

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 6

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2702, IDAHO CODE,
2 TO CLARIFY THE BOARD OF PHARMACY'S AUTHORITY TO DESIGNATE A CONTROLLED
3 SUBSTANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2705,
4 IDAHO CODE, TO REVISE THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES;
5 AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE III
6 CONTROLLED SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
7 TION 37-2711, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE IV CONTROLLED
8 SUBSTANCES; AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE THE LIST OF
9 SCHEDULE V CONTROLLED SUBSTANCES; AND DECLARING AN EMERGENCY.
10

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

12 SECTION 1. That Section 37-2702, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 37-2702. AUTHORITY TO CONTROL. (a) The board shall administer the
15 regulatory provisions of this act and may add substances to or delete or
16 reschedule all substances enumerated in the schedules in sections 37-2705,
17 37-2707, 37-2709, 37-2711, or 37-2713, Idaho Code, pursuant to the pro-
18 cedures of chapter 52, title 67, Idaho Code. In making a determination
19 regarding a substance, the board shall consider the following:

- 20 (1) ~~the~~ actual or relative potential for abuse;
- 21 (2) ~~the~~ scientific evidence of its pharmacological effect, if known;
- 22 (3) ~~the~~ state of current scientific knowledge regarding the sub-
23 stance;
- 24 (4) ~~the~~ history and current pattern of abuse;
- 25 (5) ~~the~~ scope, duration, and significance of abuse;
- 26 (6) ~~the~~ risk to the public health;
- 27 (7) ~~the~~ potential of the substance to produce psychic or physiological
28 dependence liability; and
- 29 (8) ~~whether~~ the substance is an immediate precursor of a substance al-
30 ready controlled under this article.

31 (b) After considering the factors enumerated in subsection (a) of this
32 section, the board shall make findings with respect thereto and issue a
33 rule controlling the substance if it finds the substance has a potential for
34 abuse.

35 (c) If the board designates a substance as an immediate precursor, sub-
36 stances which are precursors of the controlled precursor shall not be sub-
37 ject to control solely because they are precursors of the controlled precu-
38 sor.

39 (d) If any substance is designated, rescheduled, or deleted as a con-
40 trolled substance under federal law and notice thereof is given to the board,
41 the board shall similarly control the substance under this act ~~after the~~
42 ~~expiration of~~ by promulgating a temporary rule or proposing a statutory

1 amendment, or both, within thirty (30) days from publication in the Federal
 2 Register of a final order designating a substance as a controlled substance
 3 or rescheduling or deleting a substance, unless within that thirty (30) day
 4 period, the board objects to inclusion, rescheduling, or deletion. In that
 5 case, the board shall publish the reasons for objection and afford all inter-
 6 ested parties an opportunity to be heard. At the conclusion of the hearing,
 7 the board shall publish its decision, which shall be final unless altered
 8 by statute. Upon publication of objection to inclusion, rescheduling, or
 9 deletion under this act by the board, control under this act is stayed until
 10 the board publishes its decision.

11 (e) Authority to control under this section does not extend to dis-
 12 tilled spirits, wine, malt beverages, or tobacco.

13 SECTION 2. That Section 37-2705, Idaho Code, be, and the same is hereby
 14 amended to read as follows:

15 37-2705. SCHEDULE I. (a) The controlled substances listed in this sec-
 16 tion are included in schedule I.

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

- 21 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-pip-
 22 eridinyl]-N-phenylacetamide);
- 23 (2) Acetylmethadol;
- 24 (3) Allylprodine;
- 25 (4) Alphacetylmethadol (except levo-alphacetylmethadol also known as
 26 levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- 27 (5) Alphameprodine;
- 28 (6) Alphamethadol;
- 29 (7) Alpha-methylfentanyl;
- 30 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-pip-
 31 eridinyl]-N-phenylpropanamide);
- 32 (9) Benzethidine;
- 33 (10) Betacetylmethadol;
- 34 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperid-
 35 inyl]-N-phenylpropanamide);
- 36 (12) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-
 37 methyl-4-piperidinyl)-N-phenylpropanamide);
- 38 (13) Betameprodine;
- 39 (14) Betamethadol;
- 40 (15) Betaprodine;
- 41 (16) Clonitazene;
- 42 (17) Dextromoramide;
- 43 (18) Diampromide;
- 44 (19) Diethylthiambutene;
- 45 (20) Difenoxin;
- 46 (21) Dimenoxadol;
- 47 (22) Dimepheptanol;
- 48 (23) Dimethylthiambutene;
- 49 (24) Dioxaphetyl butyrate;

- 1 (25) Dipipanone;
 2 (26) Ethylmethylthiambutene;
 3 (27) Etonitazene;
 4 (28) Etoxeridine;
 5 (29) Furethidine;
 6 (30) Hydroxypethidine;
 7 (31) Ketobemidone;
 8 (32) Levomoramide;
 9 (33) Levophenacymorphan;
 10 (34) 3-Methylfentanyl;
 11 (35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
 12 eridinyl]-N-phenylpropanamide);
 13 (36) Morpheridine;
 14 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
 15 (38) Noracymethadol;
 16 (39) Norlevorphanol;
 17 (40) Normethadone;
 18 (41) Norpipanone;
 19 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
 20 piperidinyl] propanamide);
 21 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
 22 (44) Phenadoxone;
 23 (45) Phenampromide;
 24 (46) Phenomorphan;
 25 (47) Phenoperidine;
 26 (48) Piritramide;
 27 (49) Proheptazine;
 28 (50) Properidine;
 29 (51) Propiram;
 30 (52) Racemoramide;
 31 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
 32 propanamide);
 33 (54) Tilidine;
 34 (55) Trimeperidine;
 35 (56) u-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
 36 methylbenzamide).

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

- 41 (1) Acetorphine;
 42 (2) Acetyldihydrocodeine;
 43 (3) Benzylmorphine;
 44 (4) Codeine methylbromide;
 45 (5) Codeine-N-Oxide;
 46 (6) Cyprenorphine;
 47 (7) Desomorphine;
 48 (8) Dihydromorphine;
 49 (9) Drotebanol;
 50 (10) Etorphine (except hydrochloride salt);

- 1 (11) Heroin;
- 2 (12) Hydromorphenol;
- 3 (13) Methyldesorphine;
- 4 (14) Methyldihydromorphine;
- 5 (15) Morphine methylbromide;
- 6 (16) Morphine methylsulfonate;
- 7 (17) Morphine-N-Oxide;
- 8 (18) Myrophine;
- 9 (19) Nicocodeine;
- 10 (20) Nicomorphine;
- 11 (21) Normorphine;
- 12 (22) Pholcodine;
- 13 (23) Thebacon.

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

- 21 (1) Dimethoxyphenethylamine, or any compound not specifically
22 excepted or listed in another schedule that can be formed from
23 dimethoxyphenethylamine by replacement of one (1) or more hydrogen
24 atoms with another atom(s), functional group(s) or substructure(s)
25 including, but not limited to, compounds such as DOB, DOC, 2C-B,
26 25B-NBOMe;
- 27 (2) Methoxyamphetamine or any compound not specifically excepted or
28 listed in another schedule that can be formed from methoxyamphetamine
29 by replacement of one (1) or more hydrogen atoms with another atom(s),
30 functional group(s) or substructure(s) including, but not limited to,
31 compounds such as PMA and DOM;
- 32 (3) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 33 (4) 5-methoxy-N,N-diisopropyltryptamine;
- 34 (5) Amphetamine or methamphetamine with a halogen substitution on the
35 benzyl ring, including compounds such as fluorinated amphetamine and
36 fluorinated methamphetamine;
- 37 (6) 3,4-methylenedioxy amphetamine;
- 38 (7) 3,4-methylenedioxymethamphetamine (MDMA);
- 39 (8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-et-
40 hyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-et-
41 hyl MDA, MDE, MDEA);
- 42 (9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hyd-
43 roxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, and N-hyd-
44 roxy MDA);
- 45 (10) 3,4,5-trimethoxy amphetamine;
- 46 (11) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-
47 (dimethylamino)ethyl]indole and 5-MeO-DMT);
- 48 (12) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-am-
49 inobutyl) indole);
- 50 (13) Alpha-methyltryptamine;

- 1 (14) Bufotenine;
2 (15) Diethyltryptamine (DET);
3 (16) Dimethyltryptamine (DMT);
4 (17) Ibogaine;
5 (18) Lysergic acid diethylamide;
6 (19) Marihuana;
7 (20) Mescaline;
8 (21) Parahexyl;
9 (22) Peyote;
10 (23) N-ethyl-3-piperidyl benzilate;
11 (24) N-methyl-3-piperidyl benzilate;
12 (25) Psilocybin;
13 (26) Psilocyn;
14 (27) Tetrahydrocannabinols or synthetic equivalents of the substances
15 contained in the plant, or in the resinous extractives of Cannabis, sp.
16 and/or synthetic substances, derivatives, and their isomers with simi-
17 lar chemical structure such as the following:
- 18 i. Tetrahydrocannabinols:
- 19 a. Δ^1 cis or trans tetrahydrocannabinol, and their opti-
20 cal isomers, excluding dronabinol in sesame oil and encapsu-
21 lated in a soft gelatin capsule in a drug product approved by
22 the U.S. Food and Drug Administration.
- 23 b. Δ^6 cis or trans tetrahydrocannabinol, and their optical
24 isomers.
- 25 c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical
26 isomers. (Since nomenclature of these substances is not in-
27 ternationally standardized, compounds of these structures,
28 regardless of numerical designation of atomic positions are
29 covered.)
- 30 d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-
31 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-
32 1-ol)], also known as 6aR-trans-3-(1,1-dimethylhep-
33 tyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-
34 dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric
35 isomers (HU211 or dexanabinol).
- 36 ii. The following synthetic drugs:
- 37 a. Any compound structurally derived from (1H-indole-3-
38 yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or (1H-in-
39 dole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane, or
40 (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl), methyl
41 or dimethyl butanoate, amino-methyl (or dimethyl)-1-oxobu-
42 tan-2-yl) carboxamide by substitution at the nitrogen atoms
43 of the indole ring or carboxamide to any extent, whether or
44 not further substituted in or on the indole ring to any ex-
45 tent, whether or not substituted to any extent in or on the
46 cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in the
47 ring may include, but is not limited to, heteroatoms such as
48 nitrogen, sulfur and oxygen).
- 49 b. Any compound structurally derived from 3-(1-naph-
50 thoyl)pyrrole by substitution at the nitrogen atom of the

1 pyrrole ring to any extent, whether or not further sub-
 2 stituted in the pyrrole ring to any extent, whether or not
 3 substituted in the naphthyl ring to any extent.

4 c. Any compound structurally derived from 1-(1-naphthyl-
 5 methyl)indene by substitution at the 3-position of the in-
 6 dene ring to any extent, whether or not further substituted
 7 in the indene ring to any extent, whether or not substituted
 8 in the naphthyl ring to any extent.

9 d. Any compound structurally derived from 3-pheny-
 10 lacetylindole by substitution at the nitrogen atom of the
 11 indole ring to any extent, whether or not further substi-
 12 tuted in the indole ring to any extent, whether or not sub-
 13 stituted in the phenyl ring to any extent.

14 e. Any compound structurally derived from 2-(3-hydroxycy-
 15 clohexyl)phenol by substitution at the 5-position of the
 16 phenolic ring to any extent, whether or not substituted in
 17 the cyclohexyl ring to any extent.

18 f. Any compound structurally derived from 3-(benzoyl)in-
 19 dole structure with substitution at the nitrogen atom of
 20 the indole ring to any extent, whether or not further sub-
 21 stituted in the indole ring to any extent and whether or not
 22 substituted in the phenyl ring to any extent.

23 g. [2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrol-
 24 o[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone
 25 (WIN-55,212-2).

26 h. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-
 27 243).

28 i. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-
 29 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-
 30 drophenanthridin-1-yl]acetate (CP 50,5561).

31 (28) Ethylamine analog of phencyclidine: N-ethyl-1-phenylcy-
 32 clohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcy-
 33 clohexyl) ethylamine, cyclohexamine, PCE;

34 (29) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -
 35 pyrrolidine, PCPy, PHP;

36 (30) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-
 37 piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;

38 (31) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;

39 (32) Spores or mycelium capable of producing mushrooms that contain
 40 psilocybin or psilocin.

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

47 (1) Gamma hydroxybutyric acid (some other names include GHB; gam-
 48 ma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sod-
 49 ium oxybate; sodium oxybutyrate);

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

1 (3) Mecloqualone;

2 (4) Methaqualone.

3 (f) Stimulants. Unless specifically excepted or unless listed in an-
4 other schedule, any material, compound, mixture, or preparation which con-
5 tains any quantity of the following substances having a stimulant effect on
6 the central nervous system, including its salts, isomers, and salts of iso-
7 mers:

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

10 (2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alp-
11 ha-aminopropiophenone, 2-aminopropiophenone and norephedrone);

12 (3) Substituted cathinones. Any compound, except bupropion or com-
13 pounds listed under a different schedule, structurally derived from
14 2-aminopropan-1-one by substitution at the 1-position with either
15 phenyl, naphthyl or thiophene ring systems, whether or not the compound
16 is further modified in any of the following ways:

17 i. By substitution in the ring system to any extent with alkyl,
18 alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide sub-
19 stituents, whether or not further substituted in the ring system
20 by one (1) or more other univalent substituents;

21 ii. By substitution at the 3-position with an acyclic alkyl sub-
22 stituent;

23 iii. By substitution at the 2-amino nitrogen atom with alkyl,
24 dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the
25 2-amino nitrogen atom in a cyclic structure.

26 (4) Fenethylamine;

27 (5) Methcathinone (some other names: 2-(methyl-amino)-propioph-
28 enone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-
29 464, AL-422, AL-463 and UR1423);

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

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

33 (8) N-ethylamphetamine;

34 (9) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-ben-
35 zeneethanamine).

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

38 37-2709. SCHEDULE III. (a) Schedule III shall consist of the drugs and
39 other substances, by whatever official name, common or usual name, chemical
40 name, or brand name designated, listed in this section.

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

48 (1) Those compounds, mixtures, or preparations in dosage unit form con-
49 taining any stimulant substances listed in schedule II which compounds,

- 1 mixtures, or preparations were listed as excepted compounds under 21
2 CFR 1308.32, and any other drug of the quantitative composition shown in
3 that list for those drugs or which is the same except that it contains a
4 lesser quantity of controlled substances.
- 5 (2) Benzphetamine;
6 (3) Chlorphentermine;
7 (4) Clortermine;
8 (5) Phendimetrazine.
- 9 (c) Depressants. Unless listed in another schedule, any material, com-
10 pound, mixture, or preparation which contains any quantity of the following
11 substances having a potential for abuse associated with a depressant effect
12 on the central nervous system:
- 13 (1) Any compound, mixture or preparation containing:
14 i. Amobarbital;
15 ii. Secobarbital;
16 iii. Pentobarbital or any salt thereof and one (1) or more other
17 active medicinal ingredients which are not listed in any schedule.
- 18 (2) Any suppository dosage form containing:
19 i. Amobarbital;
20 ii. Secobarbital;
21 iii. Pentobarbital or any salt of any of these drugs and approved
22 by the Food and Drug Administration for marketing only as a suppos-
23 itory.
- 24 (3) Any substance which contains any quantity of a derivative of barbi-
25 turic acid or any salt thereof, including, but not limited to:
26 i. Aprobarbital;
27 ii. Butabarbital (secbutabarbital);
28 iii. Butalbital;
29 iv. Butobarbital (butethal);
30 v. Talbutal;
31 vi. Thiamylal;
32 vii. Thiopental;
33 viii. Vinbarbital.
- 34 (4) Chlorhexadol;
35 (5) Embutramide;
36 (6) Any drug product containing gamma hydroxybutyric acid, including
37 its salts, isomers, and salts of isomers, for which an application is
38 approved under section 505 of the federal food, drug, and cosmetic act;
39 (7) Ketamine, its salts, isomers, and salts of isomers-
40 7285. (Some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-
41 (methylamino)-cyclohexanone).
- 42 (8) Lysergic acid;
43 (9) Lysergic acid amide;
44 (10) Methyprylon;
45 (11) Perampanel, and its salts, isomers and salts of isomers;
46 (12) Sulfondiethylmethane;
47 (13) Sulfonethylmethane;
48 (14) Sulfonmethane;
49 (15) Tiletamine and zolazepam or any salt thereof.
- 50 (d) Nalorphine.

1 (e) Narcotic drugs. Unless specifically excepted or unless listed in
2 another schedule:

3 (1) Any material, compound, mixture, or preparation containing limited
4 quantities of any of the following narcotic drugs, or any salts thereof:

5 (i) Not more than 1.8 grams of codeine, or any of its salts, per
6 100 milliliters or not more than 90 milligrams per dosage unit,
7 with an equal or greater quantity of an isoquinoline alkaloid of
8 opium;

9 (ii) Not more than 1.8 grams of codeine, or any of its salts, per
10 100 milliliters or not more than 90 milligrams per dosage unit,
11 with one (1) or more active, nonnarcotic ingredients in recognized
12 therapeutic amounts;

13 (iii) Not more than 1.8 grams of dihydrocodeine, or any of its
14 salts, per 100 milliliters or not more than 90 milligrams per
15 dosage unit, with one (1) or more active, nonnarcotic ingredients
16 in recognized therapeutic amounts;

17 (iv) Not more than 300 milligrams of ethylmorphine, or any of
18 its salts, per 100 milliliters or not more than 15 milligrams per
19 dosage unit, with one (1) or more ingredients in recognized thera-
20 peutic amounts;

21 (v) Not more than 500 milligrams of opium per 100 milliliters
22 or per 100 grams, or not more than 25 milligrams per dosage unit,
23 with one (1) or more active, nonnarcotic ingredients in recognized
24 therapeutic amounts;

25 (vi) Not more than 50 milligrams of morphine, or any of its salts,
26 per 100 milliliters or per 100 grams with one (1) or more active,
27 nonnarcotic ingredients in recognized therapeutic amounts.

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

30 (i) Buprenorphine.

31 (ii) [Reserved].

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

37 (1) 13beta-ethyl-17beta-hydroxygon-4-en-3-one;

38 (2) 17alpha-methyl-3alpha, 17beta-dihydroxy-5alpha-androstane;

39 (3) 17alpha-methyl-3beta, 17beta-dihydroxy-5alpha-androstane;

40 (4) 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-ene;

41 (5) 17alpha-methyl-4-hydroxynandrolone;

42 (6) 17alpha-methyl-delta1-dihydrotestosterone;

43 (7) 19-nor-4-androstenediol;

44 (8) 19-nor-4-androstenedione;

45 (9) 19-nor-4,9(10)-androstadienedione;

46 (10) 19-nor-5-androstenediol;

47 (11) 19-nor-5-androstenedione;

48 (12) 1-androstenediol;

49 (13) 1-androstenedione;

50 (14) 3alpha,17beta-dihydroxy-5alpha-androstane;

- 1 (15) 3beta,17beta-dihydroxy-5alpha-androstane;
- 2 (16) 4-androstenediol;
- 3 (17) 4-androstenedione;
- 4 (18) 4-hydroxy-19-nortestosterone;
- 5 (19) 4-hydroxytestosterone;
- 6 (20) 5-androstenediol;
- 7 (21) 5-androstenedione;
- 8 (22) Androstenedione;
- 9 (23) Bolasterone;
- 10 (24) Boldenone;
- 11 (25) Boldione;
- 12 (26) Calusterone;
- 13 (27) Chlorotestosterone (4-chlorotestosterone);
- 14 (28) Clostebol;
- 15 (29) Dehydrochlormethyltestosterone;
- 16 (30) Delta1-dihydrotestosterone;
- 17 (31) Desoxymethyltestosterone;
- 18 (32) Dihydrotestosterone (4-dihydrotestosterone);
- 19 (33) Drostanolone;
- 20 (34) Ethylestrenol;
- 21 (35) Fluoxymesterone;
- 22 (36) Formebolone;
- 23 (37) Furazabol;
- 24 (38) Human growth hormones;
- 25 (39) Mestanolone;
- 26 (40) Mesterolone;
- 27 (41) Methandienone;
- 28 (42) Methandranone;
- 29 (43) Methandriol;
- 30 (44) Methandrostenolone;
- 31 (45) Methasterone (2a, 17a-dimethyl-5a-androstan-17 β -ol-3-one);
- 32 (46) Methenolone;
- 33 (47) Methyldienolone;
- 34 (48) Methyltestosterone;
- 35 (49) Methyltrienolone;
- 36 (50) Mibolerone;
- 37 (51) Nandrolone;
- 38 (52) Norbolethone;
- 39 (53) Norclostebol;
- 40 (54) Norethandrolone;
- 41 (55) Normethandrolone;
- 42 (56) Oxandrolone;
- 43 (57) Oxymesterone;
- 44 (58) Oxymetholone;
- 45 (59) Prostanazol (17 β -hydroxy-5a-androstano[3,2-c]pyrazole);
- 46 (60) Stanolone;
- 47 (61) Stanozolol;
- 48 (62) Stenbolone;
- 49 (63) Testolactone;
- 50 (64) Testosterone;

- 1 (65) Testosterone cypionate;
 2 (66) Testosterone enanthate;
 3 (67) Testosterone propionate;
 4 (68) Tetrahydrogestrinone;
 5 (69) Trenbolone.

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

11 In addition to the penalties prescribed in article IV of the uniform
 12 controlled substances act, any person shall be guilty of a felony who pre-
 13 scribes, dispenses, supplies, sells, delivers, manufactures or possesses
 14 with the intent to prescribe, dispense, supply, sell, deliver or manufac-
 15 ture anabolic steroids or any other human growth hormone for purposes of
 16 enhancing performance in an exercise, sport or game or hormonal manipulation
 17 intended to increase muscle mass, strength or weight without a medical ne-
 18 cessity as determined by a physician.

19 (g) Hallucinogenic substances.

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

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

28 ~~(1) Butorphanol.~~

29 ~~(i)~~ The board may except by rule any compound, mixture, or preparation
 30 containing any stimulant or depressant substance listed in subsections (b)
 31 and or (c) of this section from the application of all or any part of this
 32 act if the compound, mixture, or preparation contains one (1) or more ac-
 33 tive medicinal ingredients not having a stimulant or depressant effect on
 34 the central nervous system, and if the admixtures are included therein in
 35 combinations, quantity, proportion, or concentration that vitiate the po-
 36 tential for abuse of the substances which have a stimulant or depressant ef-
 37 fect on the central nervous system.

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

40 37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and
 41 other substances, by whatever official name, common or usual name, chemical
 42 name, or brand name designated, listed in this section.

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

47 (1) No more than 1 milligram of difenoxin and not less than 25 micro-
 48 grams of atropine sulfate per dosage unit;

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

3 (3) 2- [(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (in-
4 cluding tramadol), including its salts, optical and geometric isomers,
5 and salts of isomers.

6 (c) Depressants. Unless specifically excepted or unless listed in an-
7 other schedule, any material, compound, mixture, or preparation which con-
8 tains any quantity of the following substances, including its salts, iso-
9 mers, and salts of isomers whenever the existence of such salts, isomers, and
10 salts of isomers is possible within the specific chemical designation:

11 (1) Alfaxalone 5[alpha]-pregnan-3[alpha]-ol-11,20-dione;

12 (2) Alprazolam;

13 (3) Barbital;

14 (4) Bromazepam;

15 (5) Camazepam;

16 (6) Carisprodol;

17 (7) Chloral betaine;

18 (8) Chloral hydrate;

19 (9) Chlordiazepoxide;

20 (10) Clobazam;

21 (11) Clonazepam;

22 (12) Clorazepate;

23 (13) Clotiazepam;

24 (14) Cloxazolam;

25 (15) Delorazepam;

26 (16) Diazepam;

27 (17) Dichloralphenazone;

28 (18) Estazolam;

29 (19) Ethchlorvynol;

30 (20) Ethinamate;

31 (21) Ethyl loflazepate;

32 (22) Fludiazepam;

33 (23) Flurazepam;

34 (24) Fospropofol;

35 (25) Halazepam;

36 (~~25~~6) Haloxazolam;

37 (~~26~~7) Ketazolam;

38 (~~27~~8) Loprazolam;

39 (~~28~~9) Lorazepam;

40 (~~29~~30) Lormetazepam;

41 (~~30~~1) Mebutamate;

42 (~~31~~2) Medazepam;

43 (~~32~~3) Meproamate;

44 (~~33~~4) Methohexital;

45 (~~34~~5) Methylphenobarbital (mephobarbital);

46 (~~35~~6) Midazolam;

47 (~~36~~7) Nimetazepam;

48 (~~37~~8) Nitrazepam;

49 (~~38~~9) Nordiazepam;

50 (~~39~~40) Oxazepam;

- 1 (401) Oxazolam;
 2 (412) Paraldehyde;
 3 (423) Petrichloral;
 4 (434) Phenobarbital;
 5 (445) Pinazepam;
 6 (456) Prazepam;
 7 (467) Quazepam;
 8 (478) Suvorexant;
 9 (489) Temazepam;
 10 (4950) Tetrazepam;
 11 (501) Triazolam;
 12 (512) Zaleplon;
 13 (523) Zolpidem;
 14 (534) Zopiclone.

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

- 20 (1) Dexfenfluramine;
 21 (2) Fenfluramine.

22 (e) Stimulants. Unless specifically excepted or unless listed in an-
 23 other schedule, any material, compound, mixture, or preparation which con-
 24 tains any quantity of the following substances having a stimulant effect on
 25 the central nervous system, including its salts, isomers (whether optical,
 26 position, or geometric), and salts of such isomers whenever the existence
 27 of such salts, isomers, and salts of isomers is possible within the specific
 28 chemical designation:

- 29 (1) Cathine ((+)-norpseudoephedrine);
 30 (2) Diethylpropion;
 31 (3) Fencamfamin;
 32 (4) Fenproporex;
 33 (5) Lorcaserin;
 34 (6) Mazindol;
 35 (7) Mefenorex;
 36 (8) Modafinil;
 37 (9) Pemoline (including organometallic complexes and chelates
 38 thereof);
 39 (10) Phentermine;
 40 (11) Pipradrol;
 41 (12) Sibutramine;
 42 (13) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

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

- 46 (1) Pentazocine;
 47 (2) ~~Fespropofol~~ Butorphanol (including its optical isomers);
 48 (3) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
 49 dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-

1 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical
 2 isomers) and its salts, isomers, and salts of isomers.

3 (g) The board may except by rule any compound, mixture, or preparation
 4 containing any depressant substance listed in subsection (c) of this sec-
 5 tion from the application of all or any part of this act if the compound,
 6 mixture, or preparation contains one (1) or more active medicinal ingredi-
 7 ents not having a depressant effect on the central nervous system, and if the
 8 admixtures are included therein in combinations, quantity, proportion, or
 9 concentration that vitiate the potential for abuse of the substances which
 10 have a depressant effect on the central nervous system.

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

13 37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and
 14 other substances, by whatever official name, common or usual name, chemical
 15 name, or brand name designated, listed in this section.

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

19 (c) Narcotic drugs containing nonnarcotic active medicinal ingredi-
 20 ents. Any compound, mixture, or preparation containing any of the follow-
 21 ing limited quantities of narcotic drugs or salts thereof, which shall in-
 22 clude one (1) or more nonnarcotic active medicinal ingredients in sufficient
 23 proportion to confer upon the compound, mixture, or preparation, valuable
 24 medicinal qualities other than those possessed by the narcotic drug alone:

25 (1) Not more than 200 milligrams of codeine per 100 milliliters or per
 26 100 grams;

27 (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters
 28 or per 100 grams;

29 (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters
 30 or per 100 grams;

31 (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25
 32 micrograms of atropine sulfate per dosage unit;

33 (5) Not more than 100 milligrams of opium per 100 milliliters or per 100
 34 grams;

35 (6) Not more than 0.5 milligrams difenoxin and not less than 25 micro-
 36 grams of atropine sulfate per dosage unit.

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

40 (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]bu-
 41 tanamide) (also referred to as BRV; UCB-34714; Briviact) (including its
 42 salts);

43 (2) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic
 44 acid ethyl ester]-2779;

45 ~~(3) Lacosamide;~~

46 ~~(34) Pregabalin;~~

47 ~~(4) Propylhexedrine (except as Benzedrex™ inhaler);~~

48 (5) Pyrovalerone.

1 SECTION 6. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after its
3 passage and approval.