Code, be, and the same is hereby amended, to read as follows:

37-2709. SCHEDULE III. (a) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, (whether optical or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under C.F.R. Sec. 308.32, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances.
- (2) Benzphetamine;
- (3) Chlorphentermine;
- (4) Clortermine;
- (5) Phendimetrazine.

(c) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) Any compound, mixture or preparation containing:
  - i. Amobarbital;

- ii. Secobarbital;
- iii. Pentobarbital or any salt thereof and one (1) or more other active medicinal ingredients which are not listed in any schedule.
- (2) Any suppository dosage form containing:
  - i. Amobarbital;
  - ii. Secobarbital;
  - iii. Pentobarbital or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.
- (3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof, including, but not limited to:
  - i. Aprobarbital;
  - ii. Butabarbital (secbutabarbital);
  - iii. Butalbital;
  - iv. Butobarbital (butethal);
  - v. Talbutal
  - vi. Thiamylal;
  - vii. Thiopental;
  - viii. Vinbarbital.
- (4) Chlorhexadol;
- (5) Embutramide;
- (56) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal food, drug, and cosmetic act;
- (67) Ketamine, its salts, isomers, and salts of isomers - 7285. (Some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone).
- (78) Lysergic acid;
- (89) Lysergic acid amide;
- (910) Methyprylon;
- (101) Sulfondiethylmethane;
- (112) Sulfonethylmethane;
- (123) Sulfonmethane;
- (134) Tiletamine and zolazepam or any salt thereof.
- (d) Nalorphine.
- (e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule:
  - (1) ~~Unless specifically excepted or unless listed in another schedule,~~ Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
    - (i) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
    - (ii) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;

- (iii) Not more than 300 milligrams of dihydrocodeinone, commonly known as hydrocodone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;
- (iv) Not more than 300 milligrams of dihydrocodeinone, commonly known as hydrocodone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (v) Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (vi) Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one (1) or more ingredients in recognized therapeutic amounts;
- (vii) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (viii) Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(2) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth below:

- (i) Buprenorphine.
- (ii) [Reserved].

(f) Anabolic steroids and human growth hormones. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins and corticosteroids) that promotes muscle growth including any salt, ester or isomer of a drug or substance listed in this paragraph, if that salt, ester or isomer promotes muscle growth.

- (1) 13beta-ethyl-17beta-hydroxygon-4-en-3-one;
- (2) 17alpha-methyl-3alpha, 17beta-dihydroxy-5alpha-androstane;
- (3) 17alpha-methyl-3beta, 17beta-dihydroxy-5alpha-androstane;
- (4) 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-ene;
- (5) 17alpha-methyl-4-hydroxynandrolone;
- (6) 17alpha-methyl-delta1-dihydrotestosterone;
- (7) 19-nor-4-androstenediol;
- (8) 19-nor-4-androstenedione;
- (9) 19-nor-4,9(10)-androstadienedione;
- (10) ~~(9)~~ 19-nor-5-androstenediol;
- (11) ~~(10)~~ 19-nor-5-androstenedione;
- (12) ~~(11)~~ 1-androstenediol;
- (13) ~~(12)~~ 1-androstenedione;
- (14) ~~(13)~~ 3alpha, 17beta-dihydroxy-5alpha-androstane;
- (15) ~~(14)~~ 3beta, 17beta-dihydroxy-5alpha-androstane;
- (16) ~~(15)~~ 4-androstenediol;
- (17) ~~(16)~~ 4-androstenedione;
- (18) ~~(17)~~ 4-hydroxy-19-nortestosterone;

~~(19)~~ ~~(18)~~ 4-hydroxytestosterone;  
~~(20)~~ ~~(19)~~ 5-androstenediol;  
~~(21)~~ ~~(20)~~ 5-androstenedione;  
~~(22)~~ ~~(21)~~ Androstenedione;  
~~(23)~~ ~~(22)~~ Bolasterone;  
~~(24)~~ ~~(23)~~ Boldenone;  
~~(25)~~ Boldione;  
~~(26)~~ ~~(24)~~ Calusterone;  
~~(27)~~ ~~(25)~~ Chlorotestosterone (4-chlorotestosterone);  
~~(28)~~ ~~(26)~~ Chorionic gonadotropin;  
~~(29)~~ ~~(27)~~ Clostebol;  
~~(30)~~ ~~(28)~~ Dehydrochlormethyltestosterone;  
~~(31)~~ ~~(29)~~ Delta 1-dihydrotestosterone;  
~~(32)~~ Desoxymethyltestosterone;  
~~(33)~~ ~~(30)~~ Dihydrotestosterone (4-dihydrotestosterone);  
~~(34)~~ ~~(31)~~ Drostanolone;  
~~(32)~~ Embutramide;  
~~(35)~~ ~~(33)~~ Ethylestrenol;  
~~(36)~~ ~~(34)~~ Fluoxymesterone;  
~~(37)~~ ~~(35)~~ Formebolone;  
~~(38)~~ ~~(36)~~ Furazabol;  
~~(39)~~ ~~(37)~~ Human growth hormones;  
~~(40)~~ ~~(38)~~ Mestanolone;  
~~(41)~~ ~~(39)~~ Mesterolone;  
~~(42)~~ ~~(40)~~ Methandienone;  
~~(43)~~ ~~(41)~~ Methandranone;  
~~(44)~~ ~~(42)~~ Methandriol;  
~~(45)~~ ~~(43)~~ Methandrostenolone;  
~~(46)~~ ~~(44)~~ Methenolone;  
~~(47)~~ ~~(45)~~ Methyldienolone;  
~~(48)~~ ~~(46)~~ Methyltestosterone;  
~~(49)~~ ~~(47)~~ Methyltrienolone;  
~~(50)~~ ~~(48)~~ Mibolerone;  
~~(51)~~ ~~(49)~~ Nandrolone;  
~~(52)~~ ~~(50)~~ Norbolethone;  
~~(53)~~ ~~(51)~~ Norclostebol;  
~~(54)~~ ~~(52)~~ Norethandrolone;  
~~(55)~~ ~~(53)~~ Normethandrolone;  
~~(56)~~ ~~(54)~~ Oxandrolone;  
~~(57)~~ ~~(55)~~ Oxymesterone;  
~~(58)~~ ~~(56)~~ Oxymetholone;  
~~(59)~~ ~~(57)~~ Stanolone;  
~~(60)~~ ~~(58)~~ Stanozolol;  
~~(61)~~ ~~(59)~~ Stenbolone;  
~~(62)~~ ~~(60)~~ Testolactone;

- ~~(63) (28610)~~ Testosterone;
- ~~(64) (6129)~~ Testosterone cypionate;
- ~~(65) (6230)~~ Testosterone enanthate;
- ~~(66) (31634)~~ Testosterone propionate;
- ~~(67) (645)~~ Tetrahydrogestrinone;
- ~~(68) (32665)~~ Trenbolone.

Anabolic steroids that are expressly intended for administration through implants to cattle or other nonhuman species, and that are approved by the federal Food and Drug Administration for such use, shall not be classified as controlled substances under this act and shall not be governed by its provisions.

In addition to the penalties prescribed in article IV of the uniform controlled substances act, any person shall be guilty of a felony who prescribes, dispenses, supplies, sells, delivers, manufactures or possesses with the intent to prescribe, dispense, supply, sell, deliver or manufacture anabolic steroids or any other human growth hormone for purposes of enhancing performance in an exercise, sport or game or hormonal manipulation intended to increase muscle mass, strength or weight without a medical necessity as determined by a physician.

(g) Hallucinogenic substances.

(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in the federal Food and Drug Administration approved product - 7369. (Some other names for dronabinol: (6aR-trans) -6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo [b,d]pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol).

(h) Other substances. Unless specifically excepted, or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substance, including its salts:

(1) Butorphanol.

(i) The board may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections (b) and (c) of this section from the application of all or any part of this act if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

SECTION 4. That Section 37-2711, Idaho Code, be, and the same is hereby amended, to read as follows:

37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) No more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane).

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alprazolam;
- (2) Barbitol;
- (3) Bromazepam;
- (4) Camazepam;
- (5) Chloral betaine;
- (6) Chloral hydrate;
- (7) Chlordiazepoxide;
- (8) Clobazam;
- (9) Clonazepam;
- (10) Clorazepate;
- (11) Clotiazepam;
- (12) Cloxazolam;
- (13) Delorazepam;
- (14) Diazepam;
- (15) Dichloralphenazone;
- (156)** Estazolam;
- (167) Ethchlorvynol;
- (178) Ethinamate;
- (189) Ethyl loflazepate;
- (1920) Fludiazepam;
- (201) Flurazepam;
- (212) Halazepam;
- (223) Haloxazolam;
- (234) Ketazolam;
- (245) Loprazolam;
- (256) Lorazepam;
- (267) Lormetazepam;
- (278) Mebutamate;
- (289) Medazepam;
- (2930) Meprobamate;
- (301) Methohexital;
- (312) Methylphenobarbital (mephobarbital);
- (323) Midazolam;
- (334) Nimetazepam;
- (345) Nitrazepam;
- (356) Nordiazepam;
- (367) Oxazepam;
- (378) Oxazolam;
- (389) Paraldehyde;

(~~39~~40) Petrichloral;  
(40~~1~~) Phenobarbital;  
(41~~2~~) Pinazepam;  
(42~~3~~) Prazepam;  
(43~~4~~) Temazepam;  
(44~~5~~) Tetrazepam;  
(45~~6~~) Triazolam;  
(46~~7~~) Quazepam;  
(48) Zaleplon;  
(47~~9~~) Zolpidem-;  
(50) Zopiclone.

(d) Fenfluramine - Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

(1) Dexfenfluramine;  
(~~12~~) Fenfluramine.

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

(1) Cathine ((+)-norpseudoephedrine);  
(2) Diethylpropion;  
(3) Fencamfamin;  
(4) Fenproporex;  
(5) Mazindol;  
(6) Mefenorex;  
(7) Modafinil;  
(~~78~~) Pemoline (including organometallic complexes and chelates thereof);  
(8~~9~~) Phentermine;  
(9~~10~~) Pipradrol;  
(10~~1~~) Sibutramine;  
(11~~2~~) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(f) Other substances. Unless specifically excepted, or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substance, including its salts:

(1) Pentazocine.  
(2) Fospropofol

(g) The board may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection (c) of this section from the application of all or any part of this act if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the

potential for abuse of the substances which have a depressant effect on the central nervous system.

SECTION 5. That Section 37-2713, Idaho Code, be, and the same is hereby amended, to read as follows:

37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs and their salts, as set forth below.

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;
- (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;
- (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;
- (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- (6) Not more than 0.5 milligrams difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

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

(1) Lacosamide;

(2) Pregabalin

(~~123~~) Propylhexedrine (except as Benzedrex ~~[TM]~~<sup>TM</sup> inhaler);

(~~234~~) Pyrovalerone.

STATEMENT OF PURPOSE

RS

In accordance with Section 37-2714, Idaho Code, the proposed legislation will update Idaho's controlled substance schedules, as required by Sections 37-2702(d) and 37-2714, Idaho Code.

FISCAL IMPACT

None.

CONTACT

Name: Mark Johnston, R.Ph., Executive Director

Agency: Idaho Board of Pharmacy

Phone: (208) 334-2356

Statement of Purpose/Fiscal Impact

H \_\_\_\_\_