



January 13, 2021

SENATE BILL No. 122

DIGEST OF SB 122 (Updated January 12, 2021 10:11 am - DI 140)

Citations Affected: IC 35-48.

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

Effective: July 1, 2021.

Young M

January 5, 2021, read first time and referred to Committee on Corrections and Criminal Law.
January 12, 2021, reported favorably — Do Pass.

SB 122—LS 6672/DI 143



January 13, 2021

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

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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	Etoxidine (9625)
33	Fentanyl related substances.
34	Furanyl fentanyl.
35	Furethidine (9626)
36	Hydroxypethidine (9627)
37	Isobutyryl 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	Levophenacetylmorphan (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	4 F - M D M B - B U T I C A ; M e t h y l
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-chloroisobutyryl fentanyl)
24	N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
25	acetamide (ocfentamil)
26	N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide
27	(para-fluorobutyryl 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-methoxybutyryl fentanyl)
35	N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
36	(thenylfentanyl), including any isomers, salts, or salts of isomers
37	(9834)
38	N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl
39	fentanyl)
40	N-(1-phenethylpiperidin-4-yl)- Nphenylcyclopentanecarboxamide
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-chloroisobutyryl fentanyl. Other name:
 11 N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide
 12 Para-fluorobutyryl 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-methoxybutyryl 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 Pir tramide (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 Hydromorphanol (9301)
- 14 Methyldesorphine (9302)
- 15 Methylhydromorphine (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- α -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 α -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,; 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 (46) Deschloroketamine (2-Phenyl-2-
 20 (methylamino)cyclohexanone).
 21 (47) 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-
 22 ethyltryptamine).
 23 (48) N-methyltryptamine (1H-Indole-3-ethanamine, N-methyl-).
- 24 (e) Depressants. Unless specifically excepted in a rule adopted by
 25 the board or unless listed in another schedule, any material, compound,
 26 mixture, or preparation which contains any quantity of the following
 27 substances having a depressant effect on the central nervous system,
 28 including its salts, isomers, and salts of isomers whenever the existence
 29 of such salts, isomers, and salts of isomers is possible within the
 30 specific chemical designation:
- 31 Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H-
 32 thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4]diazepine) (other names
 33 include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and
 34 Pasaden)
- 35 Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-
 36 4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)
- 37 Gamma-hydroxybutyric acid (other names include GHB;
 38 gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium
 39 oxybate; sodium oxybutyrate) (2010)
- 40 Mecloqualone (2572)
- 41 Methaqualone (2565)
- 42 (f) Stimulants. Unless specifically excepted or unless listed in



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: aminoxaphen;

8 2-amino-5-phenyl-2-oxazoline; or

9 4,5-dihydro-5-phenyl-2-oxazolamine.

10 Benzylone, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan

11 -1-one. Synonyms: BMDP, N-benzyl methylone,

12 3,4-Methylene dioxy-Nbenzylcathinone,

13 N-benzyl-3,4-methylenedioxcathinone.

14 Cathinone (1235). Some trade or other names:

15 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone;

16 2-aminopropiophenone; and norephedrone.

17 Fenethylamine (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-trimethyl-benzeneethanamine; 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 ~~(h)~~ (g) Zulresso (brexanolone) 3a-hydroxy-5apregnan-20-one. Other
18 name: allopregnanolone.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 122, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 122 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 8, Nays 0

