

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 770

By: Standridge of the Senate

and

6 Kannady of the House

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10 COMMITTEE SUBSTITUTE

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

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

22 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-204, as
23 last amended by Section 3, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
24 2016, Section 2-204), is amended to read as follows:

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

1 A. Any of the following opiates, including their isomers,
2 esters, ethers, salts, and salts of isomers, esters, and ethers,
3 unless specifically excepted, when the existence of these isomers,
4 esters, ethers, and salts is possible within the specific chemical
5 designation:

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

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

1 B. Any of the following opium derivatives, their salts,
2 isomers, and salts of isomers, unless specifically excepted, when
3 the existence of these salts, isomers, and salts of isomers is
4 possible within the specific chemical designation:

- 5 1. Acetorphine;
- 6 2. Acetyldihydrocodeine;
- 7 3. Benzylmorphine;
- 8 4. Codeine methylbromide;
- 9 5. Codeine-N-Oxide;
- 10 6. Cyprenorphine;
- 11 7. Desomorphine;
- 12 8. Dihydromorphine;
- 13 9. Etorphine;
- 14 10. Heroin;
- 15 11. Hydromorphinol;
- 16 12. Methyldesorphine;
- 17 13. Methylhydromorphine;
- 18 14. Morphine methylbromide;
- 19 15. Morphine methylsulfonate;
- 20 16. Morphine-N-Oxide;
- 21 17. Myrophine;
- 22 18. Nicocodeine;
- 23 19. Nicomorphine;
- 24 20. Normorphine;

1 21. Phoclodine; or

2 22. Thebacon.

3 C. Any material, compound, mixture, or preparation which
4 contains any quantity of the following hallucinogenic substances,
5 their salts, isomers, and salts of isomers, unless specifically
6 excepted, when the existence of these salts, isomers, and salts of
7 isomers is possible within the specific chemical designation:

8 1. Methcathinone;

9 2. 3, 4-methylenedioxy amphetamine;

10 3. 3, 4-methylenedioxy methamphetamine;

11 4. 5-methoxy-3, 4-methylenedioxy amphetamine;

12 5. 3, 4, 5-trimethoxy amphetamine;

13 6. Bufotenine;

14 7. Diethyltryptamine;

15 8. Dimethyltryptamine;

16 9. 4-methyl-2, 5-dimethoxyamphetamine;

17 10. Ibogaine;

18 11. Lysergic acid diethylamide;

19 12. Marihuana;

20 13. Mescaline;

21 14. N-benzylpiperazine;

22 15. N-ethyl-3-piperidyl benzilate;

23 16. N-methyl-3-piperidyl benzilate;

24 17. Psilocybin;

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

- 1 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 2 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 3 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 4 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;
- 5 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 6 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 7 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 8 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 9 47. 5-methoxy-N, N-dimethyltryptamine;
- 10 48. N-methyltryptamine;
- 11 49. A-ethyltryptamine;
- 12 50. A-methyltryptamine;
- 13 51. N, N-diethyltryptamine;
- 14 52. N, N-diisopropyltryptamine;
- 15 53. N, N-dipropyltryptamine;
- 16 54. 5-methoxy- α -methyltryptamine;
- 17 55. 4-hydroxy-N, N-diethyltryptamine;
- 18 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 19 57. 5-methoxy-N, N-diisopropyltryptamine;
- 20 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 21 59. 3,4-Methylenedioxy-methcathinone (Mephedrone);
- 22 60. 3,4-Methylenedioxy-pyrovalerone (MDPV);
- 23 61. 4-Methylmethcathinone (Mephedrone);
- 24 62. 4-methoxymethcathinone;

- 1 63. 4-Fluoromethcathinone;
- 2 64. 3-Fluoromethcathinone;
- 3 65. 1-(8-bromobenzo 1,2-b;4,5-b' difuran-4-yl)-2-aminopropane;
- 4 66. 2,5-Dimethoxy-4-chloroamphetamine;
- 5 67. 4-Methylethcathinone;
- 6 68. Pyrovalerone;
- 7 69. N,N-diallyl-5-methoxytryptamine;
- 8 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 9 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone);
- 10 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone);
- 11 73. Alpha-Pyrrolidinopentiophenone;
- 12 74. 4-Fluoroamphetamine;
- 13 75. Pentredone;
- 14 76. 4'-Methyl-a-pyrrolidinohexaphenone;
- 15 77. 2,5-dimethoxy-4-(n)-propylphenethylamine;
- 16 78. 2,5-dimethoxyphenethylamine;
- 17 79. 1,4-Dibenzylpiperazine;
- 18 80. N,N-Dimethylamphetamine;
- 19 81. 4-Fluoromethamphetamine;
- 20 82. 4-Chloro-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 21 (25C-NBOMe);
- 22 83. 4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine
- 23 (25I-NBOMe);
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1 84. 4-Bromo-2,5-dimethoxy-N-(2-methoxybenzy)phenethylamine
2 (25B-NBOMe);

3 85. 1-(4-Fluorophenyl)piperazine; ~~or~~

4 86. Methoxetamine; or

5 87. 3,4-dichloro-N[2-dimethylamino)cyclohexyl]-N-
6 methylbenzamide.

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

11 1. Fenethylamine;

12 2. Mephedrone;

13 3. N-ethylamphetamine;

14 4. Methamphetamine;

15 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-
16 hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium
17 oxybate, and sodium oxybutyrate;

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

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

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

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

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

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

- 1 l. tetrahydrofuran production,
- 2 m. gamma butyrolactone production,
- 3 n. polybutylene terephthalate resin production,
- 4 o. polyester raw materials for polyurethane elastomers
- 5 and foams,
- 6 p. coating resin raw material, and
- 7 q. as an intermediate in the manufacture of other
- 8 chemicals and pharmaceuticals.

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

15 3. In making a determination regarding an industrial product,
16 the Director, after notice and hearing, shall consider the
17 following:

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

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

3 F. Any material, compound, mixture, or preparation, whether
4 produced directly or indirectly from a substance of vegetable origin
5 or independently by means of chemical synthesis, or by a combination
6 of extraction and chemical synthesis, that contains any quantity of
7 the following substances, or that contains any of their salts,
8 isomers, and salts of isomers when the existence of these salts,
9 isomers, and salts of isomers is possible within the specific
10 chemical designation:

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

- 1 15. JWH-070;
- 2 16. JWH-071;
- 3 17. JWH-072;
- 4 18. JWH-073;
- 5 19. JWH-076;
- 6 20. JWH-079;
- 7 21. JWH-080;
- 8 22. JWH-081;
- 9 23. JWH-082;
- 10 24. JWH-094;
- 11 25. JWH-096;
- 12 26. JWH-098;
- 13 27. JWH-116;
- 14 28. JWH-120;
- 15 29. JWH-122;
- 16 30. JWH-145;
- 17 31. JWH-146;
- 18 32. JWH-147;
- 19 33. JWH-148;
- 20 34. JWH-149;
- 21 35. JWH-150;
- 22 36. JWH-156;
- 23 37. JWH-167;
- 24 38. JWH-175;

- 1 39. JWH-180;
- 2 40. JWH-181;
- 3 41. JWH-182;
- 4 42. JWH-184;
- 5 43. JWH-185;
- 6 44. JWH-189;
- 7 45. JWH-192;
- 8 46. JWH-193;
- 9 47. JWH-194;
- 10 48. JWH-195;
- 11 49. JWH-196;
- 12 50. JWH-197;
- 13 51. JWH-198;
- 14 52. JWH-199;
- 15 53. JWH-200;
- 16 54. JWH-201;
- 17 55. JWH-202;
- 18 56. JWH-203;
- 19 57. JWH-204;
- 20 58. JWH-205;
- 21 59. JWH-206;
- 22 60. JWH-207;
- 23 61. JWH-208;
- 24 62. JWH-209;

- 1 63. JWH-210;
- 2 64. JWH-211;
- 3 65. JWH-212;
- 4 66. JWH-213;
- 5 67. JWH-234;
- 6 68. JWH-235;
- 7 69. JWH-236;
- 8 70. JWH-237;
- 9 71. JWH-239;
- 10 72. JWH-240;
- 11 73. JWH-241;
- 12 74. JWH-242;
- 13 75. JWH-243;
- 14 76. JWH-244;
- 15 77. JWH-245;
- 16 78. JWH-246;
- 17 79. JWH-248;
- 18 80. JWH-249;
- 19 81. JWH-250;
- 20 82. JWH-251;
- 21 83. JWH-252;
- 22 84. JWH-253;
- 23 85. JWH-262;
- 24 86. JWH-292;

- 1 87. JWH-293;
- 2 88. JWH-302;
- 3 89. JWH-303;
- 4 90. JWH-304;
- 5 91. JWH-305;
- 6 92. JWH-306;
- 7 93. JWH-307;
- 8 94. JWH-308;
- 9 95. JWH-311;
- 10 96. JWH-312;
- 11 97. JWH-313;
- 12 98. JWH-314;
- 13 99. JWH-315;
- 14 100. JWH-316;
- 15 101. JWH-346;
- 16 102. JWH-348;
- 17 103. JWH-363;
- 18 104. JWH-364;
- 19 105. JWH-365;
- 20 106. JWH-367;
- 21 107. JWH-368;
- 22 108. JWH-369;
- 23 109. JWH-370;
- 24 110. JWH-371;

- 1 111. JWH-373;
- 2 112. JWH-386;
- 3 113. JWH-387;
- 4 114. JWH-392;
- 5 115. JWH-394;
- 6 116. JWH-395;
- 7 117. JWH-397;
- 8 118. JWH-398;
- 9 119. JWH-399;
- 10 120. JWH-400;
- 11 121. JWH-412;
- 12 122. JWH-413;
- 13 123. JWH-414;
- 14 124. JWH-415;
- 15 125. CP-55, 940;
- 16 126. CP-47, 497;
- 17 127. HU-210;
- 18 128. HU-211;
- 19 129. WIN-55, 212-2;
- 20 130. AM-2201;
- 21 131. AM-2233;
- 22 132. JWH-018 adamantyl-carboxamide;
- 23 133. AKB48;
- 24 134. JWH-122 N-(4-pentenyl) analog;

- 1 135. MAM2201;
- 2 136. URB597;
- 3 137. URB602;
- 4 138. URB754;
- 5 139. UR144;
- 6 140. XLR11;
- 7 141. A-796,260;
- 8 142. STS-135;
- 9 143. AB-FUBINACA;
- 10 144. AB-PINACA;
- 11 145. PB-22;
- 12 146. AKB48 N-5-Fluoropentyl;
- 13 147. AM1248;
- 14 148. FUB-PB-22;
- 15 149. ADB-FUBINACA;
- 16 150. BB-22;
- 17 151. 5-Fluoro PB-22; or
- 18 152. 5-Fluoro AKB-48.

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

24

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

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

- 1 m. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl) indole
2 (JWH-098),
3 n. 1-pentyl-3-(4-fluoro-1-naphthoyl) indole (JWH-412),
4 o. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-
5 naphthoyl) indole (AM-1220),
6 p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl) indole
7 (MAM-2201), or
8 q. 1-(4-cyanobutyl)-3-(1-naphthoyl) indole (AM-2232);

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

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

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

- 7 a. 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147),
- 8 b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole
9 (JWH-370),
- 10 c. 1-pentyl-3-(1-naphthoyl)pyrrole (JWH-030), or
- 11 d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole (JWH-147);

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

24

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

- 12 a. 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250),
- 13 b. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole
14 (RCS-8),
- 15 c. 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203),
- 16 d. 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251),
- 17 e. 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201), or
- 18 f. 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302);

19 6. Cyclohexylphenols: any compound containing a 2-(3-
20 hydroxycyclohexyl)phenol structure with or without substitution at
21 the 5-position of the phenolic ring by an alkyl, haloalkyl,
22 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl,
23 halobenzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-
24 morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-

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

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

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

- 23 a. 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4),

24

- 1 b. 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-
2 methoxybenzoyl)indole (Pravadoline or WIN 48, 098),
3 c. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694),
4 d. 1-pentyl-3-(2-iodobenzoyl)indole (AM-679), or
5 e. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-
6 iodobenzoyl)indole (AM-2233);

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

- 18 a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole
19 (UR-144),
20 b. 1-(5-chloropentyl)-3-(2,2,3,3-
21 tetramethylcyclopropoyl)indole (5Cl-UR-144), or
22 c. 1-(5-fluoropentyl)-3-(2,2,3,3-
23 tetramethylcyclopropoyl)indole (XLR11);
24

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

- 16 a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide
17 (2NE1),
- 18 b. N-(1-adamantyl)-1-(5-fluoropentyl-1H-indole-3-
19 carboxamide (STS-135),
- 20 c. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
21 indole-3-carboxamide (ADBICA),
- 22 d. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-
23 fluoropentyl)-1H-indole-3-carboxamide (5F-ADBICA),
- 24

- 1 e. N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide
2 (NNE1),
3 f. 1-(5-fluoropentyl)-N-(naphthalene-1-yl)-1H-indole-3-
4 carboxamide (5F-NNE1),
5 g. N-benzyl-1-pentyl-1H-indole-3-carboxamide (SDB-006),
6 or
7 h. N-benzyl-1-(5-fluoropentyl)-1H-indole-3-carboxamide
8 (5F-SDB-006);

9 10. Indole Esters: Any compound containing a 1H-Indole-3-
10 carboxylate structure with or without substitution at the nitrogen
11 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
12 cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-
13 2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
14 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
15 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
16 halophenyl group, whether or not substituted at the carboxylate
17 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
18 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-1-
19 oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
20 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
21 further substituted in the indole, adamantyl, naphthyl, phenyl,
22 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Indole
23 Esters include, but are not limited to:
24

- a. quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22),
- b. quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5F-PB-22),
- c. quinolin-8-yl 1-(cyclohexylmethyl)-1H-indole-3-carboxylate (BB-22),
- d. naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FDU-PB-22), or
- e. naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (NM2201);

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

- a. adamantan-1-yl[1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]methanone (AM1248), or

1 b. adamantan-1-yl-(1-pentyl-1H-indol-3-yl)methanone (AB-
2 001);

3 12. Carbazole Ketone: Any compound containing (9H-carbazole-3-
4 yl) methanone structure with or without substitution at the nitrogen
5 atom of the carbazole ring by an alkyl, haloalkyl, cyanoalkyl,
6 alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, halobenzyl, 1-
7 (N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-
8 2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,
9 (tetrahydropyran-4-yl)methyl, 1-methylazepanyl, phenyl, or
10 halophenyl group, with substitution at the carbon of the methanone
11 group by an adamantyl, naphthyl, phenyl, benzyl, quinolinyl,
12 cycloalkyl, 1-amino-3-methyl-1-oxobutan-2-yl, 1-amino-3,3-dimethyl-
13 1-oxobutan-2-yl, 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-methoxy-3,3-
14 dimethyl-1-oxobutan-2-yl or pyrrole group, and whether or not
15 further substituted at the carbazole, adamantyl, naphthyl, phenyl,
16 pyrrole, quinolinyl, or cycloalkyl rings to any extent. Carbazole
17 Ketones include, but are not limited to, naphthalen-1-yl(9-pentyl-
18 9H-carbazol-3-yl)methanone (EG-018);

19 13. Benzimidazole Ketone: Any compound containing
20 (benzimidazole-2-yl) methanone structure with or without
21 substitution at either nitrogen atom of the benzimidazole ring by an
22 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
23 cycloalkylethyl, benzyl, halobenzyl, 1-(N-methyl-2-
24 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, 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 in the benzimidazole, adamantyl, naphthyl,
9 phenyl, pyrrole, quinolinyl, or cycloalkyl rings to any extent.

10 Benzimidazole Ketones include, but are not limited to:

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

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

18 SECTION 2. AMENDATORY 63 O.S. 2011, Section 2-206, as
19 last amended by Section 3, Chapter 154, O.S.L. 2014 (63 O.S. Supp.
20 2016, Section 2-206), is amended to read as follows:

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

23 A. Any of the following substances except those narcotic drugs
24 listed in other schedules whether produced directly or indirectly by

1 extraction from substances of vegetable origin, or independently by
2 means of chemical synthesis, or by combination of extraction and
3 chemical synthesis:

4 1. Opium and opiate, and any salt, compound, derivative, or
5 preparation of opium or opiate;

6 2. Any salt, compound, isomer, derivative, or preparation
7 thereof which is chemically equivalent or identical with any of the
8 substances referred to in paragraph 1 of this subsection, but not
9 including the isoquinoline alkaloids of opium;

10 3. Opium poppy and poppy straw; or

11 4. Coca leaves except coca leaves and extracts of coca leaves
12 from which cocaine, ecgonine, and derivatives of ecgonine or their
13 salts have been removed; cocaine, its salts, optical and geometric
14 isomers, and salts of isomers; ecgonine, its derivatives, their
15 salts, isomers and salts of isomers; or any compound, mixture or
16 preparation which contains any quantity of any of the substances
17 referred to in this paragraph. Ioflupane is excluded from this
18 paragraph.

19 B. Any of the following opiates, including their isomers,
20 esters, ethers, salts, and salts of isomers, esters and ethers, when
21 the existence of these isomers, esters, ethers, and salts is
22 possible within the specific chemical designation:

23 1. Alphaprodine;

24 2. Anileridine;

- 1 3. Bezitramide;
- 2 4. Dihydrocodeine;
- 3 5. Diphenoxylate;
- 4 6. Fentanyl;
- 5 7. Hydromorphone;
- 6 8. Isomethadone;
- 7 9. Levomethorphan;
- 8 10. Levorphanol;
- 9 11. Metazocine;
- 10 12. Methadone;
- 11 13. Methadone - Intermediate, 4-cyano-2-dimethylamino-4, 4-
- 12 diphenyl butane;
- 13 14. Moramide - Intermediate, 2-methyl-3-morpholino-1, 1-
- 14 diphenyl-propane-carboxylic acid;
- 15 15. Oxycodone;
- 16 16. Oxymorphone;
- 17 17. Pethidine (Meperidine);
- 18 18. Pethidine - Intermediate - A, 4-cyano-1-methyl-4-
- 19 phenylpiperidine;
- 20 19. Pethidine - Intermediate - B, ethyl-4-phenylpiperidine-4-
- 21 carboxylate;
- 22 20. Pethidine - Intermediate - C, 1-methyl-4-phenylpiperidine-
- 23 4-carboxylic acid;
- 24 21. Phenazocine;

- 1 22. Piminodine;
- 2 23. Racemethorphan;
- 3 24. Racemorphan;
- 4 25. Etorphine Hydrochloride salt only;
- 5 26. Alfentanil hydrochloride;
- 6 27. Levo-alphaacetylmethadol;
- 7 28. Codeine;
- 8 29. Hydrocodone;
- 9 30. Morphine;
- 10 31. Remifentanil;
- 11 32. Sufentanil; or
- 12 33. Tapentadol.
- 13 C. Any substance which contains any quantity of:
 - 14 1. Methamphetamine, including its salts, isomers, and salts of
 - 15 isomers;
 - 16 2. Amphetamine, its salts, optical isomers, and salts of its
 - 17 optical isomers;
 - 18 3. Nabilone; or
 - 19 4. Lisdexamfetamine.
- 20 D. Unless specifically excepted or unless listed in another
- 21 schedule, any material, compound, mixture, or preparation, which
- 22 contains any quantity of the following substances having stimulant
- 23 or depressant effect on the central nervous system:
 - 24 1. Phenmetrazine and its salts;

- 1 2. Methylphenidate;
- 2 3. Amobarbital;
- 3 4. Pentobarbital;
- 4 5. Secobarbital; or
- 5 6. Ethylphenidate.

6 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2-210, as
7 last amended by Section 5, Chapter 305, O.S.L. 2015 (63 O.S. Supp.
8 2016, Section 2-210), is amended to read as follows:

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

- 13 1. Chloral betaine;
- 14 2. Chloral hydrate;
- 15 3. Ethchlorvynol;
- 16 4. Ethinamate;
- 17 5. Meprobamate;
- 18 6. Paraldehyde;
- 19 7. Petrichloral;
- 20 8. Diethylpropion;
- 21 9. Phentermine;
- 22 10. Pemoline;
- 23 11. Chlordiazepoxide;

- 1 12. Chlordiazepoxide and its salts, but not including
2 chlordiazepoxide hydrochloride and clidinium bromide or
3 chlordiazepoxide and water-soluble esterified estrogens;
- 4 13. Diazepam;
- 5 14. Oxazepam;
- 6 15. Clorazepate;
- 7 16. Flurazepam and its salts;
- 8 17. Clonazepam;
- 9 18. Barbital;
- 10 19. Mebutamate;
- 11 20. Methohexital;
- 12 21. Methylphenobarbital;
- 13 22. Phenobarbital;
- 14 23. Fenfluramine;
- 15 24. Pentazocine;
- 16 25. Propoxyphene;
- 17 26. Butorphanol;
- 18 27. Alprazolam;
- 19 28. Halazepam;
- 20 29. Lorazepam;
- 21 30. Prazepam;
- 22 31. Temazepam;
- 23 32. Triazolam;
- 24 33. Carisoprodol;

1 34. Dichloralphenazone;

2 35. Estazolam;

3 36. Eszopiclone;

4 37. Midazolam;

5 38. Modafinil;

6 39. Zaleplon;

7 40. Zolpidem;

8 41. Tramadol;

9 42. Bromazepam; ~~or~~

10 43. Suvorexant;

11 44. Phenazepam;

12 45. Etizolam; or

13 46. Clonazolam.

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

19 a. Breathe-Aid,

20 b. BronCare,

21 c. Bronchial Congestion,

22 d. Bronkaid Tablets,

23 e. Bronkaid Dual Action Caplets,

24 f. Bronkotabs,

- 1 g. Bronkolixir,
- 2 h. NeoRespin,
- 3 i. Pazo Hemorrhoid Ointment and Suppositories,
- 4 j. Primatene Tablets,
- 5 k. Primatene "Dual Action" Formula,
- 6 l. Quelidrine,
- 7 m. Resp, and
- 8 n. Vatronal Nose Drops.

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

- 12 a. is labeled and marketed in a manner consistent with
13 the pertinent OTC tentative final or final monograph
14 issued by the FDA, and
- 15 b. is manufactured and distributed for legitimate
16 medicinal use and in a manner that reduces or
17 eliminates the likelihood of abuse.

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

- 20 a. the history and current pattern of abuse,
 - 21 b. the name and labeling of the product,
 - 22 c. the intended manner of distribution, advertising and
23 promotion of the product, and
- 24

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

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

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

8 C. The Board of Pharmacy may except by rule any compound,
9 mixture, or preparation containing any depressant substance listed
10 in subsection A of this section from the application of all or any
11 part of the Uniform Controlled Dangerous Substances Act, Section 2-
12 101 et seq. of this title, if the compound, mixture, or preparation
13 contains one or more active medicinal ingredients not having a
14 depressant effect on the central nervous system, and if the
15 admixtures are included therein in combinations, quantity,
16 proportion, or concentration that vitiate the potential for abuse of
17 the substances which have a depressant effect on the central nervous
18 system.

19 SECTION 4. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
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23
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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