

SENATE BILL No. 106

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-2-4.

Synopsis: Schedule I controlled substances. Adds certain compounds to the list of schedule I controlled substances.

Effective: July 1, 2018.

Merritt

January 3, 2018, read first time and referred to Committee on Corrections and Criminal Law.



Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 106

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-48-2-4, AS AMENDED BY P.L.8-2017,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 4. (a) The controlled substances listed in this
4 section are included in schedule I.

5 (b) Opiates. Any of the following opiates, including their isomers,
6 esters, ethers, salts, and salts of isomers, esters, and ethers, unless
7 specifically excepted by rule of the board or unless listed in another
8 schedule, whenever the existence of these isomers, esters, ethers, and
9 salts is possible within the specific chemical designation:

10 Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
11 piperidinyl]-N-phenylacetamide) (9815)

12 Acetylmethadol (9601)

13 Allylprodine (9602)

14 Alpha-methylthiofentanyl (N-[1-methyl-2-(2-
15 thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9832)

16 Alphacetylmethadol (9603)

17 Alphameprodine (9604)



1	Alphamethadol (9605)
2	Alphamethylfentanyl (9814)
3	Benzethidine (9606)
4	Beta-hydroxy-3-methylfentanyl (9831). Other name:
5	N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl
6]-N-phenylpropanamide
7	Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-
8	phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830)
9	Betacetylmethadol (9607)
10	Betameprodine (9608)
11	Betamethadol (9609)
12	Betaprodine (9611)
13	Clonitazene (9612)
14	Dextromoramide (9613)
15	Diampromide (9615)
16	Diethylthiambutene (9616)
17	Difenoxin (9168)
18	Dimenoxadol (9617)
19	Dimepheptanol (9618)
20	Dimethylthiambutene (9619)
21	Dioxaphetyl butyrate (9621)
22	Dipipanone (9622)
23	Ethylmethylthiambutene (9623)
24	Etonitazene (9624)
25	Etoxidine (9625)
26	Furethidine (9626)
27	Hydroxypethidine (9627)
28	Ketobemidone (9628)
29	Levomoramide (9629)
30	Levophenacetylmorphan (9631)
31	3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
32	piperidyl]-N-phenyl-propanimide](9813)
33	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-
34	piperidinyl]-N-phenylpropanamide) (9833)
35	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961)
36	Morpheridine (9632)
37	N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
38	including any isomers, salts, or salts of isomers (9818)
39	N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
40	(thenylfentanyl), including any isomers, salts, or salts of isomers
41	(9834)
42	Noracymethadol (9633)



- 1 Norlevorphanol (9634)
- 2 Normethadone (9635)
- 3 Norpipanone (9636)
- 4 Para-fluorofentanyl (N-(4-fluorophenyl)-N-
- 5 [1-(2-phenethyl)-4-piperidinyl] propanamide (9812)
- 6 Phenadoxone (9637)
- 7 Phenampromide (9638)
- 8 Phenomorphan (9647)
- 9 Phenoperidine (9641)
- 10 PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)
- 11 Piritramide (9642)
- 12 Proheptazine (9643)
- 13 Properidine (9644)
- 14 Propiram (9649)
- 15 Racemoramide (9645)
- 16 Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 17 piperidinyl]-propanamide) (9835)
- 18 Tilidine (9750)
- 19 Trimeperidine (9646)
- 20 U47700 (3,4-dichloro- N- [2-dimethylamino)cyclohexyl]-
- 21 N-methyl- benzamide)
- 22 (c) Opium derivatives. Any of the following opium derivatives, their
- 23 salts, isomers, and salts of isomers, unless specifically excepted by rule
- 24 of the board or unless listed in another schedule, whenever the
- 25 existence of these salts, isomers, and salts of isomers is possible within
- 26 the specific chemical designation:
- 27 Acetorphine (9319)
- 28 Acetyldihydrocodeine (9051)
- 29 Benzylmorphine (9052)
- 30 Codeine methylbromide (9070)
- 31 Codeine-N-Oxide (9053)
- 32 Cyprenorphine (9054)
- 33 Desomorphine (9055)
- 34 Dihydromorphine (9145)
- 35 Drotebanol (9335)
- 36 Etorphine (except hydrochloride salt) (9056)
- 37 Heroin (9200)
- 38 Hydromorphanol (9301)
- 39 Methyldesorphine (9302)
- 40 Methyldihydromorphine (9304)
- 41 Morphine methylbromide (9305)
- 42 Morphine methylsulfonate (9306)



- 1 Morphine-N-Oxide (9307)
 2 Myrophine (9308)
 3 Nicocodeine (9309)
 4 Nicomorphine (9312)
 5 Normorphine (9313)
 6 Pholcodine (9314)
 7 Thebacon (9315)
 8 **Any compound that is not approved for medical use by the**
 9 **federal Food and Drug Administration and meets the**
 10 **following fentanyl pharmacophore requirements to bind at**
 11 **the mu receptor:**
 12 **(A) A chemical scaffold consisting of:**
 13 **(i) a five (5), six (6), or seven (7) member ring structure**
 14 **containing a nitrogen, whether or not further**
 15 **substituted; and**
 16 **(ii) an attached nitrogen to the ring, whether or not that**
 17 **nitrogen is enclosed in a ring structure, including an**
 18 **attached aromatic ring or other lipophilic group to that**
 19 **nitrogen.**
 20 **(B) A polar functional group attached to the chemical**
 21 **scaffold described in clause (A), including a hydroxyl,**
 22 **ketone, amide, or ester.**
 23 **(C) An alkyl or aryl substitution off the ring nitrogen of the**
 24 **chemical scaffold described in clause (A).**
 25 (d) Hallucinogenic substances. Unless specifically excepted or
 26 unless listed in another schedule, any material, compound, mixture, or
 27 preparation which contains any quantity of the following
 28 hallucinogenic, psychedelic, or psychogenic substances, their salts,
 29 isomers, and salts of isomers whenever the existence of these salts,
 30 isomers, and salts of isomers is possible within the specific chemical
 31 designation (for purposes of this subsection only, the term "isomer"
 32 includes the optical, position, and geometric isomers):
 33 (1) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name:
 34 TCPy.
 35 (2) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or
 36 other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine;
 37 4-Bromo-2, 5-DMA.
 38 (3) 4-Bromo-2, 5-dimethoxyphenethylamine (7392). Some trade
 39 or other names:
 40 2-[4-bromo-2, 5-dimethoxyphenyl]-1-aminoethane;
 41 alpha-desmethyl DOB; 2C-B, Nexus.
 42 (4) 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name:



- 1 DOET.
2 (5) 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348).
3 Other name: 2C-T-7.
4 (6) 2, 5-Dimethoxyamphetamine (7396). Some trade or other
5 names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.
6 (7) 4-Methoxyamphetamine (7411). Some trade or other names:
7 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine;
8 PMA.
9 (8) 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other
10 Name: MMDA.
11 (9) 5-Methoxy-N, N-diisopropyltryptamine, including any
12 isomers, salts, or salts of isomers (7439). Other name:
13 5-MeO-DIPT.
14 (10) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade
15 and other names: 4-methyl-2,
16 5-dimethoxy-a-methylphenethylamine; DOM; and STP.
17 (11) 3, 4-methylenedioxy amphetamine (7400). Other name:
18 MDA.
19 (12) 3,4-methylenedioxy-N-ethylamphetamine (7404). Other
20 names: N-ethyl-alpha-methyl-3,4(methylenedioxy)
21 phenethylamine; N-ethyl MDA; MDE; and MDEA.
22 (13) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
23 (14) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.
24 (15) Alpha-ethyltryptamine (7249). Some trade and other names:
25 Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine;
26 3-(2-aminobutyl) indole; [alpha]-ET; and AET.
27 (16) Alpha-methyltryptamine (7432). Other name: AMT.
28 (17) Bufotenine (7433). Some trade and other names:
29 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
30 3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin;
31 5-hydroxy-N, N-dimethyltryptamine; mappine.
32 (18) Diethyltryptamine (7434). Some trade or other names: N,
33 N-Diethyltryptamine; DET.
34 (19) Dimethyltryptamine (7435). Some trade or other names:
35 DMT.
36 (20) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b,
37 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido
38 (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.
39 (21) Lysergic acid diethylamide (7315). Other name: LSD.
40 (22) Marijuana (7360).
41 (23) Mescaline (7381).
42 (24) Parahexyl (7374). Some trade or other names:



- 1 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6,
 2 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.
 3 (25) Peyote (7415), including:
 4 (A) all parts of the plant that are classified botanically as
 5 lophophora williamsii lemaire, whether growing or not;
 6 (B) the seeds thereof;
 7 (C) any extract from any part of the plant; and
 8 (D) every compound, manufacture, salt, derivative, mixture, or
 9 preparation of the plant, its seeds, or extracts.
 10 (26) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.
 11 (27) N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other
 12 names: N-hydroxy-alpha-methyl-3,4
 13 (methylenedioxy)phenethylamine; and N-hydroxy MDA.
 14 (28) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ.
 15 (29) Psilocybin (7437).
 16 (30) Psilocyn (7438).
 17 (31) Tetrahydrocannabinols (7370), including synthetic
 18 equivalents of the substances contained in the plant, or in the
 19 resinous extractives of Cannabis, sp. and synthetic substances,
 20 derivatives, and their isomers with similar chemical structure and
 21 pharmacological activity such as:
 22 (A) π^1 cis or trans tetrahydrocannabinol, and their optical
 23 isomers;
 24 (B) π^6 cis or trans tetrahydrocannabinol, and their optical
 25 isomers; and
 26 (C) π^3_4 cis or trans tetrahydrocannabinol, and their optical
 27 isomers.
 28 Since nomenclature of these substances is not internationally
 29 standardized, compounds of these structures, regardless of
 30 numerical designation of atomic positions are covered. Other
 31 name: THC.
 32 (32) Ethylamine analog of phencyclidine (7455). Some trade or
 33 other names: N-Ethyl-1-phenylcyclohexylamine;
 34 (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)
 35 ethylamine; cyclohexamine; PCE.
 36 (33) Pyrrolidine analog of phencyclidine (7458). Some trade or
 37 other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP,_y; PHP.
 38 (34) Thiophene analog of phencyclidine (7470). Some trade or
 39 other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl
 40 Analog of Phencyclidine; TPCP.
 41 (35) Salvia divinorum or salvinorin A, including:
 42 (A) all parts of the plant that are classified botanically as salvia



- 1 divinorum, whether growing or not;
 2 (B) the seeds of the plant;
 3 (C) any extract from any part of the plant; and
 4 (D) every compound, manufacture, salt, derivative, mixture, or
 5 preparation of the plant, its seeds, or extracts.
- 6 (36) 5-Methoxy-N,N-Dimethyltryptamine. Some trade or other
 7 names: 5-methoxy-3-[2- (dimethylamino)ethyl]indole;
 8 5-MeO-DMT.
- 9 (37) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
 10 (38) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
 11 (39) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C).
 12 (40) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I).
 13 (41) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-2).
 14 (42) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine
 15 (2C-T-4).
 16 (43) 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).
 17 (44) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).
 18 (45) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).
- 19 (e) Depressants. Unless specifically excepted in a rule adopted by
 20 the board or unless listed in another schedule, any material, compound,
 21 mixture, or preparation which contains any quantity of the following
 22 substances having a depressant effect on the central nervous system,
 23 including its salts, isomers, and salts of isomers whenever the existence
 24 of such salts, isomers, and salts of isomers is possible within the
 25 specific chemical designation:
- 26 Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H-
 27 thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4diazepine) (other names
 28 include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and
 29 Pasaden)
- 30 Gamma-hydroxybutyric acid (other names include GHB;
 31 gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium
 32 oxybate; sodium oxybutyrate) (2010)
 33 Mecloqualone (2572)
 34 Methaqualone (2565)
- 35 (f) Stimulants. Unless specifically excepted or unless listed in
 36 another schedule, any material, compound, mixture, or preparation that
 37 contains any quantity of the following substances having a stimulant
 38 effect on the central nervous system, including its salts, isomers, and
 39 salts of isomers:
- 40 ([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-
 41 dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590)
 42 Aminorex (1585). Other names: aminoxaphen;



- 1 2-amino-5-phenyl-2-oxazoline; or
2 4,5-dihydro-5-phenyl-2-oxazolamine.
3 Cathinone (1235). Some trade or other names:
4 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone;
5 2-aminopropiophenone; and norephedrone.
6 Fenethylamine (1503).
7 N-Benzylpiperazine (7493). Other names: BZP; and
8 1-benzylpiperazine.
9 N-ethylamphetamine (1475).
10 Methcathinone (1237). Some other trade names:
11 2-Methylamino-1-Phenylpropan-1-one; Ephedrone;
12 Monomethylpropion; UR 1431.
13 N, N-dimethylamphetamine (1480). Other names: N,
14 N-alpha-trimethyl-benzeneethanamine; and N,
15 N-alpha-trimethylphenethylamine.
16 (g) Synthetic drugs as defined in IC 35-31.5-2-321.

