

As Introduced

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S. B. No. 57

Senators Hill, Huffman, S.

**Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner,
Fedor, Antonio**

A BILL

To amend sections 3719.01 and 3719.41, to enact 1
sections 928.01, 928.02, 928.03, 928.04, 928.05, 2
928.06, and 928.99 of the Revised Code, and to 3
amend the versions of sections 3719.01 and 4
3719.41 of the Revised Code that are scheduled 5
to take effect on March 22, 2020, to 6
decriminalize hemp and hemp products and to 7
establish a hemp cultivation licensing program. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3719.01 and 3719.41 be amended 9
and sections 928.01, 928.02, 928.03, 928.04, 928.05, 928.06, and 10
928.99 of the Revised Code be enacted to read as follows: 11

Sec. 928.01. As used in this chapter: 12

(A) "Cannabidiol" means the cannabidiol compound derived 13
from hemp. 14

(B) "Hemp" means the plant Cannabis sativa L. and any part 15
of that plant, including the seeds thereof and all derivatives, 16
extracts, cannabinoids, isomers, acids, salts, and salts of 17

isomers, whether growing or not, with a delta-9 18
tetrahydrocannabinol concentration of not more than three-tenths 19
per cent on a dry weight basis. 20

(C) "Hemp cultivation license" means a license to 21
cultivate hemp issued under section 928.02 of the Revised Code. 22

(D) "Hemp product" means any product made with hemp, 23
including cosmetics, personal care products, dietary supplements 24
or food intended for animal or human consumption, cloth, 25
cordage, fiber, fuel, paint, paper, particleboard, and any 26
product containing one or more cannabinoids derived from hemp, 27
including cannabidiol. 28

(E) "University" means a state university as defined in 29
section 3345.011 of the Revised Code and a private nonprofit 30
institution with a certificate of authorization issued pursuant 31
to Chapter 1713. of the Revised Code. 32

(F) "USDA" means the United States department of 33
agriculture. 34

Sec. 928.02. (A) (1) The director of agriculture shall 35
establish a program to monitor and regulate hemp cultivation in 36
this state. Under the program, the director shall issue hemp 37
cultivation licenses in accordance with rules adopted under 38
section 928.03 of the Revised Code. 39

(2) As authorized by the director, the department of 40
agriculture or a university may cultivate hemp without a hemp 41
cultivation license. 42

(B) Except as authorized under division (A) (2) of this 43
section, any person that wishes to cultivate hemp shall apply 44
for and obtain a hemp cultivation license from the director in 45
accordance with rules adopted under section 928.03 of the 46

Revised Code. A hemp cultivation license is valid for five years 47
unless earlier suspended or revoked by the director. 48

(C) The department, a university, or any person may, 49
without a hemp cultivation license, do any of the following: 50

(1) Possess, buy, or sell hemp or a hemp product; 51

(2) Process hemp into a hemp product, including by the 52
addition of one or more cannabinoids derived from hemp, 53
including cannabidiol, to a product to produce a hemp product; 54

(3) Conduct agricultural, academic, or any other research 55
involving hemp or hemp products. 56

(D) Notwithstanding any other provision of the Revised 57
Code to the contrary, the addition of hemp or cannabinoids 58
derived from hemp, including cannabidiol, to any product does 59
not adulterate that product. 60

Sec. 928.03. (A) The director of agriculture, in 61
consultation with the governor and attorney general, shall adopt 62
rules in accordance with Chapter 119. of the Revised Code 63
establishing standards and procedures for the regulation of hemp 64
cultivation. The rules shall include all of the following: 65

(1) The form of an application for a hemp cultivation 66
license and information required to be included in the 67
application; 68

(2) The amount of the application fee that must be 69
submitted with each hemp cultivation license application; 70

(3) Requirements and procedures concerning background 71
investigations of each applicant for a hemp cultivation license; 72

(4) Procedures and requirements for the issuance, renewal, 73

<u>denial, suspension, and revocation of a hemp cultivation</u>	74
<u>license;</u>	75
<u>(5) Grounds for the denial, suspension, and revocation of</u>	76
<u>a hemp cultivation license;</u>	77
<u>(6) A requirement that the director shall not issue a hemp</u>	78
<u>cultivation license to any person who has pleaded guilty to or</u>	79
<u>been convicted of a felony relating to a controlled substance in</u>	80
<u>the ten years immediately prior to the submission of the</u>	81
<u>application for a license;</u>	82
<u>(7) A requirement that any person that materially</u>	83
<u>falsifies information in an application for a hemp cultivation</u>	84
<u>license is ineligible to receive the license;</u>	85
<u>(8) A practice for maintaining relevant information</u>	86
<u>regarding land on which hemp is cultivated by licensees,</u>	87
<u>including a legal description of the land, in accordance with</u>	88
<u>applicable federal law;</u>	89
<u>(9) A procedure for testing, using post-decarboxylation or</u>	90
<u>other similarly reliable methods, delta-9 tetrahydrocannabinol</u>	91
<u>concentration levels of hemp;</u>	92
<u>(10) Requirements and procedures for corrective action</u>	93
<u>plans issued under this chapter;</u>	94
<u>(11) A procedure for conducting annual inspections of a</u>	95
<u>random sample of hemp cultivators to verify that hemp is not</u>	96
<u>being cultivated in violation of this chapter;</u>	97
<u>(12) A procedure for complying with enforcement procedures</u>	98
<u>required under federal law;</u>	99
<u>(13) A procedure for the effective disposal of both of the</u>	100
<u>following:</u>	101

<u>(a) Hemp plants cultivated in violation of this chapter;</u>	102
<u>(b) Products made with hemp derived from plants cultivated in violation of this chapter.</u>	103 104
<u>(14) Procedures for sharing information regarding hemp cultivators with the secretary of the USDA;</u>	105 106
<u>(15) Any other requirements or procedures necessary to administer and enforce this chapter.</u>	107 108
<u>(B) The director of agriculture may adopt rules in accordance with Chapter 119. of the Revised Code establishing standards for the testing and labeling of hemp and hemp products.</u>	109 110 111 112
<u>Sec. 928.04. (A) Except as authorized under division (A) (2) of section 928.02 of the Revised Code, no person shall cultivate hemp without a hemp cultivation license issued by the director of agriculture under this chapter.</u>	113 114 115 116
<u>(B) No person who holds a hemp cultivation license shall violate this chapter or rules adopted under it.</u>	117 118
<u>(C) No person subject to a corrective action plan issued by the director of agriculture under section 928.05 of the Revised Code shall fail to comply with the plan.</u>	119 120 121
<u>Sec. 928.05. (A) The director of agriculture shall issue a corrective action plan to any person that the director determines has negligently violated section 928.04 of the Revised Code. The director shall include in the corrective action plan both of the following:</u>	122 123 124 125 126
<u>(1) A reasonable date by which the person must correct the violation;</u>	127 128

(2) A requirement that the person report to the director regarding the person's compliance with the requirements of this chapter, rules adopted under it, and the corrective action plan for two calendar years immediately following the date of the violation. 129
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(B) If the director determines that a person negligently violated section 928.04 of the Revised Code three or more times in any five-year period, the director shall revoke the person's hemp cultivation license, if any, and shall refuse to issue a hemp cultivation license to that person for a period of five years beginning on the date that the director determines that the person committed the most recent violation. 134
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(C) The director shall report a person who the director determines has violated section 928.04 of the Revised Code with a culpable mental state greater than negligence to the attorney general, the United States attorney general, and the applicable county prosecutor. 141
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Sec. 928.06. There is hereby created in the state treasury the hemp cultivation fund. The fund shall consist of all hemp cultivation license application fees collected pursuant to rules adopted under section 928.03 of the Revised Code, money appropriated to the fund, and any other money received from gifts or federal grants. All investment earnings of the fund shall be credited to the fund. The director of agriculture shall use money in the fund to administer and enforce this chapter and rules adopted under it. 146
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Sec. 928.99. (A) Whoever recklessly violates section 928.04 of the Revised Code is guilty of the following: 155
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(1) For a first offense, a minor misdemeanor; 157

(2) For each subsequent offense, a misdemeanor of the 158
fourth degree. 159

The court shall order an offender who is convicted of or 160
pleads guilty to a third or subsequent offense ineligible to 161
receive a hemp cultivation license under this chapter. The court 162
shall provide written notice of that order to the director of 163
agriculture. On receipt of the notice, the director shall revoke 164
any hemp cultivation license the offender holds and shall refuse 165
to issue a hemp cultivation license to the offender beginning on 166
the date of the court order. 167

(B) The prosecuting attorney of the applicable county or 168
the attorney general may prosecute an action under this section. 169

Sec. 3719.01. As used in this chapter: 170

(A) "Administer" means the direct application of a drug, 171
whether by injection, inhalation, ingestion, or any other means 172
to a person or an animal. 173

(B) "Drug enforcement administration" means the drug 174
enforcement administration of the United States department of 175
justice or its successor agency. 176

(C) "Controlled substance" means a drug, compound, 177
mixture, preparation, or substance included in schedule I, II, 178
III, IV, or V. 179

(D) "Dangerous drug" has the same meaning as in section 180
4729.01 of the Revised Code. 181

(E) "Dispense" means to sell, leave with, give away, 182
dispose of, or deliver. 183

(F) "Distribute" means to deal in, ship, transport, or 184
deliver but does not include administering or dispensing a drug. 185

(G) "Drug" has the same meaning as in section 4729.01 of the Revised Code.	186 187
(H) "Drug abuse offense," "felony drug abuse offense," "cocaine," and "hashish" have the same meanings as in section 2925.01 of the Revised Code.	188 189 190
(I) "Federal drug abuse control laws" means the "Comprehensive Drug Abuse Prevention and Control Act of 1970," 84 Stat. 1242, 21 U.S.C. 801, as amended.	191 192 193
(J) "Hospital" means an institution for the care and treatment of the sick and injured that is certified by the department of health and approved by the state board of pharmacy as proper to be entrusted with the custody of controlled substances and the professional use of controlled substances.	194 195 196 197 198
(K) "Hypodermic" means a hypodermic syringe or needle, or other instrument or device for the injection of medication.	199 200
(L) "Isomer," except as otherwise expressly stated, means the optical isomer.	201 202
(M) "Laboratory" means a laboratory approved by the state board of pharmacy as proper to be entrusted with the custody of controlled substances and the use of controlled substances for scientific and clinical purposes and for purposes of instruction.	203 204 205 206 207
(N) "Manufacturer" means a person who manufactures a controlled substance, as "manufacture" is defined in section 3715.01 of the Revised Code.	208 209 210
(O) "Marihuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type;	211 212 213

and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marihuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Marihuana" does not include hemp or a hemp product.

(P) "Narcotic drugs" means coca leaves, opium, isonipecaine, amidone, isoamidone, ketobemidone, as defined in this division, and every substance not chemically distinguished from them and every drug, other than cannabis, that may be included in the meaning of "narcotic drug" under the federal drug abuse control laws. As used in this division:

(1) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves, that does not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(2) "Isonipecaine" means any substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, or any salt thereof, by whatever trade name designated.

(3) "Amidone" means any substance identified chemically as 4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, by whatever trade name designated.

(4) "Isoamidone" means any substance identified chemically

as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt	243
thereof, by whatever trade name designated.	244
(5) "Ketobemidone" means any substance identified	245
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl	246
ketone hydrochloride, or any salt thereof, by whatever trade	247
name designated.	248
(Q) "Official written order" means an order written on a	249
form provided for that purpose by the director of the United	250
States drug enforcement administration, under any laws of the	251
United States making provision for the order, if the order forms	252
are authorized and required by federal law.	253
(R) "Opiate" means any substance having an addiction-	254
forming or addiction-sustaining liability similar to morphine or	255
being capable of conversion into a drug having addiction-forming	256
or addiction-sustaining liability. "Opiate" does not include,	257
unless specifically designated as controlled under section	258
3719.41 of the Revised Code, the dextrorotatory isomer of 3-	259
methoxy-N-methylmorphinan and its salts (dextro-methorphan).	260
"Opiate" does include its racemic and levoratory forms.	261
(S) "Opium poppy" means the plant of the species papaver	262
somniferum L., except its seeds.	263
(T) "Person" means any individual, corporation,	264
government, governmental subdivision or agency, business trust,	265
estate, trust, partnership, association, or other legal entity.	266
(U) "Pharmacist" means a person licensed under Chapter	267
4729. of the Revised Code to engage in the practice of pharmacy.	268
(V) "Pharmacy" has the same meaning as in section 4729.01	269
of the Revised Code.	270

(W) "Poison" means any drug, chemical, or preparation	271
likely to be deleterious or destructive to adult human life in	272
quantities of four grams or less.	273
(X) "Poppy straw" means all parts, except the seeds, of	274
the opium poppy, after mowing.	275
(Y) "Licensed health professional authorized to prescribe	276
drugs," "prescriber," and "prescription" have the same meanings	277
as in section 4729.01 of the Revised Code.	278
(Z) "Registry number" means the number assigned to each	279
person registered under the federal drug abuse control laws.	280
(AA) "Sale" includes delivery, barter, exchange, transfer,	281
or gift, or offer thereof, and each transaction of those natures	282
made by any person, whether as principal, proprietor, agent,	283
servant, or employee.	284
(BB) "Schedule I," "schedule II," "schedule III,"	285
"schedule IV," and "schedule V" mean controlled substance	286
schedules I, II, III, IV, and V, respectively, established	287
pursuant to section 3719.41 of the Revised Code, as amended	288
pursuant to section 3719.43 or 3719.44 of the Revised Code.	289
(CC) "Wholesaler" means a person who, on official written	290
orders other than prescriptions, supplies controlled substances	291
that the person has not manufactured, produced, or prepared	292
personally and includes a "wholesale distributor of dangerous	293
drugs" as defined in section 4729.01 of the Revised Code.	294
(DD) "Animal shelter" means a facility operated by a	295
humane society or any society organized under Chapter 1717. of	296
the Revised Code or a dog pound operated pursuant to Chapter	297
955. of the Revised Code.	298

(EE) "Terminal distributor of dangerous drugs" has the same meaning as in section 4729.01 of the Revised Code.	299 300
(FF) "Category III license" means a license issued to a terminal distributor of dangerous drugs as set forth in section 4729.54 of the Revised Code.	301 302 303
(GG) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.	304 305
(HH) (1) "Controlled substance analog" means, except as provided in division (HH) (2) of this section, a substance to which both of the following apply:	306 307 308
(a) The chemical structure of the substance is substantially similar to the structure of a controlled substance in schedule I or II.	309 310 311
(b) One of the following applies regarding the substance:	312
(i) The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.	313 314 315 316 317
(ii) With respect to a particular person, that person represents or intends the substance to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.	318 319 320 321 322 323
(2) "Controlled substance analog" does not include any of the following:	324 325
(a) A controlled substance;	326

(b) Any substance for which there is an approved new drug application;	327 328
(c) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption;	329 330 331 332
(d) Any substance to the extent it is not intended for human consumption before the exemption described in division (HH) (2) (b) of this section takes effect with respect to that substance.	333 334 335 336
(II) "Benzodiazepine" means a controlled substance that has United States food and drug administration approved labeling indicating that it is a benzodiazepine, benzodiazepine derivative, triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam.	337 338 339 340 341 342 343 344 345
(JJ) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including acetaminophen, aspirin, and other combination products), oxymorphone, tapentadol, and tramadol.	346 347 348 349 350 351 352 353 354 355

(KK) "Emergency facility" means a hospital emergency department or any other facility that provides emergency care. (356-357)

(LL) "Hemp" and "hemp product" have the same meanings as in section 928.01 of the Revised Code. (358-359)

Sec. 3719.41. Controlled substance schedules I, II, III, IV, and V are hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code. (360-363)

SCHEDULE I (364)

(A) Narcotics-opiates (365)

Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation: (366-370)

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); (371-372)

(2) Acetylmethadol; (373)

(3) Allylprodine; (374)

(4) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM); (375-377)

(5) Alphameprodine; (378)

(6) Alphamethadol; (379)

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine); (380-382)

(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	383 384
(9) Benzethidine;	385
(10) Betacetylmethadol;	386
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl)-N- phenylpropanamide);	387 388
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	389 390 391
(13) Betameprodine;	392
(14) Betamethadol;	393
(15) Betaprodine;	394
(16) Clonitazene;	395
(17) Dextromoramide;	396
(18) Diampromide;	397
(19) Diethylthiambutene;	398
(20) Difenoxyin;	399
(21) Dimenoxadol;	400
(22) Dimepheptanol;	401
(23) Dimethylthiambutene;	402
(24) Dioxaphetyl butyrate;	403
(25) Dipipanone;	404
(26) Ethylmethylthiambutene;	405
(27) Etonitazene;	406

(28) Etoxeridine;	407
(29) Furethidine;	408
(30) Hydroxypethidine;	409
(31) Ketobemidone;	410
(32) Levomoramide;	411
(33) Levophenacylmorphane;	412
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);	413 414
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	415 416
(36) Morpheridine;	417
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	418
(38) Noracymethadol;	419
(39) Norlevorphanol;	420
(40) Normethadone;	421
(41) Norpipanone;	422
(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);	423 424
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);	425
(44) Phenadoxone;	426
(45) Phenampromide;	427
(46) Phenomorphan;	428
(47) Phenoperidine;	429

(48) Piritramide;	430
(49) Proheptazine;	431
(50) Properidine;	432
(51) Propiram;	433
(52) Racemoramide;	434
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4- piperidinyl]-propanamide;	435 436
(54) Tilidine;	437
(55) Trimeperidine.	438
(56) Except as otherwise provided in this section, any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory:	439 440 441 442
(a) A chemical scaffold consisting of both of the following:	443 444
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	445 446
(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen;	447 448 449
(b) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide, or ester;	450 451 452
(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and	453 454
(d) The compound has not been approved for medical use by	455

the United States food and drug administration.	456
(B) Narcotics-opium derivatives	457
Any of the following opium derivatives, including their	458
salts, isomers, and salts of isomers, unless specifically	459
excepted under federal drug abuse control laws, whenever the	460
existence of these salts, isomers, and salts of isomers is	461
possible within the specific chemical designation:	462
(1) Acetorphine;	463
(2) Acetyldihydrocodeine;	464
(3) Benzylmorphine;	465
(4) Codeine methylbromide;	466
(5) Codeine-n-oxide;	467
(6) Cyprenorphine;	468
(7) Desomorphine;	469
(8) Dihydromorphine;	470
(9) Drotebanol;	471
(10) Etorphine (except hydrochloride salt);	472
(11) Heroin;	473
(12) Hydromorphenol;	474
(13) Methyldesorphine;	475
(14) Methyldihydromorphine;	476
(15) Morphine methylbromide;	477
(16) Morphine methylsulfonate;	478
(17) Morphine-n-oxide;	479

(18) Myrophine;	480
(19) Nicocodeine;	481
(20) Nicomorphine;	482
(21) Normorphine;	483
(22) Pholcodine;	484
(23) Thebacon.	485
(C) Hallucinogens	486
Any material, compound, mixture, or preparation that	487
contains any quantity of the following hallucinogenic	488
substances, including their salts, isomers, and salts of	489
isomers, unless specifically excepted under federal drug abuse	490
control laws, whenever the existence of these salts, isomers,	491
and salts of isomers is possible within the specific chemical	492
designation. For the purposes of this division only, "isomer"	493
includes the optical isomers, position isomers, and geometric	494
isomers.	495
(1) Alpha-ethyltryptamine (some trade or other names:	496
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-	497
aminobutyl) indole; alpha-ET; and AET);	498
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other	499
names: 4-bromo-2,5-dimethoxy-alpha-methyphenethylamine; 4-bromo-	500
2,5-DMA);	501
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or	502
other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;	503
alpha-desmethyl DOB; 2C-B, Nexus);	504
(4) 2,5-dimethoxyamphetamine (some trade or other names:	505
2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	506

(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	507 508
(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	509 510 511
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	512
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	513 514 515
(9) 3,4-methylenedioxy amphetamine (MDA);	516
(10) 3,4-methylenedioxymethamphetamine (MDMA);	517
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	518 519 520
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	521 522 523
(13) 3,4,5-trimethoxy amphetamine;	524
(14) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);	525 526 527 528
(15) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);	529 530
(16) Dimethyltryptamine (some trade or other names: DMT);	531
(17) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano- 5H-	532 533

pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	534
(18) Lysergic acid diethylamide;	535
(19) Marihuana;	536
(20) Mescaline;	537
(21) Parahexyl (some trade or other names: 3-hexyl-1-	538
hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-	539
dibenzo[b,d]pyran; synhexyl);	540
(22) Peyote (meaning all parts of the plant presently	541
classified botanically as "Lophophora williamsii Lemaire,"	542
whether growing or not, the seeds of that plant, any extract	543
from any part of that plant, and every compound, manufacture,	544
salts, derivative, mixture, or preparation of that plant, its	545
seeds, or its extracts);	546
(23) N-ethyl-3-piperidyl benzilate;	547
(24) N-methyl-3-piperidyl benzilate;	548
(25) Psilocybin;	549
(26) Psilocyn;	550
(27) Tetrahydrocannabinols (synthetic equivalents of the	551
substances contained in the plant, or in the resinous	552
extractives of Cannabis, sp. and/or synthetic substances,	553
derivatives, and their isomers with similar chemical structure	554
and pharmacological activity such as the following: delta-1-cis	555
or trans tetrahydrocannabinol, and their optical isomers; delta-	556
6-cis or trans tetrahydrocannabinol, and their optical isomers;	557
delta-3,4-cis or trans tetrahydrocannabinol, and its optical	558
isomers. (Since nomenclature of these substances is not	559
internationally standardized, compounds of these structures,	560

regardless of numerical designation of atomic positions, are covered.)), <u>excluding tetrahydrocannabinols found in hemp;</u>	561 562
(28) Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);	563 564 565 566
(29) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	567 568
(30) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);	569 570 571
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	572
(32) Hashish;	573
(33) Salvia divinorum;	574
(34) Salvinorin A;	575
(35) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);	576 577
(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001);	578
(37) N-adamantyl-1-pentylindole-3-carboxamide;	579
(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48);	580
(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);	581 582
(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);	583
(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);	584 585

(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	586 587
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	588 589
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3-tetramethylcyclopropyl) methanone (A-796,260);	590 591
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1-adamantoyl)indole (AM1248);	592 593
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	594
(47) 5-(2-aminopropyl)benzofuran (5-APB);	595
(48) 6-(2-aminopropyl)benzofuran (6-APB);	596
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	597
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	598
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	599
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	600
(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	601
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	602
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	603
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);	604 605
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	606 607
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	608
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	609

(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);	610 611
(61) 4-methoxymethamphetamine (PMMA);	612
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	613
(63) 5-iodo-2-aminoindane (5-IAI);	614
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);	615 616
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	617 618
(66) Desoxypipradrol (2-benzhydrylpiperidine);	619
(67) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical groups:	620 621 622 623 624 625 626 627
(a) Naphthoylindoles: any compound containing a 3-(1-naphthoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent.	628 629 630 631 632 633 634 635 636
Naphthoylindoles include, but are not limited to, 1-[2-(4-	637

morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1-naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole (JWH-073).

(b) Naphthylmethyloindoles: any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthylmethyloindoles include, but are not limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175).

(c) Naphthoylpyrroles: any compound containing a 3-(1-naphthoyl)pyrrole structure with or without substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the pyrrole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthoylpyrroles include, but are not limited to, 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147).

(d) Naphthylmethyloindenes: any compound containing a naphthylmethyloindene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-

2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 668
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 669
or 2-(4-morpholinyl)ethyl group, whether or not further 670
substituted on the indene group to any extent or whether or not 671
substituted on the naphthyl group to any extent. 672
Naphthylmethylindenes include, but are not limited to, (1-[(3- 673
pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 674

(e) Phenylacetylindoles: any compound containing a 3- 675
phenylacetylindole structure with or without substitution at the 676
nitrogen atom of the indole ring by an alkyl, haloalkyl, 677
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 678
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 679
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 680
or 2-(4-morpholinyl)ethyl group, whether or not further 681
substituted on the indole ring to any extent or whether or not 682
substituted on the phenyl group to any extent. 683
Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 684
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 685
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 686
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 687

(f) Cyclohexylphenols: any compound containing a 2-(3- 688
hydroxycyclohexyl)phenol structure with or without substitution 689
at the 5-position of the phenolic ring by an alkyl, haloalkyl, 690
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 691
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 692
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 693
or 2-(4-morpholinyl)ethyl group, whether or not further 694
substituted on the cyclohexyl group to any extent. 695
Cyclohexylphenols include, but are not limited to, 5-(1,1- 696
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some 697
trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2- 698

[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue).	699 700
(g) Benzoylindoles: any compound containing a 3-(1- benzoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the phenyl group to any extent. Benzoylindoles include, but are not limited to, 1-pentyl-3-(4- methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2- methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098).	701 702 703 704 705 706 707 708 709 710 711 712
(D) Depressants	713
Any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	714 715 716 717 718 719 720
(1) Mecloqualone;	721
(2) Methaqualone.	722
(E) Stimulants	723
Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their	724 725 726 727

salts, isomers, and salts of isomers:	728
(1) Aminorex (some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine);	729 730
(2) Fenethylamine;	731
(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);	732 733
(4) N-ethylamphetamine;	734
(5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine);	735 736
(6) N-methyl-1-(thiophen-2-yl) propan-2-amine (Methiopropamine);	737 738
(7) Substituted cathinones - any compound except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:	739 740 741 742 743 744
(a) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;	745 746 747 748
(b) By substitution at the 3-position with an acyclic alkyl substituent;	749 750
(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;	751 752
(d) By inclusion of the 2-amino nitrogen atom in a cyclic structure.	753 754

Examples of substituted cathinones include, but are not limited to, methylone (3,4-methylenedioxy-methcathinone), MDPV (3,4-methylenedioxy-pyrovalerone), mephedrone (4-methylmethcathinone), 4-methoxymethcathinone, 4-fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2-(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1-pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1-phenyl-1-propanone), and methcathinone (2-(methylamino)-propiophenone).

SCHEDULE II

(A) Narcotics-opium and opium derivatives

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextroproporphin, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

- (a) Raw opium;
- (b) Opium extracts;
- (c) Opium fluid extracts;
- (d) Powdered opium;

(e) Granulated opium;	783
(f) Tincture of opium;	784
(g) Codeine;	785
(h) Ethylmorphine;	786
(i) Etorphine hydrochloride;	787
(j) Hydrocodone;	788
(k) Hydromorphone;	789
(l) Metopon;	790
(m) Morphine;	791
(n) Oxycodone;	792
(o) Oxymorphone;	793
(p) Thebaine.	794
(2) Any salt, compound, derivative, or preparation thereof that is chemically equivalent to or identical with any of the substances referred to in division (A) (1) of this schedule, except that these substances shall not include the isoquinoline alkaloids of opium;	795 796 797 798 799
(3) Opium poppy and poppy straw;	800
(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves (including cocaine and ecgonine, their salts, isomers, and derivatives, and salts of those isomers and derivatives), and any salt, compound, derivative, or preparation thereof that is chemically equivalent to or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain	801 802 803 804 805 806 807 808

cocaine or ecgonine;	809
(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form that contains the phenanthrene alkaloids of the opium poppy).	810 811 812
(B) Narcotics-opiates	813
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, but excluding dextrophan and levopropoxyphene:	814 815 816 817 818 819 820
(1) Alfentanil;	821
(2) Alphaprodine;	822
(3) Anileridine;	823
(4) Bezitramide;	824
(5) Bulk dextropropoxyphene (non-dosage forms);	825
(6) Carfentanil;	826
(7) Dihydrocodeine;	827
(8) Diphenoxylate;	828
(9) Fentanyl;	829
(10) Isomethadone;	830
(11) Levo-alpha-acetylmethadol (some other names: levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);	831 832
(12) Levomethorphan;	833

(13) Levorphanol;	834
(14) Metazocine;	835
(15) Methadone;	836
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;	837 838
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	839 840
(18) Pethidine (meperidine);	841
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;	842 843
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;	844 845
(21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;	846 847
(22) Phenazocine;	848
(23) Piminodine;	849
(24) Racemethorphan;	850
(25) Racemorphan;	851
(26) Remifentanil;	852
(27) Sufentanil.	853
(C) Stimulants	854
Unless specifically excepted under federal drug abuse	855
control laws or unless listed in another schedule, any material,	856
compound, mixture, or preparation that contains any quantity of	857
the following substances having a stimulant effect on the	858

central nervous system:	859
(1) Amphetamine, its salts, its optical isomers, and salts of its optical isomers;	860 861
(2) Methamphetamine, its salts, its isomers, and salts of its isomers;	862 863
(3) Methylphenidate;	864
(4) Phenmetrazine and its salts;	865
(5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.	866 867
(D) Depressants	868
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	869 870 871 872 873 874 875 876
(1) Amobarbital;	877
(2) Gamma-hydroxy-butyrate;	878
(3) Glutethimide;	879
(4) Pentobarbital;	880
(5) Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)piperidine; PCP);	881 882
(6) Secobarbital;	883
(7) 1-aminophenylcyclohexane and all N-mono-substituted	884

and/or all N-N-disubstituted analogs including, but not limited	885
to, the following:	886
(a) 1-phenylcyclohexylamine;	887
(b) (1-phenylcyclohexyl) methylamine;	888
(c) (1-phenylcyclohexyl) dimethylamine;	889
(d) (1-phenylcyclohexyl) methylethylamine;	890
(e) (1-phenylcyclohexyl) isopropylamine;	891
(f) 1-(1-phenylcyclohexyl) morpholine.	892
(E) Hallucinogenic substances	893
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-	894
dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1- hydroxy-6,6-	895
dimethyl-9H-dibenzo[b,d]pyran-9-one).	896
(F) Immediate precursors	897
Unless specifically excepted under federal drug abuse	898
control laws or unless listed in another schedule, any material,	899
compound, mixture, or preparation that contains any quantity of	900
the following substances:	901
(1) Immediate precursor to amphetamine and	902
methamphetamine:	903
(a) Phenylacetone (some trade or other names: phenyl-2-	904
propanone; P2P; benzyl methyl ketone; methyl benzyl ketone);	905
(2) Immediate precursors to phencyclidine (PCP):	906
(a) 1-phenylcyclohexylamine;	907
(b) 1-piperidinocyclohexanecarbonitrile (PCC).	908
SCHEDULE III	909

(A) Stimulants	910
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	911 912 913 914 915 916 917 918 919
(1) All stimulant compounds, mixtures, and preparations included in schedule III pursuant to the federal drug abuse control laws and regulations adopted under those laws;	920 921 922
(2) Benzphetamine;	923
(3) Chlorphentermine;	924
(4) Clortermine;	925
(5) Phendimetrazine.	926
(B) Depressants	927
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system:	928 929 930 931 932
(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs, and one or more other active medicinal ingredients that are not listed in any schedule;	933 934 935 936

(2) Any suppository dosage form containing amobarbital,	937
secobarbital, pentobarbital, or any salt of any of these drugs	938
and approved by the food and drug administration for marketing	939
only as a suppository;	940
(3) Any substance that contains any quantity of a	941
derivative of barbituric acid or any salt of a derivative of	942
barbituric acid;	943
(4) Chlorhexadol;	944
(5) Ketamine, its salts, isomers, and salts of isomers	945
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	946
(methylamino)-cyclohexanone);	947
(6) Lysergic acid;	948
(7) Lysergic acid amide;	949
(8) Methyprylon;	950
(9) Sulfondiethylmethane;	951
(10) Sulfonethylmethane;	952
(11) Sulfonmethane;	953
(12) Tiletamine, zolazepam, or any salt of tiletamine or	954
zolazepam (some trade or other names for a tiletamine-zolazepam	955
combination product: Telazol); (some trade or other names for	956
tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some	957
trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-	958
dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-	959
one; flupyrazapon).	960
(C) Narcotic antidotes	961
(1) Nalorphine.	962

(D) Narcotics-narcotic preparations	963
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	964 965 966 967 968 969
(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	970 971 972
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	973 974 975 976
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;	977 978 979 980
(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	981 982 983 984
(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	985 986 987 988
(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized	989 990 991

therapeutic amounts;	992
(7) Not more than 500 milligrams of opium per 100	993
milliliters or per 100 grams or not more than 25 milligrams per	994
dosage unit, with one or more active, nonnarcotic ingredients in	995
recognized therapeutic amounts;	996
(8) Not more than 50 milligrams of morphine per 100	997
milliliters or per 100 grams, with one or more active,	998
nonnarcotic ingredients in recognized therapeutic amounts.	999
(E) Anabolic steroids	1000
Unless specifically excepted under federal drug abuse	1001
control laws or unless listed in another schedule, any material,	1002
compound, mixture, or preparation that contains any quantity of	1003
the following substances, including their salts, esters,	1004
isomers, and salts of esters and isomers, whenever the existence	1005
of these salts, esters, and isomers is possible within the	1006
specific chemical designation:	1007
(1) Anabolic steroids. Except as otherwise provided in	1008
division (E)(1) of schedule III, "anabolic steroids" means any	1009
drug or hormonal substance that is chemically and	1010
pharmacologically related to testosterone (other than estrogens,	1011
progestins, and corticosteroids) and that promotes muscle	1012
growth. "Anabolic steroids" does not include an anabolic steroid	1013
that is expressly intended for administration through implants	1014
to cattle or other nonhuman species and that has been approved	1015
by the United States secretary of health and human services for	1016
that administration, unless a person prescribes, dispenses, or	1017
distributes this type of anabolic steroid for human use.	1018
"Anabolic steroid" includes, but is not limited to, the	1019
following:	1020

(a) Boldenone;	1021
(b) Chlorotestosterone (4-chlortestosterone);	1022
(c) Clostebol;	1023
(d) Dehydrochlormethyltestosterone;	1024
(e) Dihydrotestosterone (4-dihydrotestosterone);	1025
(f) Drostanolone;	1026
(g) Ethylestrenol;	1027
(h) Fluoxymesterone;	1028
(i) Formebolone (formebolone);	1029
(j) Mesterolone;	1030
(k) Methandienone;	1031
(l) Methandranone;	1032
(m) Methandriol;	1033
(n) Methandrostenolone;	1034
(o) Methenolone;	1035
(p) Methyltestosterone;	1036
(q) Mibolerone;	1037
(r) Nandrolone;	1038
(s) Norethandrolone;	1039
(t) Oxandrolone;	1040
(u) Oxymesterone;	1041
(v) Oxymetholone;	1042

(w) Stanolone;	1043
(x) Stanozolol;	1044
(y) Testolactone;	1045
(z) Testosterone;	1046
(aa) Trenbolone;	1047
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E) (1) of schedule III if the salt, ester, or isomer promotes muscle growth.	1048 1049 1050 1051
(F) Hallucinogenic substances	1052
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl- 3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- tetrahydrocannabinol).	1053 1054 1055 1056 1057 1058
SCHEDULE IV	1059
(A) Narcotic drugs	1060
Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1061 1062 1063 1064 1065 1066
(1) Not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;	1067 1068
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-	1069

diphenyl-3-methyl-2- propionoxybutane) [final dosage forms].	1070
(B) Depressants	1071
Unless specifically excepted under federal drug abuse	1072
control laws or unless listed in another schedule, any material,	1073
compound, mixture, or preparation that contains any quantity of	1074
the following substances, including their salts, isomers, and	1075
salts of isomers, whenever the existence of these salts,	1076
isomers, and salts of isomers is possible within the specific	1077
chemical designation:	1078
(1) Alprazolam;	1079
(2) Barbital;	1080
(3) Bromazepam;	1081
(4) Camazepam;	1082
(5) Chloral betaine;	1083
(6) Chloral hydrate;	1084
(7) Chlordiazepoxide;	1085
(8) Clobazam;	1086
(9) Clonazepam;	1087
(10) Clorazepate;	1088
(11) Clotiazepam;	1089
(12) Cloxazolam;	1090
(13) Delorazepam;	1091
(14) Diazepam;	1092
(15) Estazolam;	1093

(16) Ethchlorvynol;	1094
(17) Ethinamate;	1095
(18) Ethyl loflazepate;	1096
(19) Fludiazepam;	1097
(20) Flunitrazepam;	1098
(21) Flurazepam;	1099
(22) Halazepam;	1100
(23) Haloxazolam;	1101
(24) Ketazolam;	1102
(25) Loprazolam;	1103
(26) Lorazepam;	1104
(27) Lormetazepam;	1105
(28) Mebutamate;	1106
(29) Medazepam;	1107
(30) Meprobamate;	1108
(31) Methohexital;	1109
(32) Methylphenobarbital (mephobarbital);	1110
(33) Midazolam;	1111
(34) Nimetazepam;	1112
(35) Nitrazepam;	1113
(36) Nordiazepam;	1114
(37) Oxazepam;	1115

(38) Oxazolam;	1116
(39) Paraldehyde;	1117
(40) Petrichloral;	1118
(41) Phenobarbital;	1119
(42) Pinazepam;	1120
(43) Prazepam;	1121
(44) Quazepam;	1122
(45) Temazepam;	1123
(46) Tetrazepam;	1124
(47) Triazolam;	1125
(48) Zaleplon;	1126
(49) Zolpidem.	1127
(C) Fenfluramine	1128
Any material, compound, mixture, or preparation that	1129
contains any quantity of the following substances, including	1130
their salts, their optical isomers, position isomers, or	1131
geometric isomers, and salts of these isomers, whenever the	1132
existence of these salts, isomers, and salts of isomers is	1133
possible within the specific chemical designation:	1134
(1) Fenfluramine.	1135
(D) Stimulants	1136
Unless specifically excepted under federal drug abuse	1137
control laws or unless listed in another schedule, any material,	1138
compound, mixture, or preparation that contains any quantity of	1139
the following substances having a stimulant effect on the	1140

central nervous system, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Cathine ((+)-norpseudoephedrine);
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- (6) Mefenorex;
- (7) Modafinil;
- (8) Pemoline (including organometallic complexes and chelates thereof);
- (9) Phentermine;
- (10) Pipradrol;
- (11) Sibutramine;
- (12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].
- (E) Other substances

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts:

- (1) Pentazocine;
- (2) Butorphanol (including its optical isomers).

SCHEDULE V	1166
(A) Narcotic drugs	1167
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, and their salts, as set forth below:	1168 1169 1170 1171
(1) Buprenorphine.	1172
(B) Narcotics-narcotic preparations	1173
Narcotic drugs containing non-narcotic active medicinal ingredients. Any compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, and that includes one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:	1174 1175 1176 1177 1178 1179 1180 1181
(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;	1182 1183
(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;	1184 1185
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;	1186 1187
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;	1188 1189
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;	1190 1191
(6) Not more than 0.5 milligram of difenoxin and not less	1192

than 25 micrograms of atropine sulfate per dosage unit.	1193
(C) Stimulants	1194
Unless specifically exempted or excluded under federal	1195
drug abuse control laws or unless listed in another schedule,	1196
any material, compound, mixture, or preparation that contains	1197
any quantity of the following substances having a stimulant	1198
effect on the central nervous system, including their salts,	1199
isomers, and salts of isomers:	1200
(1) Ephedrine, except as provided in division (K) of	1201
section 3719.44 of the Revised Code;	1202
(2) Pyrovalerone.	1203
(D) Approved cannabidiol drugs	1204
Unless specifically exempted or excluded under federal	1205
drug abuse control laws or unless listed in another schedule,	1206
any drug product in finished dosage formulation that has been	1207
approved by the United States food and drug administration that	1208
contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-	1209
cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis	1210
and not more than 0.1 per cent (w/w) residual	1211
tetrahydrocannabinols.	1212
Section 2. That the existing sections 3719.01 and 3719.41	1213
of the Revised Code are hereby repealed.	1214
Section 3. That the versions of sections 3719.01 and	1215
3719.41 of the Revised Code that are scheduled to take effect on	1216
March 22, 2020, be amended to read as follows:	1217
Sec. 3719.01. As used in this chapter:	1218
(A) "Administer" means the direct application of a drug,	1219

whether by injection, inhalation, ingestion, or any other means 1220
to a person or an animal. 1221

(B) "Drug enforcement administration" means the drug 1222
enforcement administration of the United States department of 1223
justice or its successor agency. 1224

(C) "Controlled substance" means a drug, compound, 1225
mixture, preparation, or substance included in schedule I, II, 1226
III, IV, or V. 1227

(D) "Dangerous drug" has the same meaning as in section 1228
4729.01 of the Revised Code. 1229

(E) "Dispense" means to sell, leave with, give away, 1230
dispose of, or deliver. 1231

(F) "Distribute" means to deal in, ship, transport, or 1232
deliver but does not include administering or dispensing a drug. 1233

(G) "Drug" has the same meaning as in section 4729.01 of 1234
the Revised Code. 1235

(H) "Drug abuse offense" and "felony drug abuse offense" 1236
have the same meanings as in section 2925.01 of the Revised 1237
Code. 1238

(I) "Federal drug abuse control laws" means the 1239
"Comprehensive Drug Abuse Prevention and Control Act of 1970," 1240
84 Stat. 1242, 21 U.S.C. 801, as amended. 1241

(J) "Hospital" means a facility registered as a hospital 1242
with the department of health under section 3701.07 of the 1243
Revised Code. 1244

(K) "Hypodermic" means a hypodermic syringe or needle, or 1245
other instrument or device for the injection of medication. 1246

(L) "Manufacturer" means a person who manufactures a controlled substance, as "manufacture" is defined in section 3715.01 of the Revised Code, and includes a "manufacturer of dangerous drugs" as defined in section 4729.01 of the Revised Code.

(M) "Marihuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marihuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Marihuana" does not include hemp or a hemp product.

(N) "Narcotic drugs" means coca leaves, opium, isonipecaine, amidone, isoamidone, ketobemidone, as defined in this division, and every substance not chemically distinguished from them and every drug, other than cannabis, that may be included in the meaning of "narcotic drug" under the federal drug abuse control laws. As used in this division:

(1) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves, that does not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(2) "Isonipecaine" means any substance identified

chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 1277
ethyl ester, or any salt thereof, by whatever trade name 1278
designated. 1279

(3) "Amidone" means any substance identified chemically as 1280
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 1281
by whatever trade name designated. 1282

(4) "Isoamidone" means any substance identified chemically 1283
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 1284
thereof, by whatever trade name designated. 1285

(5) "Ketobemidone" means any substance identified 1286
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 1287
ketone hydrochloride, or any salt thereof, by whatever trade 1288
name designated. 1289

(6) "Cocaine" has the same meaning as in section 2925.01 1290
of the Revised Code. 1291

(O) "Official written order" means an order written on a 1292
form provided for that purpose by the director of the United 1293
States drug enforcement administration, under any laws of the 1294
United States making provision for the order, if the order forms 1295
are authorized and required by federal law. 1296

(P) "Person" means any individual, corporation, 1297
government, governmental subdivision or agency, business trust, 1298
estate, trust, partnership, association, or other legal entity. 1299

(Q) "Pharmacist" means a person licensed under Chapter 1300
4729. of the Revised Code to engage in the practice of pharmacy. 1301

(R) "Pharmacy" has the same meaning as in section 4729.01 1302
of the Revised Code. 1303

(S) "Poison" means any drug, chemical, or preparation 1304

likely to be deleterious or destructive to adult human life in 1305
quantities of four grams or less. 1306

(T) "Licensed health professional authorized to prescribe 1307
drugs," "prescriber," and "prescription" have the same meanings 1308
as in section 4729.01 of the Revised Code. 1309

(U) "Sale" includes delivery, barter, exchange, transfer, 1310
or gift, or offer thereof, and each transaction of those natures 1311
made by any person, whether as principal, proprietor, agent, 1312
servant, or employee. 1313

(V) "Schedule I," "schedule II," "schedule III," "schedule 1314
IV," and "schedule V" mean controlled substance schedules I, II, 1315
III, IV, and V, respectively, as established by rule adopted 1316
under section 3719.41 of the Revised Code, as amended pursuant 1317
to section 3719.43 or 3719.44 of the Revised Code, or as 1318
established by emergency rule adopted under section 3719.45 of 1319
the Revised Code. 1320

(W) "Wholesaler" means a person who, on official written 1321
orders other than prescriptions, supplies controlled substances 1322
that the person has not manufactured, produced, or prepared 1323
personally and includes a "wholesale distributor of dangerous 1324
drugs" as defined in section 4729.01 of the Revised Code. 1325

(X) "Animal shelter" means a facility operated by a humane 1326
society or any society organized under Chapter 1717. of the 1327
Revised Code or a dog pound operated pursuant to Chapter 955. of 1328
the Revised Code. 1329

(Y) "Terminal distributor of dangerous drugs" has the same 1330
meaning as in section 4729.01 of the Revised Code. 1331

(Z) (1) "Controlled substance analog" means, except as 1332
provided in division (Z) (2) of this section, a substance to 1333

which both of the following apply: 1334

(a) The chemical structure of the substance is 1335
substantially similar to the structure of a controlled substance 1336
in schedule I or II. 1337

(b) One of the following applies regarding the substance: 1338

(i) The substance has a stimulant, depressant, or 1339
hallucinogenic effect on the central nervous system that is 1340
substantially similar to or greater than the stimulant, 1341
depressant, or hallucinogenic effect on the central nervous 1342
system of a controlled substance in schedule I or II. 1343

(ii) With respect to a particular person, that person 1344
represents or intends the substance to have a stimulant, 1345
depressant, or hallucinogenic effect on the central nervous 1346
system that is substantially similar to or greater than the 1347
stimulant, depressant, or hallucinogenic effect on the central 1348
nervous system of a controlled substance in schedule I or II. 1349

(2) "Controlled substance analog" does not include any of 1350
the following: 1351

(a) A controlled substance; 1352

(b) Any substance for which there is an approved new drug 1353
application; 1354

(c) With respect to a particular person, any substance if 1355
an exemption is in effect for investigational use for that 1356
person pursuant to federal law to the extent that conduct with 1357
respect to that substance is pursuant to that exemption; 1358

(d) Any substance to the extent it is not intended for 1359
human consumption before the exemption described in division (Z) 1360
(2) (b) of this section takes effect with respect to that 1361

substance. 1362

(AA) "Benzodiazepine" means a controlled substance that 1363
has United States food and drug administration approved labeling 1364
indicating that it is a benzodiazepine, benzodiazepine 1365
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 1366
derivative, including the following drugs and their varying salt 1367
forms or chemical congeners: alprazolam, chlordiazepoxide 1368
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 1369
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 1370
oxazepam, quazepam, temazepam, and triazolam. 1371

(BB) "Opioid analgesic" means a controlled substance that 1372
has analgesic pharmacologic activity at the opioid receptors of 1373
the central nervous system, including the following drugs and 1374
their varying salt forms or chemical congeners: buprenorphine, 1375
butorphanol, codeine (including acetaminophen and other 1376
combination products), dihydrocodeine, fentanyl, hydrocodone 1377
(including acetaminophen combination products), hydromorphone, 1378
meperidine, methadone, morphine sulfate, oxycodone (including 1379
acetaminophen, aspirin, and other combination products), 1380
oxymorphone, tapentadol, and tramadol. 1381

(CC) "Outsourcing facility," "repackager of dangerous 1382
drugs," and "third-party logistics provider" have the same 1383
meanings as in section 4729.01 of the Revised Code. 1384

(DD) "Hemp" and "hemp product" have the same meanings as 1385
in section 928.01 of the Revised Code. 1386

Sec. 3719.41. (A) For purposes of administration, 1387
enforcement, and regulation of the manufacture, distribution, 1388
dispensing, and possession of controlled substances, the state 1389
board of pharmacy shall adopt rules in accordance with Chapter 1390

119. of the Revised Code establishing schedule I, schedule II, 1391
schedule III, schedule IV, and schedule V incorporating the five 1392
schedules of controlled substances under the federal drug abuse 1393
control laws. 1394

The board may include in the schedules any compound, 1395
mixture, preparation, or substance that was included in the 1396
schedules immediately prior to ~~the effective date of this~~ 1397
~~amendment~~ March 22, 2020, as long as the inclusion does not have 1398
the effect of providing less stringent control of the compound, 1399
mixture, preparation, or substance than is provided under the 1400
federal drug abuse control laws or regulations adopted under 1401
those laws. 1402

(B) Except as provided in section 3719.45 of the Revised 1403
Code, the board periodically shall update the schedules by rule 1404
adopted in accordance with Chapter 119. of the Revised Code to 1405
correspond to any change in the federal drug abuse control laws 1406
or regulations adopted under those laws, any addition, transfer, 1407
or removal by congress or the attorney general of the United 1408
States as described in section 3719.43 of the Revised Code, and 1409
any addition, transfer, or removal by the board by rule adopted 1410
under section 3719.44 of the Revised Code. 1411

(C) Notwithstanding divisions (A) and (B) of this section, 1412
the board shall not adopt rules including hemp or a hemp product 1413
in a schedule as a controlled substance. 1414

(D) As used in this section, "hemp" and "hemp product" 1415
have the same meanings as in section 928.01 of the Revised Code. 1416

Section 4. That the existing versions of sections 3719.01 1417
and 3719.41 of the Revised Code that are scheduled to take 1418
effect on March 22, 2020, are hereby repealed. 1419

Section 5. Not later than one hundred and eighty days	1420
after the effective date of this section, the Director of	1421
Agriculture, in consultation with the Governor and Attorney	1422
General, shall submit a plan for the regulation of hemp	1423
cultivation to the Secretary of the United States Department of	1424
Agriculture for approval in accordance with the Agriculture	1425
Improvement Act of 2018, Pub. L. No. 115-334.	1426