

SENATE BILL No. 122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-2.

Synopsis: Drug schedules. Adds new scheduled drugs to the statutory drug schedules.

Effective: July 1, 2021.

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January 5, 2021, read first time and referred to Committee on Corrections and Criminal Law.



Introduced

First Regular Session of the 122nd General Assembly (2021)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 122

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.61-2020,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: 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 4-fluoroisobutyryl fentanyl
11 Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
12 piperidinyl]-N-phenylacetamide) (9815)
13 Acetyl fentanyl (Other names include:
14 N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)
15 Acetylmethadol (9601)
16 Acrylfentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-
17 N-phenylacrylamide



1 Allylprodine (9602)
 2 Alpha-methylthiofentanyl (N-[1-methyl-2-(2-
 3 thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9832)
 4 Alphacetylmethadol (9603)
 5 Alphameprodine (9604)
 6 Alphamethadol (9605)
 7 Alphamethylfentanyl (9814)
 8 Benzethidine (9606)
 9 Beta-hydroxy-3-methylfentanyl (9831). Other name:
 10 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl
 11]-N-phenylpropanamide
 12 Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-
 13 phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830)
 14 Betacetylmethadol (9607)
 15 Betameprodine (9608)
 16 Betamethadol (9609)
 17 Betaprodine (9611)
 18 Clonitazene (9612)
 19 Cyclopentyl fentanyl. Other name:
 20 N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide
 21 Dextromoramide (9613)
 22 Diampromide (9615)
 23 Diethylthiambutene (9616)
 24 Difenoxin (9168)
 25 Dimenoxadol (9617)
 26 Dimepheptanol (9618)
 27 Dimethylthiambutene (9619)
 28 Dioxaphetyl butyrate (9621)
 29 Dipipanone (9622)
 30 Ethylmethylthiambutene (9623)
 31 Etonitazene (9624)
 32 Etoxeridine (9625)
 33 Fentanyl related substances.
 34 Furanyl fentanyl.
 35 Furethidine (9626)
 36 Hydroxypethidine (9627)
 37 Isobutyl fentanyl. Other name:
 38 N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide
 39 **Isotonitazene. Other name: N,N-diethyl-2-**
 40 **(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-**
 41 **1-yl)ethan-1-amine)**
 42 Ketobemidone (9628)



1 Levomoramide (9629)
 2 Levophenacylmorphan (9631)
 3 Methoxyacetyl fentanyl. Other name:
 4 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide
 5 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
 6 piperidyl]-N-phenyl-propanamide](9813)
 7 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-
 8 piperidinyl]-N-phenylpropanamide) (9833)
 9 **MDMB-4en-PINACA**
 10 **4F-MDMB-BICA; 4-fluoro MDMB-BICA;**
 11 **4F-MDMB-BUTICA; Methyl**
 12 **2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3,**
 13 **3-dimethyl-butanoate**
 14 MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961)
 15 Morpheridine (9632)
 16 N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
 17 including any isomers, salts, or salts of isomers (9818)
 18 N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl] 25 piperidin-4-yl]-
 19 N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-
 20 (2-thienyl)ethyl] -4- piperidinyl]- N-phenylpropanamide,
 21 (beta-hydroxythiofentanyl)
 22 N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide
 23 (para-chloroisobutryl fentanyl)
 24 N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
 25 acetamide (ocfentanil)
 26 N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide
 27 (para-fluorobutryl fentanyl)
 28 N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known
 29 as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl
 30 fentanyl)
 31 N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl
 32 fentanyl)
 33 N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide
 34 (para-methoxybutryl fentanyl)
 35 N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
 36 (thienylfentanyl), including any isomers, salts, or salts of isomers
 37 (9834)
 38 N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutryl
 39 fentanyl)
 40 N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide
 41 (cyclopentyl fentanyl)
 42 Noracymethadol (9633)



1 Norlevorphanol (9634)
2 Normethadone (9635)
3 Norpipanone (9636)
4 O c f e n t a n i l . O t h e r n a m e :
5 N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
6 acetamide
7 Ortho-fluorofentanyl or 2-fluorofentanyl. Other name:
8 N-(2-fluorophenyl)-N-
9 (1-phenethylpiperidin-4-yl)propionamide
10 Para-chloroisobutryyl fentanyl. Other name:
11 N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide
12 Para-fluorobutryyl fentanyl. Other name:
13 N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
14 Para-fluorofentanyl (N-(4-fluorophenyl)-N-
15 [1-(2-phenethyl)-4-piperidinyl] propanamide (9812)
16 Para-methoxybutryyl fentanyl. Other name:
17 N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
18 Phenadoxone (9637)
19 Phenampromide (9638)
20 Phenomorphan (9647)
21 Phenoperidine (9641)
22 PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)
23 Piritramide (9642)
24 Proheptazine (9643)
25 Properidine (9644)
26 Propiram (9649)
27 Racemoramide (9645)
28 Tetrahydrofuranyl fentanyl. Other name:
29 N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carb
30 oxamide
31 Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
32 piperidinyl]-propanamide) (9835)
33 Tilidine (9750)
34 Trimeperidine (9646)
35 U47700 (3,4-dichloro- N- [2-dimethylamino)cyclohexyl]-
36 N-methyl- benzamide)
37 V a l e r y l f e n t a n y l . O t h e r n a m e :
38 N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide
39 (c) Opium derivatives. Any of the following opium derivatives, their
40 salts, isomers, and salts of isomers, unless specifically excepted by rule
41 of the board or unless listed in another schedule, whenever the
42 existence of these salts, isomers, and salts of isomers is possible within



1 the specific chemical designation:
 2 Acetorphine (9319)
 3 Acetyldihydrocodeine (9051)
 4 Benzylmorphine (9052)
 5 Codeine methylbromide (9070)
 6 Codeine-N-Oxide (9053)
 7 Cyprenorphine (9054)
 8 Desomorphine (9055)
 9 Dihydromorphine (9145)
 10 Drotebanol (9335)
 11 Etorphine (except hydrochloride salt) (9056)
 12 Heroin (9200)
 13 Hydromorphenol (9301)
 14 Methyldesorphine (9302)
 15 Methyldihydromorphine (9304)
 16 Morphine methylbromide (9305)
 17 Morphine methylsulfonate (9306)
 18 Morphine-N-Oxide (9307)
 19 Myrophine (9308)
 20 Nicocodeine (9309)
 21 Nicomorphine (9312)
 22 Normorphine (9313)
 23 Pholcodine (9314)
 24 Thebacon (9315)
 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) $\pi^{3,4}$ 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 another schedule, any material, compound, mixture, or preparation that
2 contains any quantity of the following substances having a stimulant
3 effect on the central nervous system, including its salts, isomers, and
4 salts of isomers:

5 ([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-
6 dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590)
7 Aminorex (1585). Other names: aminoxyphen;
8 2-amino-5-phenyl-2-oxazoline; or
9 4,5-dihydro-5-phenyl-2-oxazolamine.
10 Benzyline, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan
11 -1-one. Synonyms: BMDP, N-benzyl methylene,
12 3,4-Methylene dioxy-N-benzylcathinone,
13 N-benzyl-3,4-methylenedioxycathinone.

14 Cathinone (1235). Some trade or other names:
15 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone;
16 2-aminopropiophenone; and norephedrone.
17 Fenethylline (1503).

18 N-Benzylpiperazine (7493). Other names: BZP; and
19 1-benzylpiperazine.

20 N-ethylamphetamine (1475).
21 Methcathinone (1237). Some other trade names:
22 2-Methylamino-1-Phenylpropan-1-one; Ephedrone;
23 Monomethylpropion; UR 1431.

24 N, N-dimethylamphetamine (1480). Other names: N,
25 N-alpha-trimethylbenzeneethanamine; and N,
26 N-alpha-trimethylphenethylamine.

27 (g) Synthetic drugs as defined in IC 35-31.5-2-321.

28 SECTION 2. IC 35-48-2-12, AS AMENDED BY P.L.61-2020,
29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2021]: Sec. 12. (a) The controlled substances listed in this
31 section are included in schedule V.

32 (b) Narcotic drugs containing nonnarcotic active medicinal
33 ingredients. Any compound, mixture, or preparation containing any of
34 the following narcotic drugs, or their salts calculated as the free
35 anhydrous base or alkaloid, in the following quantities, which shall
36 include one (1) or more nonnarcotic active medicinal ingredients in
37 sufficient proportion to confer upon the compound, mixture, or
38 preparation, valuable medicinal qualities other than those possessed by
39 the narcotic drug alone:

40 (1) Not more than 200 milligrams of codeine per 100 milliliters
41 or per 100 grams.
42 (2) Not more than 100 milligrams of dihydrocodeine per 100



1 milliliters or per 100 grams.
2 (3) Not more than 100 milligrams of ethylmorphine per 100
3 milliliters or per 100 grams.
4 (4) Not more than 2.5 milligrams of diphenoxylate and not less
5 than 25 micrograms of atropine sulfate per dosage unit.
6 (5) Not more than 100 milligrams of opium per 100 milliliters or
7 per 100 grams.
8 (6) Not more than 0.5 milligrams of difenoxin (9168), and not less
9 than 25 micrograms of atropine sulfate per dosage unit.
10 (c) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]
11 butanamide)).
12 (d) Pregabalin (2782).
13 (e) Pyrovalerone (1485).
14 (f) Lacosamide [(R)-2-acetoamido-N-benzyl-
15 3-methoxy-propionamide].
16 (g) **Epidiolex**.
17 (f) (g) Zulresso (brexanolone) 3a-hydroxy-5apregn-20-one. Other
18 name: allopregnanolone.

