

1 **SENATE FLOOR VERSION**

2 February 20, 2017

3 SENATE BILL NO. 770

By: Standridge of the Senate

4 and

5 Kannady of the House

6
7
8 An Act relating to the Uniform Controlled Dangerous
9 Substances Act; amending 63 O.S. 2011, Section 2-204,
10 as last amended by Section 3, Chapter 305, O.S.L.
11 2015 (63 O.S. Supp. 2016, Section 2-204), 63 O.S.
12 2011, Section 2-206, as last amended by Section 3,
13 Chapter 154, O.S.L. 2014 (63 O.S. Supp. 2016, Section
14 2-206) and 63 O.S. 2011, Section 2-210, as last
15 amended by Section 5, Chapter 305, O.S.L. 2015 (63
16 O.S. Supp. 2016, Section 2-210), which relate to drug
17 schedules; expanding schedules to include certain
18 substances; excluding certain substances; and
19 providing an effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-204, as
22 last amended by Section 3, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
23 2016, Section 2-204), is amended to read as follows:

24 Section 2-204. The controlled substances listed in this section
are included in Schedule I.

A. Any of the following opiates, including their isomers,
esters, ethers, salts, and salts of isomers, esters, and ethers,
unless specifically excepted, when the existence of these isomers,

1 esters, ethers, and salts is possible within the specific chemical
2 designation:

- 3 1. Acetylmethadol;
- 4 2. Allylprodine;
- 5 3. Alphacetylmethadol;
- 6 4. Alphameprodine;
- 7 5. Alphamethadol;
- 8 6. Benzethidine;
- 9 7. Betacetylmethadol;
- 10 8. Betameprodine;
- 11 9. Betamethadol;
- 12 10. Betaprodine;
- 13 11. Clonitazene;
- 14 12. Dextromoramide;
- 15 13. Dextrorphan (except its methyl ether);
- 16 14. Diampromide;
- 17 15. Diethylthiambutene;
- 18 16. Dimenoxadol;
- 19 17. Dimepheptanol;
- 20 18. Dimethylthiambutene;
- 21 19. Dioxaphetyl butyrate;
- 22 20. Dipipanone;
- 23 21. Ethylmethylthiambutene;
- 24 22. Etonitazene;

- 1 23. Etoperidine;
- 2 24. Furethidine;
- 3 25. Hydroxypethidine;
- 4 26. Ketobemidone;
- 5 27. Levomoramide;
- 6 28. Levophenacymorphan;
- 7 29. Morpheridine;
- 8 30. Noracymethadol;
- 9 31. Norlevorphanol;
- 10 32. Normethadone;
- 11 33. Norpipanone;
- 12 34. Phenadoxone;
- 13 35. Phenampromide;
- 14 36. Phenomorphan;
- 15 37. Phenoperidine;
- 16 38. Piritramide;
- 17 39. Proheptazine;
- 18 40. Properidine;
- 19 41. Racemoramide; or
- 20 42. Trimeperidine.

21 B. Any of the following opium derivatives, their salts,
22 isomers, and salts of isomers, unless specifically excepted, when
23 the existence of these salts, isomers, and salts of isomers is
24 possible within the specific chemical designation:

- 1 1. Acetorphine;
- 2 2. Acetyldihydrocodeine;
- 3 3. Benzylmorphine;
- 4 4. Codeine methylbromide;
- 5 5. Codeine-N-Oxide;
- 6 6. Cyprenorphine;
- 7 7. Desomorphine;
- 8 8. Dihydromorphine;
- 9 9. Etorphine;
- 10 10. Heroin;
- 11 11. Hydromorphinol;
- 12 12. Methyldesorphine;
- 13 13. Methylhydromorphine;
- 14 14. Morphine methylbromide;
- 15 15. Morphine methylsulfonate;
- 16 16. Morphine-N-Oxide;
- 17 17. Myrophine;
- 18 18. Nicocodeine;
- 19 19. Nicomorphine;
- 20 20. Normorphine;
- 21 21. Phoclodine; or
- 22 22. Thebacon.
- 23 C. Any material, compound, mixture, or preparation which
- 24 contains any quantity of the following hallucinogenic substances,

1 their salts, isomers, and salts of isomers, unless specifically
2 excepted, when the existence of these salts, isomers, and salts of
3 isomers is possible within the specific chemical designation:

- 4 1. Methcathinone;
- 5 2. 3, 4-methylenedioxy amphetamine;
- 6 3. 3, 4-methylenedioxy methamphetamine;
- 7 4. 5-methoxy-3, 4-methylenedioxy amphetamine;
- 8 5. 3, 4, 5-trimethoxy amphetamine;
- 9 6. Bufotenine;
- 10 7. Diethyltryptamine;
- 11 8. Dimethyltryptamine;
- 12 9. 4-methyl-2, 5-dimethoxyamphetamine;
- 13 10. Ibogaine;
- 14 11. Lysergic acid diethylamide;
- 15 12. Marihuana;
- 16 13. Mescaline;
- 17 14. N-benzylpiperazine;
- 18 15. N-ethyl-3-piperidyl benzilate;
- 19 16. N-methyl-3-piperidyl benzilate;
- 20 17. Psilocybin;
- 21 18. Psilocyn;
- 22 19. 2, 5 dimethoxyamphetamine;
- 23 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 24 21. 4 methoxyamphetamine;

- 1 22. Cyclohexamine;
- 2 23. Salvia Divinorum;
- 3 24. Salvinorin A;
- 4 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-
- 5 thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine;
- 6 TPCP, TCP;
- 7 26. Phencyclidine (PCP);
- 8 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-
- 9 Phenylcyclohexyl) - Pyrrolidine, PCPy, PHP;
- 10 28. 1-(3-trifluoromethylphenyl) piperazine;
- 11 29. Flunitrazepam;
- 12 30. B-hydroxy-amphetamine;
- 13 31. B-ketoamphetamine;
- 14 32. 2,5-dimethoxy-4-nitroamphetamine;
- 15 33. 2,5-dimethoxy-4-bromophenethylamine;
- 16 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 17 35. 2,5-dimethoxy-4-iodoamphetamine;
- 18 36. 2,5-dimethoxy-4-iodophenethylamine;
- 19 37. 2,5-dimethoxy-4-methylphenethylamine;
- 20 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 21 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 22 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 23 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 24 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;

- 1 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 2 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 3 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 4 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 5 47. 5-methoxy-N, N-dimethyltryptamine;
- 6 48. N-methyltryptamine;
- 7 49. A-ethyltryptamine;
- 8 50. A-methyltryptamine;
- 9 51. N, N-diethyltryptamine;
- 10 52. N, N-diisopropyltryptamine;
- 11 53. N, N-dipropyltryptamine;
- 12 54. 5-methoxy-a-methyltryptamine;
- 13 55. 4-hydroxy-N, N-diethyltryptamine;
- 14 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 15 57. 5-methoxy-N, N-diisopropyltryptamine;
- 16 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 17 59. 3,4-Methylenedioxy-methcathinone (Mephedrone);
- 18 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 19 61. 4-Methylmethcathinone (Mephedrone);
- 20 62. 4-methoxymethcathinone;
- 21 63. 4-Fluoromethcathinone;
- 22 64. 3-Fluoromethcathinone;
- 23 65. 1-(8-bromobenzo 1,2-b;4,5-b' difuran-4-yl)-2-aminopropane;
- 24 66. 2,5-Dimethoxy-4-chloroamphetamine;

- 1 67. 4-Methylethcathinone;
- 2 68. Pyrovalerone;
- 3 69. N,N-diallyl-5-methoxytryptamine;
- 4 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 5 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone);
- 6 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone);
- 7 73. Alpha-Pyrrolidinopentiophenone;
- 8 74. 4-Fluoroamphetamine;
- 9 75. Pentredone;
- 10 76. 4'-Methyl-a-pyrrolidinohexaphenone;
- 11 77. 2,5-dimethoxy-4-(n)-propylphenethylamine;
- 12 78. 2,5-dimethoxyphenethylamine;
- 13 79. 1,4-Dibenzylpiperazine;
- 14 80. N,N-Dimethylamphetamine;
- 15 81. 4-Fluoromethamphetamine;
- 16 82. 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
17 (25C-NBOMe);
- 18 83. 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
19 (25I-NBOMe);
- 20 84. 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzy)phenethylamine
21 (25B-NBOMe);
- 22 85. 1-(4-Fluorophenyl)piperazine; ~~or~~
- 23 86. Methoxetamine; or
- 24

1 87. 3,4-dichloro-N[2-dimethylamino)cyclohexyl]-N-
2 methylbenzamide.

3 D. Unless specifically excepted or unless listed in a different
4 schedule, any material, compound, mixture, or preparation which
5 contains any quantity of the following substances having stimulant
6 or depressant effect on the central nervous system:

7 1. Fenethylline;

8 2. Mecloqualone;

9 3. N-ethylamphetamine;

10 4. Methaqualone;

11 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-
12 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium
13 oxybate, and sodium oxybutyrate;

14 6. Gamma-Butyrolactone (GBL) as packaged, marketed,
15 manufactured or promoted for human consumption, with the exception
16 of legitimate food additive and manufacturing purposes;

17 7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or
18 manufactured for human consumption, with the exception of legitimate
19 food additive and manufacturing purposes;

20 8. Gamma Valerolactone (GVL) as packaged, marketed, or
21 manufactured for human consumption, with the exception of legitimate
22 food additive and manufacturing purposes; or

1 9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed,
2 manufactured, or promoted for human consumption with the exception
3 of legitimate manufacturing purposes.

4 E. 1. The following industrial uses of Gamma-Butyrolactone,
5 Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are
6 excluded from all schedules of controlled substances under this
7 title:

- 8 a. pesticides,
- 9 b. photochemical etching,
- 10 c. electrolytes of small batteries or capacitors,
- 11 d. viscosity modifiers in polyurethane,
- 12 e. surface etching of metal coated plastics,
- 13 f. organic paint disbursements for water soluble inks,
- 14 g. pH regulators in the dyeing of wool and polyamide
15 fibers,
- 16 h. foundry chemistry as a catalyst during curing,
- 17 i. curing agents in many coating systems based on
18 urethanes and amides,
- 19 j. additives and flavoring agents in food, confectionary,
20 and beverage products,
- 21 k. synthetic fiber and clothing production,
- 22 l. tetrahydrofuran production,
- 23 m. gamma butyrolactone production,
- 24 n. polybutylene terephthalate resin production,

- 1 o. polyester raw materials for polyurethane elastomers
- 2 and foams,
- 3 p. coating resin raw material, and
- 4 q. as an intermediate in the manufacture of other
- 5 chemicals and pharmaceuticals.

6 2. At the request of any person, the Director may exempt any
7 other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate,
8 Gamma Valerolactone, or 1,4 Butanediol from being included as a
9 Schedule I controlled substance if such product is labeled,
10 marketed, manufactured and distributed for legitimate industrial use
11 in a manner that reduces or eliminates the likelihood of abuse.

12 3. In making a determination regarding an industrial product,
13 the Director, after notice and hearing, shall consider the
14 following:

- 15 a. the history and current pattern of abuse,
- 16 b. the name and labeling of the product,
- 17 c. the intended manner of distribution, advertising and
- 18 promotion of the product, and
- 19 d. other factors as may be relevant to and consistent
- 20 with the public health and safety.

21 4. The hearing shall be held in accordance with the procedures
22 of the Administrative Procedures Act.

23 F. Any material, compound, mixture, or preparation, whether
24 produced directly or indirectly from a substance of vegetable origin

1 or independently by means of chemical synthesis, or by a combination
2 of extraction and chemical synthesis, that contains any quantity of
3 the following substances, or that contains any of their salts,
4 isomers, and salts of isomers when the existence of these salts,
5 isomers, and salts of isomers is possible within the specific
6 chemical designation:

- 7 1. JWH-004;
- 8 2. JWH-007;
- 9 3. JWH-009;
- 10 4. JWH-015;
- 11 5. JWH-016;
- 12 6. JWH-018;
- 13 7. JWH-019;
- 14 8. JWH-020;
- 15 9. JWH-030;
- 16 10. JWH-046;
- 17 11. JWH-047;
- 18 12. JWH-048;
- 19 13. JWH-049;
- 20 14. JWH-050;
- 21 15. JWH-070;
- 22 16. JWH-071;
- 23 17. JWH-072;
- 24 18. JWH-073;

- 1 19. JWH-076;
- 2 20. JWH-079;
- 3 21. JWH-080;
- 4 22. JWH-081;
- 5 23. JWH-082;
- 6 24. JWH-094;
- 7 25. JWH-096;
- 8 26. JWH-098;
- 9 27. JWH-116;
- 10 28. JWH-120;
- 11 29. JWH-122;
- 12 30. JWH-145;
- 13 31. JWH-146;
- 14 32. JWH-147;
- 15 33. JWH-148;
- 16 34. JWH-149;
- 17 35. JWH-150;
- 18 36. JWH-156;
- 19 37. JWH-167;
- 20 38. JWH-175;
- 21 39. JWH-180;
- 22 40. JWH-181;
- 23 41. JWH-182;
- 24 42. JWH-184;

- 1 43. JWH-185;
- 2 44. JWH-189;
- 3 45. JWH-192;
- 4 46. JWH-193;
- 5 47. JWH-194;
- 6 48. JWH-195;
- 7 49. JWH-196;
- 8 50. JWH-197;
- 9 51. JWH-198;
- 10 52. JWH-199;
- 11 53. JWH-200;
- 12 54. JWH-201;
- 13 55. JWH-202;
- 14 56. JWH-203;
- 15 57. JWH-204;
- 16 58. JWH-205;
- 17 59. JWH-206;
- 18 60. JWH-207;
- 19 61. JWH-208;
- 20 62. JWH-209;
- 21 63. JWH-210;
- 22 64. JWH-211;
- 23 65. JWH-212;
- 24 66. JWH-213;

- 1 67. JWH-234;
- 2 68. JWH-235;
- 3 69. JWH-236;
- 4 70. JWH-237;
- 5 71. JWH-239;
- 6 72. JWH-240;
- 7 73. JWH-241;
- 8 74. JWH-242;
- 9 75. JWH-243;
- 10 76. JWH-244;
- 11 77. JWH-245;
- 12 78. JWH-246;
- 13 79. JWH-248;
- 14 80. JWH-249;
- 15 81. JWH-250;
- 16 82. JWH-251;
- 17 83. JWH-252;
- 18 84. JWH-253;
- 19 85. JWH-262;
- 20 86. JWH-292;
- 21 87. JWH-293;
- 22 88. JWH-302;
- 23 89. JWH-303;
- 24 90. JWH-304;

- 1 91. JWH-305;
- 2 92. JWH-306;
- 3 93. JWH-307;
- 4 94. JWH-308;
- 5 95. JWH-311;
- 6 96. JWH-312;
- 7 97. JWH-313;
- 8 98. JWH-314;
- 9 99. JWH-315;
- 10 100. JWH-316;
- 11 101. JWH-346;
- 12 102. JWH-348;
- 13 103. JWH-363;
- 14 104. JWH-364;
- 15 105. JWH-365;
- 16 106. JWH-367;
- 17 107. JWH-368;
- 18 108. JWH-369;
- 19 109. JWH-370;
- 20 110. JWH-371;
- 21 111. JWH-373;
- 22 112. JWH-386;
- 23 113. JWH-387;
- 24 114. JWH-392;

- 1 115. JWH-394;
- 2 116. JWH-395;
- 3 117. JWH-397;
- 4 118. JWH-398;
- 5 119. JWH-399;
- 6 120. JWH-400;
- 7 121. JWH-412;
- 8 122. JWH-413;
- 9 123. JWH-414;
- 10 124. JWH-415;
- 11 125. CP-55, 940;
- 12 126. CP-47, 497;
- 13 127. HU-210;
- 14 128. HU-211;
- 15 129. WIN-55, 212-2;
- 16 130. AM-2201;
- 17 131. AM-2233;
- 18 132. JWH-018 adamantyl-carboxamide;
- 19 133. AKB48;
- 20 134. JWH-122 N-(4-pentenyl) analog;
- 21 135. MAM2201;
- 22 136. URB597;
- 23 137. URB602;
- 24 138. URB754;

- 1 139. UR144;
2 140. XLR11;
3 141. A-796,260;
4 142. STS-135;
5 143. AB-FUBINACA;
6 144. AB-PINACA;
7 145. PB-22;
8 146. AKB48 N-5-Fluoropentyl;
9 147. AM1248;
10 148. FUB-PB-22;
11 149. ADB-FUBINACA;
12 150. BB-22;
13 151. 5-Fluoro PB-22; or
14 152. 5-Fluoro AKB-48.

15 G. In addition to those substances listed in subsection F of
16 this section, unless specifically excepted or unless listed in
17 another schedule, any material, compound, mixture, or preparation
18 which contains any quantity of a synthetic cannabinoid found to be
19 in any of the following chemical groups:

- 20 1. Naphthoylindoles: any compound containing a 3-(1-
21 naphthoyl)indole structure with or without substitution at the
22 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not further substituted on the indole
4 ring to any extent, and whether or not substituted on the naphthyl
5 ring to any extent. Naphthoylindoles include, but are not limited
6 to:

- 7 a. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-
8 200),
- 9 b. 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201),
- 10 c. 1-pentyl-3-(1-naphthoyl)indole (JWH-018),
- 11 d. 1-butyl-3-(1-naphthoyl)indole (JWH-073),
- 12 e. 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081),
- 13 f. 1-propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015),
- 14 g. 1-hexyl-3-(1-naphthoyl)indole (JWH-019),
- 15 h. 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122),
- 16 i. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210),
- 17 j. 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398),
- 18 k. 1-pentyl-2-methyl-3-(1-naphthoyl)indole (JWH-007),
- 19 l. 1-pentyl-3-(7-methoxy-1-naphthoyl)indole (JWH-164),
- 20 m. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole
21 (JWH-098),
- 22 n. 1-pentyl-3-(4-fluoro-1-naphthoyl)indole (JWH-412),
- 23 o. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-
24 naphthoyl)indole (AM-1220),

1 p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole
2 (MAM-2201), or

3 q. 1-(4-cyanobutyl)-3-(1-naphthoyl)indole (AM-2232);

4 2. Naphthylmethylindoles: any compound containing a 1H-indol-3-
5 yl-(1-naphthyl)methane structure with or without substitution at the
6 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
7 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
8 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
9 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
10 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
11 halophenyl group, whether or not further substituted on the indole
12 ring to any extent, and whether or not substituted on the naphthyl
13 ring to any extent. Naphthylmethylindoles include, but are not
14 limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175);

15 3. Naphthoylpyrroles: any compound containing a 3-(1-
16 naphthoyl)pyrrole structure with or without substitution at the
17 nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
18 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
19 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
20 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
21 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
22 phenyl, or halophenyl group, whether or not further substituted on
23 the pyrrole ring to any extent, and whether or not substituted on
24

1 the naphthyl group to any extent. Naphthoylpyrroles include, but
2 are not limited to:

3 a. 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147),

4 b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole
5 (JWH-370),

6 c. 1-pentyl-3-(1-naphthoyl)pyrrole (JWH-030), or

7 d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole (JWH-147);

8 4. Naphthylideneindenes: any compound containing a 1-(1-
9 naphthylmethylene)indene structure with or without substitution at
10 the 3-position of the indene ring by an alkyl, haloalkyl,
11 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
12 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
13 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
14 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
15 phenyl, or halophenyl group, whether or not further substituted on
16 the indene group to any extent, and whether or not substituted on
17 the naphthyl group to any extent. Naphthylmethylindenes include,
18 but are not limited to, (1-[(3-pentyl)-1H-inden-1-
19 ylidene)methyl]naphthalene (JWH-176);

20 5. Phenylacetylindoles: any compound containing a 3-
21 phenylacetylindole structure with or without substitution at the
22 nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not further substituted on the indole
4 ring to any extent, and whether or not substituted on the phenyl
5 ring to any extent. Phenylacetylindoles include, but are not
6 limited to:

- 7 a. 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250),
- 8 b. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole
9 (RCS-8),
- 10 c. 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203),
- 11 d. 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251),
- 12 e. 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201), or
- 13 f. 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302);

14 6. Cyclohexylphenols: any compound containing a 2-(3-
15 hydroxycyclohexyl)phenol structure with or without substitution at
16 the 5-position of the phenolic ring by an alkyl, haloalkyl,
17 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
18 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
19 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
20 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
21 phenyl, or halophenyl group, and whether or not further substituted
22 on the cyclohexyl ring to any extent. Cyclohexylphenols include,
23 but are not limited to:

24

- 1 a. 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-
2 hydroxycyclohexyl]-phenol (CP-47,497),
3 b. 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-
4 phenol (cannabicyclohexanol; CP-47,497 C8 homologue),
5 or
6 c. 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-
7 hydroxypropyl)cyclohexyl]-phenol (CP 55, 940);

8 7. Benzoylindoles: any compound containing a 3-(benzoyl)indole
9 structure with or without substitution at the nitrogen atom of the
10 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
11 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
12 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
13 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
14 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
15 halophenyl group, whether or not further substituted on the indole
16 ring to any extent, and whether or not substituted on the phenyl
17 group to any extent. Benzoylindoles include, but are not limited
18 to:

- 19 a. 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4),
20 b. 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-
21 methoxybenzoyl)indole (Pravadoline or WIN 48, 098),
22 c. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694),
23 d. 1-pentyl-3-(2-iodobenzoyl)indole (AM-679), or
24

1 e. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-
2 iodobenzoyl)indole (AM-2233);

3 8. Cyclopropoylindoles: Any compound containing a 3-
4 (cyclopropoyl)indole structure with substitution at the nitrogen
5 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
6 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
7 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
8 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, whether or not further substituted in the indole
11 ring to any extent and whether or not substituted in the
12 cyclopropoyl ring to any extent. Cyclopropoylindoles include, but
13 are not limited to:

14 a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole
15 (UR-144),

16 b. 1-(5-chloropentyl)-3-(2,2,3,3-
17 tetramethylcyclopropoyl)indole (5Cl-UR-144), or

18 c. 1-(5-fluoropentyl)-3-(2,2,3,3-
19 tetramethylcyclopropoyl)indole (XLR11);

20 9. Indole Amides: Any compound containing a 1H-Indole-3-
21 carboxamide structure with or without substitution at the nitrogen
22 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
23 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
24 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-

1 pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, whether or not substituted at the carboxamide
4 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
5 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
6 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
7 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
8 further substituted in the indole, adamantyl, naphthyl, phenyl,
9 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole
10 Amides include, but are not limited to:

- 11 a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide
12 (2NE1),
- 13 b. N-(1-adamantyl)-1-(5-fluoropentyl-1H-indole-3-
14 carboxamide (STS-135),
- 15 c. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
16 indole-3-carboxamide (ADBICA),
- 17 d. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-
18 fluoropentyl)-1H-indole-3-carboxamide (5F-ADBICA),
- 19 e. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide
20 (NNE1),
- 21 f. 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-
22 carboxamide (5F-NNE1),
- 23 g. N-benzyl-1-pentyl-1H-indole-3-carboxamide (SDB-006),
24 or

- 1 d. naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-
2 carboxylate (FDU-PB-22), or
3 e. naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
4 carboxylate (NM2201);

5 11. Adamantanoylindoles: Any compound containing an
6 adamantanyl-(1H-indol-3-yl)methanone structure with or without
7 substitution at the nitrogen atom of the indole ring by an alkyl,
8 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
9 benzyl, halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
10 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
11 morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, 1-methylazepanyl,
12 phenyl, or halophenyl group, whether or not further substituted in
13 the indole ring to any extent and whether or not substituted in the
14 adamantyl ring to any extent. Adamantanoylindoles include, but are
15 not limited to:

- 16 a. adamantan-1-yl[1-[(1-methyl-2-piperidinyl)methyl]-1H-
17 indol-3-yl]methanone (AM1248), or
18 b. adamantan-1-yl-(1-pentyl-1H-indol-3-yl)methanone (AB-
19 001);

20 12. Carbazole Ketone: Any compound containing (9H-carbazole-3-
21 yl) methanone structure with or without substitution at the nitrogen
22 atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl,
23 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
24 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-

1 2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
2 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
3 halophenyl group, with substitution at the carbon of the methanone
4 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
5 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
6 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
7 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
8 further substituted at the carbazole, adamantyl, naphthyl, phenyl,
9 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole
10 Ketones include, but are not limited to, naphthalen-1-yl(9-pentyl-
11 9H-carbazol-3-yl)methanone (EG-018);

12 13. Benzimidazole Ketone: Any compound containing
13 (benzimidazole-2-yl) methanone structure with or without
14 substitution at either nitrogen atom of the benzimidazole ring by an
15 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
16 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-
17 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
18 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
19 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
20 halophenyl group, with substitution at the carbon of the methanone
21 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
22 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
23 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
24 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not

1 further substituted in the benzimidazole, adamantyl, naphthyl,
2 phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent.

3 Benzimidazole Ketones include, but are not limited to:

- 4 a. naphthalen-1-yl(1-pentyl-1H-benzo[d]imidazol-2-
5 1)methanone (JWH-018 benzimidazole analog), or
- 6 b. (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-
7 yl)(naphthalen-1-yl)methanone (FUBIMINA); and

8 14. Modified by Replacement: any compound defined in this
9 subsection that is modified by replacement of a carbon with nitrogen
10 in the indole, naphthyl, indene, benzimidazole, or carbazole ring.

11 SECTION 2. AMENDATORY 63 O.S. 2011, Section 2-206, as
12 last amended by Section 3, Chapter 154, O.S.L. 2014 (63 O.S. Supp.
13 2016, Section 2-206), is amended to read as follows:

14 Section 2-206. The controlled substances listed in this section
15 are included in Schedule II.

16 A. Any of the following substances except those narcotic drugs
17 listed in other schedules whether produced directly or indirectly by
18 extraction from substances of vegetable origin, or independently by
19 means of chemical synthesis, or by combination of extraction and
20 chemical synthesis:

21 1. Opium and opiate, and any salt, compound, derivative, or
22 preparation of opium or opiate;

23 2. Any salt, compound, isomer, derivative, or preparation
24 thereof which is chemically equivalent or identical with any of the

1 substances referred to in paragraph 1 of this subsection, but not
2 including the isoquinoline alkaloids of opium;

3 3. Opium poppy and poppy straw; or

4 4. Coca leaves except coca leaves and extracts of coca leaves
5 from which cocaine, ecgonine, and derivatives of ecgonine or their
6 salts have been removed; cocaine, its salts, optical and geometric
7 isomers, and salts of isomers; ecgonine, its derivatives, their
8 salts, isomers and salts of isomers; or any compound, mixture or
9 preparation which contains any quantity of any of the substances
10 referred to in this paragraph. Ioflupane is excluded from this
11 paragraph.

12 B. Any of the following opiates, including their isomers,
13 esters, ethers, salts, and salts of isomers, esters and ethers, when
14 the existence of these isomers, esters, ethers, and salts is
15 possible within the specific chemical designation:

- 16 1. Alphaprodine;
- 17 2. Anileridine;
- 18 3. Bezitramide;
- 19 4. Dihydrocodeine;
- 20 5. Diphenoxylate;
- 21 6. Fentanyl;
- 22 7. Hydromorphone;
- 23 8. Isomethadone;
- 24 9. Levomethorphan;

- 1 10. Levorphanol;
- 2 11. Metazocine;
- 3 12. Methadone;
- 4 13. Methadone - Intermediate, 4-cyano-2-dimethylamino-4, 4-
- 5 diphenyl butane;
- 6 14. Moramide - Intermediate, 2-methyl-3-morpholino-1, 1-
- 7 diphenyl-propane-carboxylic acid;
- 8 15. Oxycodone;
- 9 16. Oxymorphone;
- 10 17. Pethidine (Meperidine);
- 11 18. Pethidine - Intermediate - A, 4-cyano-1-methyl-4-
- 12 phenylpiperidine;
- 13 19. Pethidine - Intermediate - B, ethyl-4-phenylpiperidine-4-
- 14 carboxylate;
- 15 20. Pethidine - Intermediate - C, 1-methyl-4-phenylpiperidine-
- 16 4-carboxylic acid;
- 17 21. Phenazocine;
- 18 22. Piminodine;
- 19 23. Racemethorphan;
- 20 24. Racemorphan;
- 21 25. Etorphine Hydrochloride salt only;
- 22 26. Alfentanil hydrochloride;
- 23 27. Levo-alphaacetylmethadol;
- 24 28. Codeine;

- 1 29. Hydrocodone;
- 2 30. Morphine;
- 3 31. Remifentanil;
- 4 32. Sufentanil; or
- 5 33. Tapentadol.
- 6 C. Any substance which contains any quantity of:
- 7 1. Methamphetamine, including its salts, isomers, and salts of
- 8 isomers;
- 9 2. Amphetamine, its salts, optical isomers, and salts of its
- 10 optical isomers;
- 11 3. Nabilone; or
- 12 4. Lisdexamfetamine.
- 13 D. Unless specifically excepted or unless listed in another
- 14 schedule, any material, compound, mixture, or preparation, which
- 15 contains any quantity of the following substances having stimulant
- 16 or depressant effect on the central nervous system:
- 17 1. Phenmetrazine and its salts;
- 18 2. Methylphenidate;
- 19 3. Amobarbital;
- 20 4. Pentobarbital;
- 21 5. Secobarbital; or
- 22 6. Ethylphenidate.
- 23
- 24

1 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2-210, as
2 last amended by Section 5, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
3 2016, Section 2-210), is amended to read as follows:

4 Section 2-210. A. Any material, compound, mixture, or
5 preparation which contains any quantity of the following substances
6 having a potential for abuse associated with a stimulant or
7 depressant effect on the central nervous system:

- 8 1. Chloral betaine;
- 9 2. Chloral hydrate;
- 10 3. Ethchlorvynol;
- 11 4. Ethinamate;
- 12 5. Meprobamate;
- 13 6. Paraldehyde;
- 14 7. Petrichloral;
- 15 8. Diethylpropion;
- 16 9. Phentermine;
- 17 10. Pemoline;
- 18 11. Chlordiazepoxide;
- 19 12. Chlordiazepoxide and its salts, but not including
20 chlordiazepoxide hydrochloride and clidinium bromide or
21 chlordiazepoxide and water-soluble esterified estrogens;
- 22 13. Diazepam;
- 23 14. Oxazepam;
- 24 15. Clorazepate;

- 1 16. Flurazepam and its salts;
- 2 17. Clonazepam;
- 3 18. Barbital;
- 4 19. Mebutamate;
- 5 20. Methohexital;
- 6 21. Methylphenobarbital;
- 7 22. Phenobarbital;
- 8 23. Fenfluramine;
- 9 24. Pentazocine;
- 10 25. Propoxyphene;
- 11 26. Butorphanol;
- 12 27. Alprazolam;
- 13 28. Halazepam;
- 14 29. Lorazepam;
- 15 30. Prazepam;
- 16 31. Temazepam;
- 17 32. Triazolam;
- 18 33. Carisoprodol;
- 19 34. Dichloralphenazone;
- 20 35. Estazolam;
- 21 36. Eszopiclone;
- 22 37. Midazolam;
- 23 38. Modafinil;
- 24 39. Zaleplon;

- 1 40. Zolpidem;
- 2 41. Tramadol;
- 3 42. Bromazepam; ~~or~~
- 4 43. Suvorexant;
- 5 44. Phenazepam;
- 6 45. Etizolam; or
- 7 46. Clonazolam.

8 B. 1. The following nonnarcotic substances, which may, under
9 the Federal Food, Drug, and Cosmetic Act (21 U.S.C., Section 301),
10 be lawfully sold over the counter without a prescription, are
11 excluded from all schedules of controlled substances under this
12 title:

- 13 a. Breathe-Aid,
- 14 b. BronCare,
- 15 c. Bronchial Congestion,
- 16 d. Bronkaid Tablets,
- 17 e. Bronkaid Dual Action Caplets,
- 18 f. Bronkotabs,
- 19 g. Bronkolixir,
- 20 h. NeoRespin,
- 21 i. Pazo Hemorrhoid Ointment and Suppositories,
- 22 j. Primatene Tablets,
- 23 k. Primatene "Dual Action" Formula,
- 24 l. Quelidrine,

1 m. Resp, and

2 n. Vatronal Nose Drops.

3 2. At the request of any person, the Director may exempt any
4 other drug product containing ephedrine from being included as a
5 Schedule IV controlled substance if such product:

6 a. is labeled and marketed in a manner consistent with
7 the pertinent OTC tentative final or final monograph
8 issued by the FDA, and

9 b. is manufactured and distributed for legitimate
10 medicinal use and in a manner that reduces or
11 eliminates the likelihood of abuse.

12 3. In making a determination regarding a drug product, the
13 Director, after notice and hearing, shall consider the following:

14 a. the history and current pattern of abuse,

15 b. the name and labeling of the product,

16 c. the intended manner of distribution, advertising and
17 promotion of the product, and

18 d. other factors as may be relevant to and consistent
19 with the public health and safety.

20 4. The hearing shall be held in accordance with the
21 Administrative Procedures Act.

22 5. A list of current drug products meeting exemption
23 requirements under this subsection may be obtained from the Bureau
24 upon written request.

1 C. The Board of Pharmacy may except by rule any compound,
2 mixture, or preparation containing any depressant substance listed
3 in subsection A of this section from the application of all or any
4 part of the Uniform Controlled Dangerous Substances Act, Section 2-
5 101 et seq. of this title, if the compound, mixture, or preparation
6 contains one or more active medicinal ingredients not having a
7 depressant effect on the central nervous system, and if the
8 admixtures are included therein in combinations, quantity,
9 proportion, or concentration that vitiate the potential for abuse of
10 the substances which have a depressant effect on the central nervous
11 system.

12 SECTION 4. This act shall become effective November 1, 2017.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
14 February 20, 2017 - DO PASS
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