

IN THE SENATE

SENATE BILL NO. 1017

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO
2 CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
3 ING SECTION 37-2705, IDAHO CODE, TO PROVIDE FOR CERTAIN SYNTHETIC
4 DRUGS; AMENDING SECTION 37-2707, IDAHO CODE, TO PROVIDE FOR A CERTAIN
5 CONTROLLED SUBSTANCE; AMENDING SECTION 37-2711, IDAHO CODE, TO PROVIDE
6 CORRECT TERMINOLOGY; AND AMENDING SECTION 37-2713, IDAHO CODE, TO RE-
7 VISE PROVISIONS REGARDING SCHEDULE V.
8

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

10 SECTION 1. That Section 37-2701, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 37-2701. DEFINITIONS. As used in this chapter:

13 (a) "Administer" means the direct application of a controlled sub-
14 stance whether by injection, inhalation, ingestion, or any other means, to
15 the body of a patient or research subject by:

16 (1) A practitioner or, in his presence, by his authorized agent; or

17 (2) The patient or research subject at the direction and in the presence
18 of the practitioner.

19 (b) "Agent" means an authorized person who acts on behalf of or at the
20 direction of a manufacturer, distributor or dispenser. It does not include
21 a common or contract carrier, public warehouseman or employee of the carrier
22 or warehouseman.

23 (c) "Board" means the state board of pharmacy created in chapter 17, ti-
24 tle 54, Idaho Code, or its successor agency.

25 (d) "Bureau" means the drug enforcement administration, United States
26 department of justice, or its successor agency.

27 (e) "Controlled substance" means a drug, substance or immediate pre-
28 cursor in schedules I through VI of article II of this chapter.

29 (f) "Counterfeit substance" means a controlled substance which, or the
30 container or labeling of which, without authorization, bears the trademark,
31 trade name, or other identifying mark, imprint, number or device, or any
32 likeness thereof, of a manufacturer, distributor or dispenser other than the
33 person who in fact manufactured, distributed or dispensed the substance.

34 (g) "Deliver" or "delivery" means the actual, constructive, or at-
35 tempted transfer from one ~~(1)~~ person to another of a controlled substance,
36 whether or not there is an agency relationship.

37 (h) "Director" means the director of the Idaho state police.

38 (i) "Dispense" means to deliver a controlled substance to an ultimate
39 user or research subject by or pursuant to the lawful order of a practi-
40 tioner, including the packaging, labeling, or compounding necessary to
41 prepare the substance for that delivery.

42 (j) "Dispenser" means a practitioner who dispenses.

1 (k) "Distribute" means to deliver other than by administering or dis-
2 pensing a controlled substance.

3 (l) "Distributor" means a person who distributes.

4 (m) "Drug" means: (1) substances recognized as drugs in the official
5 United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the
6 United States, or official National Formulary, or any supplement to any of
7 them; (2) substances intended for use in the diagnosis, cure, mitigation,
8 treatment or prevention of disease in man or animals; (3) substances, other
9 than food, intended to affect the structure or any function of the body of man
10 or animals; and (4) substances intended for use as a component of any article
11 specified in clause (1), (2), or (3) of this subsection. It does not include
12 devices or their components, parts, or accessories.

13 (n) "Drug paraphernalia" means all equipment, products and materi-
14 als of any kind ~~which are used~~, intended for use, or designed for use, in
15 planting, propagating, cultivating, growing, harvesting, manufactur-
16 ing, compounding, converting, producing, processing, preparing, testing,
17 analyzing, packaging, repackaging, storing, containing, concealing, in-
18 jecting, ingesting, inhaling, or otherwise introducing into the human body
19 a controlled substance in violation of this chapter. It includes, but is not
20 limited to:

21 (1) Kits used, intended for use, or designed for use in planting, prop-
22 agating, cultivating, growing or harvesting of any species of plant
23 which is a controlled substance or from which a controlled substance can
24 be derived;

25 (2) Kits used, intended for use, or designed for use in manufacturing,
26 compounding, converting, producing, processing or preparing con-
27 trolled substances;

28 (3) Isomerization devices used, intended for use, or designed for use
29 in increasing the potency of any species of plant which is a controlled
30 substance;

31 (4) Testing equipment used, intended for use, or designed for use in
32 identifying, or in analyzing the strength, effectiveness or purity of
33 controlled substances;

34 (5) Scales and balances used, intended for use, or designed for use in
35 weighing or measuring controlled substances;

36 (6) Diluents and adulterants, such as quinine hydrochloride, mannitol,
37 mannite, dextrose and lactose, used, intended for use, or designed for
38 use in cutting controlled substances;

39 (7) Separation gins and sifters used, intended for use, or designed for
40 use in removing twigs and seeds from, or in otherwise cleaning or refin-
41 ing, marijuana;

42 (8) Blenders, bowls, containers, spoons and mixing devices used,
43 intended for use, or designed for use in compounding controlled sub-
44 stances;

45 (9) Capsules, balloons, envelopes and other containers used, intended
46 for use, or designed for use in packaging small quantities of controlled
47 substances;

48 (10) Containers and other objects used, intended for use, or designed
49 for use in storing or concealing controlled substances;

1 (11) Hypodermic syringes, needles and other objects used, intended
 2 for use, or designed for use in parenterally injecting controlled sub-
 3 stances into the human body;

4 (12) Objects used, intended for use, or designed for use in ingesting,
 5 inhaling, or otherwise introducing marijuana, cocaine, hashish, or
 6 hashish oil into the human body, such as:

7 (i) Metal, wooden, acrylic, glass, stone, plastic, or ceramic
 8 pipes with or without screens, permanent screens, hashish heads,
 9 or punctured metal bowls;

10 (ii) Water pipes;

11 (iii) Carburetion tubes and devices;

12 (iv) Smoking and carburetion masks;

13 (v) Roach clips: meaning objects used to hold burning material,
 14 such as a marijuana cigarette, that has become too small or too
 15 short to be held in the hand;

16 (vi) Miniature cocaine spoons, and cocaine vials;

17 (vii) Chamber pipes;

18 (viii) Carburetor pipes;

19 (ix) Electric pipes;

20 (x) Air-driven pipes;

21 (xi) Chillums;

22 (xii) Bongs;

23 (xiii) Ice pipes or chillers;

24 In determining whether an object is drug paraphernalia, a court or other au-
 25 thority should consider, in addition to all other logically relevant fac-
 26 tors, the following:

27 1. Statements by an owner or by anyone in control of the object concern-
 28 ing its use;

29 2. Prior convictions, if any, of an owner, or of anyone in control of the
 30 object, under any state or federal law relating to any controlled sub-
 31 stance;

32 3. The proximity of the object, in time and space, to a direct violation
 33 of this chapter;

34 4. The proximity of the object to controlled substances;

35 5. The existence of any residue of controlled substances on the object;

36 6. Direct or circumstantial evidence of the intent of an owner, or of
 37 anyone in control of the object, to deliver it to persons whom he knows,
 38 or should reasonably know, intend to use the object to facilitate a vi-
 39 olation of this chapter; the innocence of an owner, or of anyone in con-
 40 trol of the object, as to a direct violation of this chapter shall not
 41 prevent a finding that the object is intended for use, or designed for
 42 use as drug paraphernalia;

43 7. Instructions, oral or written, provided with the object concerning
 44 its use;

45 8. Descriptive materials accompanying the object ~~which~~ that explain or
 46 depict its use;

47 9. National and local advertising concerning its use;

48 10. The manner in which the object is displayed for sale;

1 11. Whether the owner, or anyone in control of the object, is a legit-
2 imate supplier of like or related items to the community, such as a li-
3 censed distributor or dealer of tobacco products;

4 12. Direct or circumstantial evidence of the ratio of sales of the ob-
5 ject(s) to the total sales of the business enterprise;

6 13. The existence and scope of legitimate uses for the object in the com-
7 munity;

8 14. Expert testimony concerning its use.

9 (o) "Financial institution" means any bank, trust company, savings and
10 loan association, savings bank, mutual savings bank, credit union, or loan
11 company under the jurisdiction of the state or under the jurisdiction of an
12 agency of the United States.

13 (p) "Immediate precursor" means a substance which the board has found
14 to be and by rule designates as being the principal compound commonly used or
15 produced primarily for use, and which is an immediate chemical intermediary
16 used or likely to be used in the manufacture of a controlled substance, the
17 control of which is necessary to prevent, curtail or limit manufacture.

18 (q) "Isomer" means the optical isomer, except as used in section
19 37-2705(d), Idaho Code.

20 (r) "Law enforcement agency" means a governmental unit of one (1) or
21 more persons employed full-time or part-time by the state or a political sub-
22 division of the state for the purpose of preventing and detecting crime and
23 enforcing state laws or local ordinances, employees of which unit are autho-
24 rized to make arrests for crimes while acting within the scope of their au-
25 thority.

26 (s) "Manufacture" means the production, preparation, propagation,
27 compounding, conversion or processing of a controlled substance, and in-
28 cludes extraction, directly or indirectly, from substances of natural
29 origin, or independently by means of chemical synthesis, or by a combina-
30 tion of extraction and chemical synthesis, and includes any packaging or
31 repackaging of the substance or labeling or relabeling of its container,
32 except that this term does not include the preparation or compounding of a
33 controlled substance:

34 (1) By a practitioner as an incident to his administering, dispensing
35 or, as authorized by board rule, distributing of a controlled substance
36 in the course of his professional practice; or

37 (2) By a practitioner, or by his authorized agent under his supervi-
38 sion, for the purpose of, or as an incident to, research, teaching, or
39 chemical analysis and not for delivery.

40 (t) "Marijuana" means all parts of the plant of the genus Cannabis,
41 regardless of species, and whether growing or not; the seeds thereof; the
42 resin extracted from any part of such plant; and every compound, manu-
43 facture, salt, derivative, mixture, or preparation of such plant, its
44 seeds or resin. It does not include the mature stalks of the plant un-
45 less the same are intermixed with prohibited parts thereof, fiber produced
46 from the stalks, oil or cake made from the seeds or the achene of such
47 plant, any other compound, manufacture, salt, derivative, mixture, or
48 preparation of the mature stalks, except the resin extracted therefrom
49 or where the same are intermixed with prohibited parts of such plant,
50 fiber, oil, or cake, or the sterilized seed of such plant which is inca-

1 pable of germination. Evidence that any plant material or the resin or
 2 any derivative thereof, regardless of form, contains any of the chemical
 3 substances classified as tetrahydrocannabinols shall create a presump-
 4 tion that such material is "marijuana" as defined and prohibited herein.
 5 "Marijuana" does not include drug product in finished dosage formulation
 6 that has been approved by the United States food and drug administration
 7 that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclo-
 8 hexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more
 9 than one-tenth of one percent (0.1%) (w/w) residual tetrahydrocannabinols.

10 (u) "Narcotic drug" means any of the following, whether produced di-
 11 rectly or indirectly by extraction from substances of vegetable origin, or
 12 independently by means of chemical synthesis, or by a combination of extrac-
 13 tion and chemical synthesis:

14 (1) Opium and opiate, and any salt, compound, derivative, or prepara-
 15 tion of opium or opiate.

16 (2) Any salt, compound, isomer, derivative, or preparation thereof
 17 ~~which that~~ is chemically equivalent or identical with any of the sub-
 18 stances referred to in clause (1), but not including the isoquinoline
 19 alkaloids of opium.

20 (3) Opium poppy and poppy straw.

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

26 (v) "Opiate" means any substance having an addiction-forming or ad-
 27 diction-sustaining liability similar to morphine or being capable of
 28 conversion into a drug having addiction-forming or addiction-sustaining
 29 liability. It does not include, unless specifically designated as con-
 30 trolled under section 37-2702, Idaho Code, the dextrorotatory isomer of
 31 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does in-
 32 clude its racemic and levorotatory forms.

33 (w) "Opium poppy" means the plant of the species *Papaver somniferum* L.,
 34 except its seeds.

35 (x) "Peace officer" means any duly appointed officer or agent of a law
 36 enforcement agency, as defined herein, including ~~7~~ but not limited to ~~7~~ a duly
 37 appointed investigator or agent of the Idaho state police, an officer or an
 38 employee of the board of pharmacy ~~7~~ who is authorized by the board to enforce
 39 this chapter, an officer of the Idaho state police, a sheriff or deputy sher-
 40 iff of a county, or a marshal or policeman of any city.

41 (y) "Person" means individual, corporation, government, or governmen-
 42 tal subdivision or agency, business trust, estate, trust, partnership or as-
 43 sociation, or any other legal entity.

44 (z) "Poppy straw" means all parts, except the seeds, of the opium poppy ~~7~~
 45 after mowing.

46 (aa) "Practitioner" means:

47 (1) A physician, dentist, veterinarian, scientific investigator, or
 48 other person licensed, registered or otherwise permitted to distrib-
 49 ute, dispense, conduct research with respect to, or ~~to~~ administer a

1 controlled substance in the course of his professional practice or re-
2 search in this state;

3 (2) A pharmacy, hospital, or other institution licensed, registered,
4 or otherwise permitted to distribute, dispense, conduct research with
5 respect to, or ~~to~~ administer a controlled substance in the course of its
6 professional practice or research in this state.

7 (bb) "Prescribe" means a direction or authorization permitting an ulti-
8 mate user to lawfully obtain or be administered controlled substances.

9 (cc) "Prescriber" means an individual currently licensed, registered
10 or otherwise authorized to prescribe and administer controlled substances
11 in the course of professional practice.

12 (dd) "Production" includes the manufacture, planting, cultivation,
13 growing, or harvesting of a controlled substance.

14 (ee) "Simulated controlled substance" means a substance that is not a
15 controlled substance, but which by appearance or representation would lead
16 a reasonable person to believe that the substance is a controlled substance.
17 Appearance includes, but is not limited to, color, shape, size, and markings
18 of the dosage unit. Representation includes, but is not limited to, repre-
19 sentations or factors of the following nature:

20 (1) Statements made by an owner or by anyone else in control of the sub-
21 stance concerning the nature of the substance, or its use or effect;

22 (2) Statements made to the recipient that the substance may be resold
23 for inordinate profit; or

24 (3) Whether the substance is packaged in a manner normally used for il-
25 licit controlled substances.

26 (ff) "State," when applied to a part of the United States, includes any
27 state, district, commonwealth, territory, insular possession thereof, and
28 any area subject to the legal authority of the United States of America.

29 (gg) "Ultimate user" means a person who lawfully possesses a controlled
30 substance for his own use or for the use of a member of his household or for
31 administering to an animal owned by him or by a member of his household.

32 (hh) "Utility" means any person, association, partnership or corpora-
33 tion providing telephone and/or communication services, electricity, natu-
34 ral gas or water to the public.

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

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

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

43 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-pip-
44 eridinyl]-N-phenylacetamide);

45 (2) Acetylmethadol;

46 (3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylac-
47 etamide);

48 (4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacry-
49 lamide);

- 1 (5) Allylprodine;
- 2 (6) Alphacetylmethadol (except levo-alphacetylmethadol also known as
- 3 levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- 4 (7) Alphameprodine;
- 5 (8) Alphamethadol;
- 6 (9) Alpha-methylfentanyl;
- 7 (10) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
- 8 piperidinyl]-N-phenylpropanamide);
- 9 (11) Benzethidine;
- 10 (12) Betacetylmethadol;
- 11 (13) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperid-
- 12 inyl]-N-phenylpropanamide);
- 13 (14) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-
- 14 methyl-4-piperidinyl)-N-phenylpropanamide);
- 15 (15) Betameprodine;
- 16 (16) Betamethadol;
- 17 (17) Betaprodine;
- 18 (18) Clonitazene;
- 19 (19) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcy-
- 20 clopentanecarboxamide);
- 21 (20) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcy-
- 22 clopropanecarboxamide);
- 23 (21) Dextromoramide;
- 24 (22) Diampromide;
- 25 (23) Diethylthiambutene;
- 26 (24) Difenoxy;
- 27 (25) Dimenoxadol;
- 28 (26) Dimepheptanol;
- 29 (27) Dimethylthiambutene;
- 30 (28) Dioxaphetyl butyrate;
- 31 (29) Dipipanone;
- 32 (30) Ethylmethylthiambutene;
- 33 (31) Etonitazene;
- 34 (32) Etoxidine;
- 35 (33) Fentanyl-related substances. "Fentanyl-related substances"
- 36 means any substance not otherwise listed and for which no exemption or
- 37 approval is in effect under section 505 of the federal food, drug, and
- 38 cosmetic act, 21 U.S.C. 355, and that is structurally related to fen-
- 39 tanyl by one (1) or more of the following modifications:
- 40 i. Replacement of the phenyl portion of the phenethyl group by any
- 41 monocycle, whether or not further substituted in or on the monocy-
- 42 cle;
- 43 ii. Substitution in or on the phenethyl group with alkyl, alkenyl,
- 44 alkoxy, hydroxy, halo, haloalkyl, amino, or nitro groups;
- 45 iii. Substitution in or on the piperidine ring with alkyl,
- 46 alkenyl, alkoxy, ester, ether, hydroxy, halo, haloalkyl, amino,
- 47 or nitro groups;
- 48 iv. Replacement of the aniline ring with any aromatic monocycle,
- 49 whether or not further substituted in or on the aromatic monocy-
- 50 cle; and/or

- 1 v. Replacement of the N-propionyl group by another acyl group;
2 (34) 4-Fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-
3 phenethylpiperidin-4-yl)isobutyramide);
4 (35) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-
5 2-carboxamide);
6 (36) Furethidine;
7 (37) Hydroxypethidine;
8 (38) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
9 phenylisobutyramide);
10 (39) Ketobemidone;
11 (40) Levomoramide;
12 (41) Levophenacilmorphan;
13 (42) 3-Methylfentanyl;
14 (43) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
15 eridinyl]-N-phenylpropanamide);
16 (44) Morpheridine;
17 (45) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
18 (46) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
19 (47) Noracymethadol;
20 (48) Norlevorphanol;
21 (49) Normethadone;
22 (50) Norpipanone;
23 (51) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperi-
24 din-4-yl)acetamide);
25 (52) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-
26 phenethylpiperidin-4-yl)isobutyramide);
27 (53) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-
28 phenethylpiperidin-4-yl)butyramide);
29 (54) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
30 piperidinyl]propanamide);
31 (55) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-
32 phenethylpiperidin-4-yl)butyramide);
33 (56) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
34 (57) Phenadoxone;
35 (58) Phenampromide;
36 (59) Phenomorphan;
37 (60) Phenoperidine;
38 (61) Piritramide;
39 (62) Proheptazine;
40 (63) Properidine;
41 (64) Propiram;
42 (65) Racemoramide;
43 (66) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidine-4-yl)-N-
44 phenyltetrahydrofuran-2-carboxamide);
45 (67) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
46 propanamide);
47 (68) Tilidine;
48 (69) Trimeperidine;
49 (70) u-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
50 methylbenzamide);

1 (71) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpen-
2 tanamide).

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

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

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

- 37 (1) Dimethoxyphenethylamine, or any compound not specifically
38 excepted or listed in another schedule that can be formed from
39 dimethoxyphenethylamine by replacement of one (1) or more hydrogen
40 atoms with another atom(s), functional group(s) or substructure(s)
41 including, but not limited to, compounds such as DOB, DOC, 2C-B,
42 25B-NBOMe;
- 43 (2) Methoxyamphetamine or any compound not specifically excepted or
44 listed in another schedule that can be formed from methoxyamphetamine
45 by replacement of one (1) or more hydrogen atoms with another atom(s),
46 functional group(s) or substructure(s) including, but not limited to,
47 compounds such as PMA and DOM;
- 48 (3) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 49 (4) 5-methoxy-N,N-diisopropyltryptamine;

- 1 (5) Amphetamine or methamphetamine with a halogen substitution on the
2 benzyl ring, including compounds such as fluorinated amphetamine and
3 fluorinated methamphetamine;
- 4 (6) 3,4-methylenedioxy amphetamine;
- 5 (7) 3,4-methylenedioxy methamphetamine (MDMA);
- 6 (8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-et-
7 hyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-et-
8 hyl MDA, MDE, MDEA);
- 9 (9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hyd-
10 roxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hyd-
11 roxy MDA);
- 12 (10) 3,4,5-trimethoxy amphetamine;
- 13 (11) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-
14 (dimethylamino)ethyl]indole and 5-MeO-DMT);
- 15 (12) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-am-
16 inobutyl) indole);
- 17 (13) Alpha-methyltryptamine;
- 18 (14) Bufotenine;
- 19 (15) Diethyltryptamine (DET);
- 20 (16) Dimethyltryptamine (DMT);
- 21 (17) Ibogaine;
- 22 (18) Lysergic acid diethylamide;
- 23 (19) Marihuana;
- 24 (20) Mescaline;
- 25 (21) Parahexyl;
- 26 (22) Peyote;
- 27 (23) N-ethyl-3-piperidyl benzilate;
- 28 (24) N-methyl-3-piperidyl benzilate;
- 29 (25) Psilocybin;
- 30 (26) Psilocyn;
- 31 (27) Tetrahydrocannabinols or synthetic equivalents of the substances
32 contained in the plant, or in the resinous extractives of Cannabis, sp.
33 and/or synthetic substances, derivatives, and their isomers with simi-
34 lar chemical structure such as the following:
 - 35 i. Tetrahydrocannabinols:
 - 36 a. Δ^1 cis or trans tetrahydrocannabinol, and their opti-
37 cal isomers, excluding dronabinol in sesame oil and encapsu-
38 lated in either a soft gelatin capsule or in an oral solution
39 in a drug product approved by the U.S. Food and Drug Adminis-
40 tration.
 - 41 b. Δ^6 cis or trans tetrahydrocannabinol, and their optical
42 isomers.
 - 43 c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical
44 isomers. (Since nomenclature of these substances is not in-
45 ternationally standardized, compounds of these structures,
46 regardless of numerical designation of atomic positions are
47 covered.)
 - 48 d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-
49 octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-
50 1-ol)], also known as 6aR-trans-3-(1,1-dimethylhep-

1 tyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-
2 dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric
3 isomers (HU211 or dexanabinol).

4 ii. The following synthetic drugs:

5 a. Any compound structurally derived from (1H-indole-3-
6 yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or (1H-in-
7 dole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane, or
8 (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl), methyl
9 or dimethyl butanoate, amino-methyl (or dimethyl)-1-oxobu-
10 tan-2-yl) carboxamide by substitution at the nitrogen atoms
11 of the indole ring or carboxamide to any extent, whether or
12 not further substituted in or on the indole ring to any ex-
13 tent, whether or not substituted to any extent in or on the
14 cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in the
15 ring may include, but is not limited to, heteroatoms such as
16 nitrogen, sulfur and oxygen).

17 b. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluo-
18 ropentyl)-1 H-indazole-3-carboxamide (5F-AB-PINACA).

19 c. 1-(1.3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one
20 (N-ethylpentylone, ephylone).

21 d. 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-inda-
22 zole-3-carboxamide (4-cn-cumyl-BUTINACA).

23 e. Ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3carboxam-
24 ido)-3,3-dimethylbutanoate * (5f-edmbpinaca).

25 f. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3tetram-
26 ethylcyclopropyl)methanone (fub-144).

27 g. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-inda-
28 zole-3-carboxamide (5f-cumyl-pinaca; sgt25).

29 h. (1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
30 H-pyrrolo[2.3-B]pyridine-3-carboxamide (5fcumyl-P7AICA).

31 i. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxam-
32 ido)-3-methylbutanoate (MMB-CHMICA, AMB-CHMICA).

33 j. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxam-
34 ido)-3,3-dimethylbutanoate (MDMB-CHMICA).

35 k. Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxam-
36 ido)-3,3-dimethylbutanoate (MDMB-FUBINACA).

37 l. Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxam-
38 ido)-3,3-dimethylbutanoate (5f-mdbpicaF-MDMBPICA).

39 m. Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxam-
40 ido)-3,3-dimethylbutanoate (5F-ADB, 5FMDMB-PINACA).

41 n. Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxam-
42 ido)-3-methylbutanoate (5FAMB).

43 o. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluo-
44 robenzyl)-1H-indazole-3-carboxamide (ADB-FUBINACA).

45 kp. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-inda-
46 zole-3-carboxamide (fub-akb48; ~~fub-apinaca~~FUB-AKB48;
47 FUB-APINACA).

48 q. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-
49 carboxamide (5F-APINACA, 5F-AKB48).

1 lr. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-car-
2 boxylate (NM2201; CBL2201).
3 ms. Any compound structurally derived from 3-(1-naph-
4 thoyl)pyrrole by substitution at the nitrogen atom of the
5 pyrrole ring to any extent, whether or not further sub-
6 stituted in the pyrrole ring to any extent, whether or not
7 substituted in the naphthyl ring to any extent.
8 nt. Any compound structurally derived from 1-(1-naphthyl-
9 methyl)indene by substitution at the 3-position of the in-
10 dene ring to any extent, whether or not further substituted
11 in the indene ring to any extent, whether or not substituted
12 in the naphthyl ring to any extent.
13 eu. Any compound structurally derived from 3-pheny-
14 lacetylindole by substitution at the nitrogen atom of the
15 indole ring to any extent, whether or not further substi-
16 tuted in the indole ring to any extent, whether or not sub-
17 stituted in the phenyl ring to any extent.
18 pv. Any compound structurally derived from 2-(3-hydroxy-
19 cyclohexyl)phenol by substitution at the 5-position of the
20 phenolic ring to any extent, whether or not substituted in
21 the cyclohexyl ring to any extent.
22 ew. Any compound structurally derived from 3-(benzoyl)in-
23 dole structure with substitution at the nitrogen atom of
24 the indole ring to any extent, whether or not further sub-
25 stituted in the indole ring to any extent and whether or not
26 substituted in the phenyl ring to any extent.
27 xx. [2,3-dihydro-5-methyl-3-(4-morpholinyl-
28 methyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
29 naphthalenylmethanone (WIN-55,212-2).
30 sy. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-
31 243).
32 tz. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-
33 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-
34 drophenanthridin-1-yl]acetate (CP 50,5561).
35 (28) Ethylamine analog of phencyclidine: N-ethyl-1-phenylcy-
36 clohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcy-
37 clohexyl) ethylamine, cyclohexamine, PCE;
38 (29) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -
39 pyrrolidine, PCPy, PHP;
40 (30) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-
41 piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;
42 (31) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;
43 (32) Spores or mycelium capable of producing mushrooms that contain
44 psilocybin or psilocin.
45 (e) Unless specifically excepted or unless listed in another schedule,
46 any material, compound, mixture or preparation which contains any quantity
47 of the following substances having a depressant effect on the central ner-
48 vous system, including its salts, isomers, and salts of isomers whenever the
49 existence of such salts, isomers, and salts of isomers is possible within the
50 specific chemical designation:

- 1 (1) Gamma hydroxybutyric acid (some other names include GHB; gamma-
2 ma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sod-
3 ium oxybate; sodium oxybutyrate);
4 (2) Flunitrazepam (also known as "R2," "Rohypnol");
5 (3) Mecloqualone;
6 (4) Methaqualone.
7 (f) Stimulants. Unless specifically excepted or unless listed in an-
8 other schedule, any material, compound, mixture, or preparation which con-
9 tains any quantity of the following substances having a stimulant effect on
10 the central nervous system, including its salts, isomers, and salts of iso-
11 mers:
12 (1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-ox-
13 azoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
14 (2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alp-
15 ha-aminopropiophenone, 2-aminopropiophenone and norephedrone);
16 (3) Substituted cathinones. Any compound, except bupropion or com-
17 pounds listed under a different schedule, structurally derived from
18 2-aminopropan-1-one by substitution at the 1-position with either
19 phenyl, naphthyl or thiophene ring systems, whether or not the compound
20 is further modified in any of the following ways:
21 i. By substitution in the ring system to any extent with alkyl,
22 alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide sub-
23 stituents, whether or not further substituted in the ring system
24 by one (1) or more other univalent substituents;
25 ii. By substitution at the 3-position with an acyclic alkyl sub-
26 stituent;
27 iii. By substitution at the 2-amino nitrogen atom with alkyl,
28 dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the
29 2-amino nitrogen atom in a cyclic structure.
30 (4) Alpha-pyrrolidinoheptaphenone* (PV8);
31 (5) Alpha-pyrrolidinohexanophenone* (a-php);
32 (6) 4-chloro-alpha-pyrrolidinovalerophenone* (4chloro-a-pvp);
33 (7) Fenethylamine;
34 (8) Methcathinone (some other names: 2-(methyl-amino)-propioph-
35 enone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-
36 464, AL-422, AL-463 and UR1423);
37 (9) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-
38 phenyl-2-oxazolamine];
39 (10) 4-methyl-alpha-ethylaminopentiophenone* (4meap);
40 (11) 4'-methyl-alpha-pyrrolidinohexiophenone* (mphp);
41 (12) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
42 (13) N-ethylamphetamine;
43 (14) N-ethylhexedrone*;
44 (15) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-
45 benzeneethanamine).

46 SECTION 3. That Section 37-2707, Idaho Code, be, and the same is hereby
47 amended to read as follows:

1 37-2707. SCHEDULE II. (a) Schedule II shall consist of the drugs and
2 other substances, by whatever official name, common or usual name, chemical
3 name, or brand name designated, listed in this section.

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

9 (1) Opium and opiate, and any salt, compound, derivative, or prepa-
10 ration of opium or opiate, excluding apomorphine, dextrorphan, nal-
11 buphine, nalmefene, naloxone, naltrexone and their respective salts,
12 but including the following:

- 13 1. Raw opium;
- 14 2. Opium extracts;
- 15 3. Opium fluid extracts;
- 16 4. Powdered opium;
- 17 5. Granulated opium;
- 18 6. Tincture of opium;
- 19 7. Codeine;
- 20 8. Dihydroetorphine;
- 21 9. Diprenorphine;
- 22 10. Ethylmorphine;
- 23 11. Etorphine hydrochloride;
- 24 12. Hydrocodone;
- 25 13. Hydromorphone;
- 26 14. Metopon;
- 27 15. Morphine;
- 28 16. Oripavine;
- 29 17. Oxycodone;
- 30 18. Oxymorphone;
- 31 19. Tapentadol;
- 32 20. Thebaine.

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

37 (3) Opium poppy and poppy straw.

38 (4) Coca leaves and any salt, compound, derivative, or preparation
39 of coca leaves, and any salt, compound, derivative, or preparation
40 thereof which is chemically equivalent or identical with any of these
41 substances, but shall not include the following:

- 42 1. Decocainized coca leaves or extractions of coca leaves, which
43 extractions do not contain cocaine; or ecgonine; or
- 44 2. [¹²³I]ioflupane.

45 (5) Benzoylecgonine.

46 (6) Methylbenzoylecgonine (Cocaine - its salts, optical isomers, and
47 salts of optical isomers).

48 (7) Concentrate of poppy straw (the crude extract of poppy straw in
49 ~~either~~ liquid, solid or powder form ~~which~~ that contains the phenan-
50 thrine alkaloids of the opium poppy).

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

- 6 (1) Alfentanil;
- 7 (2) Alphaprodine;
- 8 (3) Anileridine;
- 9 (4) Bezitramide;
- 10 (5) Bulk Dextropropoxyphene (nondosage forms);
- 11 (6) Carfentanil;
- 12 (7) Dihydrocodeine;
- 13 (8) Diphenoxylate;
- 14 (9) Fentanyl;
- 15 (10) Isomethadone;
- 16 (11) Levo-alpha-acetylmethadol (also known as levo-alpha-acetylmethadol,
17 levomethadyl acetate, LAAM);
- 18 (12) Levomethorphan;
- 19 (13) Levorphanol;
- 20 (14) Metazocine;
- 21 (15) Methadone;
- 22 (16) Methadone -- Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl
23 butane;
- 24 (17) Moramide -- Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl
25 propane-carboxylic acid;
- 26 (18) Norfentanyl (N-phenyl-N-(piperidin-4-yl) propionamide);
- 27 (19) Pethidine (meperidine);
- 28 (~~19~~20) Pethidine -- Intermediate -- A, 4-cyano-1-methyl-4-phenyl-
29 piperidine;
- 30 (20~~1~~) Pethidine -- Intermediate -- B, ethyl-4-phenylpiperidine-4-
31 carboxylate;
- 32 (21~~2~~) Pethidine -- Intermediate -- C, 1-methyl-4-phenylpiperid-
33 ine-4-carboxylic acid;
- 34 (22~~3~~) Phenazocine;
- 35 (23~~4~~) Piminodine;
- 36 (24~~5~~) Racemethorphan;
- 37 (25~~6~~) Racemorphan;
- 38 (26~~7~~) Remifentanil;
- 39 (27~~8~~) Sufentanil.

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

- 44 (1) Amphetamine, its salts, optical isomers, and salts of its optical
45 isomers;
- 46 (2) Lisdexamfetamine;
- 47 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
- 48 (4) Phenmetrazine and its salts;
- 49 (5) Methylphenidate.

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

- 7 (1) Amobarbital;
- 8 (2) Glutethimide;
- 9 (3) Pentobarbital;
- 10 (4) Phencyclidine;
- 11 (5) Secobarbital.
- 12 (f) Hallucinogenic substances.

13 (1) Nabilone (another name for nabilone:
 14 (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hy-
 15 droxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one) (21 CFR 1308.12 (f)).

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

- 19 (1) Immediate precursor to amphetamine and methamphetamine:
- 20 (a) Anthranilic acid;
- 21 (b) Ephedrine;
- 22 (c) Lead acetate;
- 23 (d) Methylamine;
- 24 (e) Methyl formamide;
- 25 (f) N-methylephedrine;
- 26 (g) Phenylacetic acid;
- 27 (h) Phenylacetone;
- 28 (i) Phenylpropanolamine;
- 29 (j) Pseudoephedrine.

30 Except that any combination or compound containing ephedrine, or any of
 31 its salts and isomers, or phenylpropanolamine or its salts and isomers, or
 32 pseudoephedrine, or any of its salts and isomers which is prepared for dis-
 33 pensing or over-the-counter distribution is not a controlled substance for
 34 the purpose of this section, unless such substance is possessed, delivered,
 35 or possessed with intent to deliver to another with the intent to manufac-
 36 ture methamphetamine, amphetamine or any other controlled substance in vio-
 37 lation of section 37-2732, Idaho Code. For purposes of this provision, the
 38 requirements of the uniform controlled substances act shall not apply to a
 39 manufacturer, wholesaler or retailer of over-the-counter products contain-
 40 ing the listed substances unless such person possesses, delivers, or pos-
 41 sesses with intent to deliver to another the over-the-counter product with
 42 intent to manufacture a controlled substance.

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

- 44 (a) 1-phenylcyclohexylamine;
- 45 (b) 1-piperidinocyclohexanecarbonitrile (PCC).

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

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

1 37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and
2 other substances, by whatever official name, common or usual name, chemical
3 name, or brand name designated, listed in this section.

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

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

10 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-
11 3-methyl-2-propionoxybutane).

12 (3) 2- [(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (in-
13 cluding tramadol), including its salts, optical and geometric isomers,
14 and salts of isomers.

15 (c) 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, including its salts, iso-
18 mers, and salts of isomers whenever the existence of such salts, isomers, and
19 salts of isomers is possible within the specific chemical designation:

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

21 (2) Alprazolam;

22 (3) Barbital;

23 (4) Bromazepam;

24 (5) Camazepam;

25 (6) ~~Carisprodel~~ Carisoprodol;

26 (7) Chloral betaine;

27 (8) Chloral hydrate;

28 (9) Chlordiazepoxide;

29 (10) Clobazam;

30 (11) Clonazepam;

31 (12) Clorazepate;

32 (13) Clotiazepam;

33 (14) Cloxazolam;

34 (15) Delorazepam;

35 (16) Diazepam;

36 (17) Dichloralphenazone;

37 (18) Estazolam;

38 (19) Ethchlorvynol;

39 (20) Ethinamate;

40 (21) Ethyl loflazepate;

41 (22) Fludiazepam;

42 (23) Flurazepam;

43 (24) Fospropofol;

44 (25) Halazepam;

45 (26) Haloxazolam;

46 (27) Ketazolam;

47 (28) Loprazolam;

48 (29) Lorazepam;

49 (30) Lormetazepam;

50 (31) Mebutamate;

- 1 (32) Medazepam;
- 2 (33) Meprobamate;
- 3 (34) Methohexital;
- 4 (35) Methylphenobarbital (mephobarbital);
- 5 (36) Midazolam;
- 6 (37) Nimetazepam;
- 7 (38) Nitrazepam;
- 8 (39) Nordiazepam;
- 9 (40) Oxazepam;
- 10 (41) Oxazolam;
- 11 (42) Paraldehyde;
- 12 (43) Petrichloral;
- 13 (44) Phenobarbital;
- 14 (45) Pinazepam;
- 15 (46) Prazepam;
- 16 (47) Quazepam;
- 17 (48) Suvorexant;
- 18 (49) Temazepam;
- 19 (50) Tetrazepam;
- 20 (51) Triazolam;
- 21 (52) Zaleplon;
- 22 (53) Zolpidem;
- 23 (54) Zopiclone.

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

- 29 (1) Dexfenfluramine;
- 30 (2) Fenfluramine.

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

- 38 (1) Cathine ((+)-norpseudoephedrine);
- 39 (2) Diethylpropion;
- 40 (3) Fencamfamin;
- 41 (4) Fenproporex;
- 42 (5) Lorcaserin;
- 43 (6) Mazindol;
- 44 (7) Mefenorex;
- 45 (8) Modafinil;
- 46 (9) Pemoline (including organometallic complexes and chelates
47 thereof);
- 48 (10) Phentermine;
- 49 (11) Pipradrol;
- 50 (12) Sibutramine;

- 1 (13) SPA ((-)-1-dimethylamino-1,2-diphenylethane).
- 2 (f) Other substances. Unless specifically excepted, or unless listed
3 in another schedule, any material, compound, mixture or preparation which
4 contains any quantity of the following substances, including its salts:
- 5 (1) Pentazocine;
- 6 (2) Butorphanol (including its optical isomers);
- 7 (3) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
8 dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-
9 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical
10 isomers) and its salts, isomers, and salts of isomers.
- 11 (g) The board may except by rule any compound, mixture, or preparation
12 containing any depressant substance listed in subsection (c) of this sec-
13 tion from the application of all or any part of this act if the compound,
14 mixture, or preparation contains one (1) or more active medicinal ingredi-
15 ents not having a depressant effect on the central nervous system, and if the
16 admixtures are included therein in combinations, quantity, proportion, or
17 concentration that vitiate the potential for abuse of the substances which
18 have a depressant effect on the central nervous system.

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

21 37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and
22 other substances, by whatever official name, common or usual name, chemical
23 name, or brand name designated, listed in this section.

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

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

33 (1) Not more than 200 milligrams of codeine per 100 milliliters or per
34 100 grams;

35 (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters
36 or per 100 grams;

37 (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters
38 or per 100 grams;

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

41 (5) Not more than 100 milligrams of opium per 100 milliliters or per 100
42 grams;

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

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

- 1 (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]bu-
2 tanamide) (also referred to as BRV; UCB-34714; Briviact) (including its
3 salts);
- 4 (2) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic
5 acid ethyl ester]-2779;
- 6 (3) Lacosamide;
- 7 (4) Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-car-
8 bonyl)pyridine-2-yl)benzamide];
- 9 (5) Pregabalin;
- 10 ~~(56) Pyrovalerone.~~
- 11 ~~(e) Approved cannabidiol drugs. A drug product in finished dosage~~
12 ~~formulation that has been approved by the U.S. food and drug administration~~
13 ~~that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclo-~~
14 ~~hexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more~~
15 ~~than 0.1 percent (w/w) residual tetrahydrocannabinols.~~