

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 335

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2707, IDAHO CODE, TO
REVISE THE LIST OF SCHEDULE II UNIFORM CONTROLLED SUBSTANCES AND TO MAKE
A TECHNICAL CORRECTION.

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

SECTION 1. 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 fol-
lowing 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 prepa-
ration of opium or opiate, excluding apomorphine, dextrorphan, nal-
buphine, 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. Dihydroetorphine;
9. Diprenorphine;
10. Ethylmorphine;
11. Etorphine hydrochloride;
12. Hydrocodone;
13. Hydromorphone;
14. Metopon;
15. Morphine;
16. Oripavine;
17. Oxycodone;
18. Oxymorphone;
19. Tapentadol;
20. Thebaine.

(2) Any salt, compound, derivative, or preparation thereof which is
chemically equivalent or identical with any of the substances referred

1 to in paragraph (b) (1) of this section, except that these substances
2 shall not include the isoquinoline alkaloids of opium.

3 (3) Opium poppy and poppy straw.

4 (4) Coca leaves and any salt, compound, derivative, or preparation
5 of coca leaves, and any salt, compound, derivative, or preparation
6 thereof which is chemically equivalent or identical with any of these
7 substances, but shall not including include the following:

8 1. Decocainized coca leaves or extractions of coca leaves, which
9 extractions do not contain cocaine; or ecgonine; or

10 2. [¹²³I]ioflupane.

11 (5) Benzoylecgonine.

12 (6) Methylbenzoylecgonine (Cocaine - its salts, optical isomers, and
13 salts of optical isomers).

14 (7) Concentrate of poppy straw (the crude extract of poppy straw in ei-
15 ther liquid, solid or powder form which contains the phenanthrine alka-
16 loids of the opium poppy).

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

22 (1) Alfentanil;

23 (2) Alphaprodine;

24 (3) Anileridine;

25 (4) Bezitramide;

26 (5) Bulk Dextropropoxyphene (nondosage forms);

27 (6) Carfentanil;

28 (7) Dihydrocodeine;

29 (8) Diphenoxylate;

30 (9) Fentanyl;

31 (10) Isomethadone;

32 (11) Levo-alpha-acetylmethadol (also known as levo-alpha-acetylmet-
33 hadol, levomethadyl acetate, LAAM);

34 (12) Levomethorphan;

35 (13) Levorphanol;

36 (14) Metazocine;

37 (15) Methadone;

38 (16) Methadone -- Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl
39 butane;

40 (17) Moramide -- Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl
41 propane-carboxylic acid;

42 (18) Pethidine (meperidine);

43 (19) Pethidine -- Intermediate -- A, 4-cyano-1-methyl-4-phenyl-
44 piperidine;

45 (20) Pethidine -- Intermediate -- B, ethyl-4-phenylpiperidine-4-car-
46 boxylate;

47 (21) Pethidine -- Intermediate -- C, 1-methyl-4-phenylpiperid-
48 ine-4-carboxylic acid;

49 (22) Phenazocine;

50 (23) Piminodine;

1 (24) Racemethorphan;

2 (25) Racemorphan;

3 (26) Remifentanil;

4 (27) Sufentanil.

5 (d) Stimulants. Unless specifically excepted or unless listed in an-
6 other schedule, any material, compound, mixture, or preparation which con-
7 tains any quantity of the following substances having a stimulant effect on
8 the central nervous system:

9 (1) Amphetamine, its salts, optical isomers, and salts of its optical
10 isomers;

11 (2) Lisdexamfetamine;

12 (3) Methamphetamine, its salts, isomers, and salts of its isomers;

13 (4) Phenmetrazine and its salts;

14 (5) Methylphenidate.

15 (e) Depressants. Unless specifically excepted or unless listed in an-
16 other schedule, any material, compound, mixture, or preparation which con-
17 tains any quantity of the following substances having a depressant effect on
18 the central nervous system, including its salts, isomers, and salts of iso-
19 mers, whenever the existence of such salts, isomers, and salts of isomers is
20 possible within the specific chemical designation:

21 (1) Amobarbital;

22 (2) Glutethimide;

23 (3) Pentobarbital;

24 (4) Phencyclidine;

25 (5) Secobarbital.

26 (f) Hallucinogenic substances.

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

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

34 (1) Immediate precursor to amphetamine and methamphetamine:

35 (a) Anthranilic acid;

36 (b) Ephedrine;

37 (c) Lead acetate;

38 (d) Methylamine;

39 (e) Methyl formamide;

40 (f) N-methylephedrine;

41 (g) Phenylacetic acid;

42 (h) Phenylacetone;

43 (i) Phenylpropanolamine;

44 (j) Pseudoephedrine.

45 Except that any combination or compound containing ephedrine, or any of
46 its salts and isomers, or phenylpropanolamine or its salts and isomers, or
47 pseudoephedrine, or any of its salts and isomers which is prepared for dis-
48 pensing or over-the-counter distribution is not a controlled substance for
49 the purpose of this section, unless such substance is possessed, delivered,
50 or possessed with intent to deliver to another with the intent to manufac-

1 ture methamphetamine, amphetamine or any other controlled substance in vio-
2 lation of section 37-2732, Idaho Code. For purposes of this provision, the
3 requirements of the uniform controlled substances act shall not apply to a
4 manufacturer, wholesaler or retailer of over-the-counter products contain-
5 ing the listed substances unless such person possesses, delivers, or pos-
6 sesses with intent to deliver to another the over-the-counter product with
7 intent to manufacture a controlled substance.

8 (2) Immediate precursors to phencyclidine (PCP):

9 (a) 1-phenylcyclohexylamine;

10 (b) 1-piperidinocyclohexanecarbonitrile (PCC).

11 (3) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperi-
12 dine (ANPP).