January 10, 2020

SENATE BILL No. 194

DIGEST OF SB 194 (Updated January 7, 2020 1:12 pm - DI 106)

Citations Affected: IC 35-31.5; IC 35-48.

Synopsis: Drug scheduling. Adds new scheduled drugs (including emergency scheduled drugs) to the statutory drug schedules. Defines "isomer". Specifies that a controlled substance analog having a narcotic, stimulant, depressant, or hallucinogenic effect is a schedule I controlled substance. Defines "narcotic" to include opium esters, ethers, and salts of isomers, esters, and ethers. Makes other changes and conforming amendments. Makes a technical correction.

Effective: July 1, 2020.

Young M

January 6, 2020, read first time and referred to Committee on Corrections and Criminal Law.
January 9, 2020, reported favorably — Do Pass.

January 10, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 194

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-31.5-2-171.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 171.5. "Isomer", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-17.4.**

SECTION 2. IC 35-31.5-2-321, AS AMENDED BY P.L.119-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 321. "Synthetic drug" means:

(1) a substance containing one (1) or more of the following chemical compounds, including an analog of the compound:

(A) JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).

(B) JWH-018 (1-pentyl-3-(1-naphthoyl)indole).

(C) JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole).

(D) JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone).

(E) JWH-081 (4-methoxynaphthalen- 1-yl- (1-pentylindol-3-yl)methanone).

(F) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
(G) JWH-200 ((1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-yl-methanone).
(H) JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole).
(I) JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole).
(J) JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
(K) HU-210 ((6aR,10aR)- 9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-
6a,7,10,10a-tetrahydrobenzo [c]chromen- 1-ol).
(L) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol).
(M) HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan- 2-yl)phenyl]-
7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol).
(N) HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6-(1-methylethenyl)-2 -cyclohexen-1-yl]-5 -pentyl-2,5-cyclohexadiene-1,4-dione).
(O) CP 55,940
(2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5- (2-methyloctan-2-yl)phenol).
(P) CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol) and its homologues, or
2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7.
(Q) WIN 55212-2
((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo [1,2,3-de)- 1,4- benzoxazin-
6-yl]-1-napthalenylmethanone).
(R) RCS-4 ((4-methoxyphenyl)
(1-pentyl-1H-indol-3-yl)methanone).
(S) RCS-8 (1-(1-(2-cyclohexylethyl)-1H-
indol-3-yl)-2-(2-methoxyphenyl)ethanone).
(T) 4-Methylmethcathinone. Other name: mephedrone.
(U) 3,4-Methylenedioxymethcathinone. Other name: methylone.
(V) Fluoromethcathinone.
(W) 4-Methoxymethcathinone. Other name: methedrone.
(X) 4-Ethylmethcathinone (4-EMC).
(Y) Methylenedioxypyrovalerone. Other name: MDPV.
(Z) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole.

(AA) JWH-098, or
1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole.
(BB) JWH-164, or
1-pentyl-3-(7-methoxy-1-naphthoyl)indole.
(CC) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole.
(DD) JWH-201, or
1-pentyl-3-(4-methoxyphenylacetyl)indole.
(EE) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole.
(FF) AM-694, or
1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
(GG) CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe
ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1
-yl] acetate.
(HH) Dimethylheptylpyran, or DMHP.
(II) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP.
(JJ) 6-APB [6-(2-aminopropyl)benzofuran].
(LL) 7-hydroxymitragynine.
(MM) α-PPP [α-pyrrolidinopropiophenone].
(NN) α-PVP (desmethylpyrovalerone).
(OO) AM-251.
(PP) AM-1241.
(QQ) AM-2201.
(RR) AM-2233.
(SS) Buphedrone (α-methylamino-butyrophenone (MABP)).
(TT) Butylone.
(UU) CP-47,497-C7.
(VV) CP-47,497-C8.
(WW) Desoxypipradol.
(XX) Ethylone.
(YY) Eutylone.
(ZZ) Flephedrone.
(AAA) JWH-011.
(BBB) JWH-020.
(CCC) JWH-022.
(DDD) JWH-030.
(EEE) JWH-182.
(FFF) JWH-302.
(GGG) MDAI [5,6-methylenedioxy-2-aminoindane].
(HHH) Mitragynine.
(III) Naphyrone.
(JJJ) Pentedrone.

(LLL) Pentylone.
(MMM) Methoxetamine
[2-(3-methoxyphenyl)-2-(ethylamino)- cyclohexanone].
(NNN) A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-
(2,2,3,3-tetramethylcyclopropyl)methanone].
(OOO) AB-001[(1s,3s)-admantan-1-yl)
(1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3-
(1-adamantoyl)indole].
(PPP) AM-356 [Methanandamide].
(QQQ) AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-
1H-indol-3-yl] tricyclo[3.3.1.13,7] dec-1-yl-methanone]or
[(1-[(N-methylpiperindin-2-yl)
Methyl]-3-(Adamant-1-oyl)indole)].
(RRR) AM 2233 Azepane isomer [(2-iodophenyl)
(1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone].
(SSS) CB-13 [1-Naphthalenyl
[4-(pentyoxy)- 1-naphthalenyl]methanone].
(TTT) UR-144 [(1-pentyl-1H-indol-3-yl)
(2,2,3,3-tetramethylcyclopropyl)-methanone].
(UUU) URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-
cyclohexylcarbamate].
(VVV) URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid,
cyclohexyl ester].
(WWW) URB 754 [6-methyl-2-[(4-methylphenyl)
amino]-1-benzoxazin-4-one].
(XXX) XLR-11 or 5-fluoro UR-144
(1-(5-fluoropentyl)-1H-indol-3-yl)
(2,2,3,3-tetramethylcyclopropyl)methanone].
(YYY) AKB48 (Other names include:
N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide;
1-pentyl-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indazole-3-
carboxamide).
(ZZZ) 25I-NBOMe (Other names include:
4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-
benzeneethanamine);
2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
methyl]ethanamine).
(AAAA) 2C-C-NBOMe (Other names include: 25C-NBOMe;
2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
methyl]ethanamine;
2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)
phenethylamine).

(BBBB) 2NE-1 (Other names include: 1-Pentyl-3-(1-adamantylamido)indole).
(CCCC) STS-135 (Other names include: N-Adamantyl-1-fluoropentylindole-3- carboxamide (1-5-fluoropentyl)-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indole-3-carboxamide).
(DDDD) PB-22 (Other names include: 1-Pentyl-8-quinolinlyl ester-1H-indole-2-carboxylic acid).
(EEEE) 5-Fluoro-PB-22 (Other names include: 1-(5-Fluropentyl)-8-quinolinyl ester1H-indole-3-carboxylic acid).
(FFFF) Benocyclidine (Other names include: BCP, BTCP, and Benzothiophenylcyclohexylpiperidine).
(GGGG) 25B-NBOMe (Other names include: 2C-B-NBOMe and 4-Bromo-2, 5-dimenthoxy-N-[(2-Methozyphenyl)methyl] benzeneethanamine).
(HHHH) APB (Other names include: (2-Aminopropyl) Benzofuran).
(IIII) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide.
(JJJJ) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).
(KKKK) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indaole-3-carboxamide).
(LLLL) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3-carboxamide).
(MMMM) APDB (Other names include: -EMA, -Desoxy-MDA, and (2-Aminopropyl)-2,3-dihydrobenzofuran).
(NNNN) THJ-2201 (Other names include: AM2201 indazole analog, Fluoropentyl-JWH-018 indazole, and 5-Fluoro-THJ-018).
(OOOO) AM 2201 benzimidazole analog (Other names include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone).
(PPPP) MN-25 (Other names include: 7-methoxy-1-[2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-

trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide and UR-12).

(QQQQ) FUB-PB-22 (Other names include: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).

(RRRR) FUD-PB-22 (Other names include: Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).

(SSSS) 5-Fluoro-AB-PINACA (Other names include: AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxaminde).

(TTTT) 4-MePPP (Other names include: 4-methyl-alpha-pyrrolidinopropiophenone).

(UUUU) alpha-PBP (Other names include: Alpha-pyrrolidinobutiophenone).

(VVVV) AB-CHMINACA (Other names include: (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide).

(WWWW) Mexedrone (3-methoxy-2-(methylamino)-1-(p-tolyl)propan-1-one).

(XXXX) MT-45, (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine).

(YYYY) methyl 2-(1-(5-fluoropentyl)- 1H-indazole-3-carboxamido) -3,3-dimethylbutanoate [5F-ADB; 5F-MDMB-PINACA].

(ZZZZ) methyl 2-(1-(5-fluoropentyl)-1H- indazole-3-carboxamido)-3-methylbutanoate [5F-AMB].

(AAAAA) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl) -1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide [ADB-FUBINACA].

(BBBBB) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3- carboxamide [5F-APINACA, 5F-AKB48].

(CCCCC) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate [MDMB-CHMICA, MMB-CHMINACA].

(DDDDD) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)- 3,3-dimethylbutanoate [MDMB-FUBINACA].

(EEEEE) N-(1-amino-3,3-dimethyl-1 -oxobutan-2-yl)-1-(cyclohexylmethyl)- 1H-indazole-3-carboxamide [MAB-CHMINACA and ADB-CHMINACA].

(FFFFF) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)- 3-methylbutanoate [FUB-AMB,

MMB-FUBINACA, AMB-FUBINACA].
(GGGGG) 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide) [AH7921].
(HHHHH) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (trivial name: NM2201; CBL2201)
(IIIII) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (trivial name: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYL BINACA; CUMYL-4CN-BINACA; SGT-78).
(JJJJJ) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate (trivial names: MMB-CHMICA, AMB-CHMICA).
(KKKKK) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide (trivial name: 5F-CUMYL-P7AICA).
(LLLLL) N-1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-pentanone (N-ethylpentylone, ephylone).
(MMMMM) Synthetic cathinone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)- pentan-1-one (N-ethylpentylone, ephylone) and its optical, positional, and geometric isomers, salts, and salts of isomers.
(NNNNN) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (trivial name: 5F-EDMB-PINACA).
(OOOOO) methyl 2-(1-(5- fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (trivial name: 5F-MDMB-PICA).
(PPPPP) N- (adamantan- 1-yl)- 1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N- (4-FLUOROBENZYL)).
(QQQQQ) 1-(5- fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (trivial names: 5F-CUMYL-PINACA; SGT-25).
(RRRRR) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone (trivial name: FUB-144).
(SSSSS) 4F-MDMB-BINACA.
(TTTTT) N-ethylhexedrone (2-(ethylamino)-1-phenylhexan-1-one).
(UUUUU) alpha-pyrrolidinohexanophenone (1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one.
(VVVVV) alpha-pyrrolidinohexiophenone; trivial name:

a-PHP.

(WWWWW) 4'-methyl-alpha-pyrrolidinohexiophenone (1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one.

(XXXXX) 4-methyl-alphaethylaminopentiophenone (2-(ethylamino)-1-(4-methylphenyl)pentan-1-one; trivial name: 4–MEAP.

(YYYYY) 4'-methyl-alphapyrrolidinohexanophenone; trivial name: MPHP.

(ZZZZZ) alphapyrrolidinoheptaphenone (1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one; trivial name: PV8.

(AAAAAA) 4'-chloro-alphapyrrolidinovalerophenone (1-(4- chlorophenyl)-2-(pyrrolidin-1- yl)pentan-1-one.

(BBBBBB) 4'-chloro-alphapyrrolidinopentiophenone; trivial name: 4-chloro-a-PVP.

(2) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(3) Any compound structurally derived from 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(4) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(5) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(6) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not substituted in the cyclohexyl ring to any extent.

(7) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(8) Any compound, except bupropion or a compound 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:

(A) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(B) by substitution at the 3-position with an acyclic alkyl substituent;

(C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(9) Any compound structurally derived from 3-tetramethyl cyclopropanoylindole with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,

cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl) ethyl, 1-(N-methyl-2-pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent.

(10) Any compound containing a N-(1-adamantyl)-1H-indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indazole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AKB48.

(11) Any compound containing a N-(1-adamantyl)-1H-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes STS-135.

(12) Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AM-1248.

(13) Any compound determined to be a synthetic drug by rule adopted under IC 25-26-13-4.1.

SECTION 3. IC 35-48-1-17.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17.4. (a) Except as provided in subsections (b) and (c), "isomer" means an optical isomer.**

(b) "Isomer", as used in IC 35-48-2-4(d), means an optical, positional, or geometric isomer.

(c) "Isomer", as used in section 7 of this chapter, means an optical or geometric isomer.

SECTION 4. IC 35-48-1-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. "Narcotic drug" means any of the following, 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.~~ **opiates, derivatives of opium and 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. The term does not include the isoquinoline alkaloids of opium.**

~~(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical to any of the substances referred to in subdivision (1) of this definition, but not including the isoquinoline alkaloids of opium.~~

~~(3)~~ **(2)** Opium poppy and poppy straw.

(3) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to this section.

SECTION 5. IC 35-48-1-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. "Opiate" **or "opioid"** means a **drug or other** substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under IC 35-48-2, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

SECTION 6. IC 35-48-2-4, AS AMENDED BY P.L.119-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The controlled substances listed in this section are included in schedule I.

(b) Opiates. Any of the following opiates, including their isomers,

esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

4-fluoroisobutyryl fentanyl

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide) (9815)

Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)

Acetylmethadol (9601)

Acrylfentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide

Allylprodine (9602)

Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9832)

Alphacetylmethadol (9603)

Alphameprodine (9604)

Alphamethadol (9605)

Alphamethylfentanyl (9814)

Benzethidine (9606)

Beta-hydroxy-3-methylfentanyl (9831). Other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide

Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830)

Betacetylmethadol (9607)

Betameprodine (9608)

Betamethadol (9609)

Betaprodine (9611)

Clonitazene (9612)

Cyclopentyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide

Dextromoramide (9613)

Diampromide (9615)

Diethylthiambutene (9616)

Difenoxin (9168)

Dimenoxadol (9617)

Dimepheptanol (9618)

Dimethylthiambutene (9619)

Dioxaphetyl butyrate (9621)

Dipipanone (9622)

Ethylmethylthiambutene (9623)

Etonitazene (9624)
Etoxeridine (9625)
Fentanyl related substances.
Furanyl fentanyl.
Furethidine (9626)
Hydroxypethidine (9627)
Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide
Ketobemidone (9628)
Levomoramide (9629)
Levophenacylmorphan (9631)
Methoxyacetyl fentanyl. Other name: 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide
3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenyl-propanimide](9813)
3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9833)
MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961)
Morpheridine (9632)
N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), including any isomers, salts, or salts of isomers (9818)
N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl] 25 piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl] -4- piperidinyl]- N-phenylpropanamide, (beta-hydroxythiofentanyl)
N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide (para-chloroisobutyryl fentanyl)
N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil)
N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide (para-fluorobutyryl fentanyl)
N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl)
N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl)
N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide (para-methoxybutyryl fentanyl)
N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834)
N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl

fentanyl)
N-(1-phenethylpiperidin-4-yl)- Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl)
Noracymethadol (9633)
Norlevorphanol (9634)
Normethadone (9635)
Norpipanone (9636)
Ocfentanil. Other name: N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide
Ortho-fluorofentanyl or 2-fluorofentanyl. Other name: N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide
Para-chloroisobutyryl fentanyl. Other name: N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide
Para-fluorobutyryl fentanyl. Other name: N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide (9812)
Para-methoxybutyryl fentanyl. Other name: N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
Phenadoxone (9637)
Phenampromide (9638)
Phenomorphan (9647)
Phenoperidine (9641)
PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)
Piritramide (9642)
Proheptazine (9643)
Properidine (9644)
Propiram (9649)
Racemoramide (9645)
Tetrahydrofuranyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carb oxamide
Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) (9835)
Tilidine (9750)
Trimeperidine (9646)
U47700 (3,4-dichloro- N- [2-dimethylamino)cyclohexyl]-N-methyl- benzamide)
Valeryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide

(c) Opium derivatives. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine (9319)
Acetyldihydrocodeine (9051)
Benzylmorphine (9052)
Codeine methylbromide (9070)
Codeine-N-Oxide (9053)
Cyprenorphine (9054)
Desomorphine (9055)
Dihydromorphine (9145)
Drotebanol (9335)
Etorphine (except hydrochloride salt) (9056)
Heroin (9200)
Hydromorphinol (9301)
Methyldesorphine (9302)
Methyldihydromorphine (9304)
Morphine methylbromide (9305)
Morphine methylsulfonate (9306)
Morphine-N-Oxide (9307)
Myrophine (9308)
Nicocodeine (9309)
Nicomorphine (9312)
Normorphine (9313)
Pholcodine (9314)
Thebacon (9315)

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic, psychedelic, or psychogenic substances, 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 (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers):

(1) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name: TCPy.

(2) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA.

(3) 4-Bromo-2, 5-dimethoxyphenethylamine (7392). Some trade

or other names:
2-[4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.
(4) 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name: DOET.
(5) 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348). Other name: 2C-T-7.
(6) 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.
(7) 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA.
(8) 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other Name: MMDA.
(9) 5-Methoxy-N, N-diisopropyltryptamine, including any isomers, salts, or salts of isomers (7439). Other name: 5-MeO-DIPT.
(10) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and other names: 4-methyl-2,
5-dimethoxy-a-methylphenethylamine; DOM; and STP.
(11) 3, 4-methylenedioxy amphetamine (7400). Other name: MDA.
(12) 3,4-methylenedioxy-N-ethylamphetamine (7404). Other names: N-ethyl-alpha-methyl-3,4(methylenedioxy) phenethylamine; N-ethyl MDA; MDE; and MDEA.
(13) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
(14) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.
(15) Alpha-ethyltryptamine (7249). Some trade and other names: Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; [alpha]-ET; and AET.
(16) Alpha-methyltryptamine (7432). Other name: AMT.
(17) Bufotenine (7433). Some trade and other names: 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine.
(18) Diethyltryptamine (7434). Some trade or other names: N, N-Diethyltryptamine; DET.
(19) Dimethyltryptamine (7435). Some trade or other names: DMT.
(20) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.

(21) Lysergic acid diethylamide (7315). Other name: LSD.
(22) Marijuana (7360).
(23) Mescaline (7381).
(24) Parahexyl (7374). Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.
(25) Peyote (7415), including:
(A) all parts of the plant that are classified botanically as lophophora williamsii lemaire, whether growing or not;
(B) the seeds thereof;
(C) any extract from any part of the plant; and
(D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.
(26) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.
(27) N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other names: N-hydroxy-alpha-methyl-3,4 (methylenedioxy)phenethylamine; and N-hydroxy MDA.
(28) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ.
(29) Psilocybin (7437).
(30) Psilocyn (7438).
(31) Tetrahydrocannabinols (7370), including synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:
(A) π^{1} cis or trans tetrahydrocannabinol, and their optical isomers;
(B) π^{6} cis or trans tetrahydrocannabinol, and their optical isomers; and
(C) $\pi^{3,}{}_{4}$ cis or trans tetrahydrocannabinol, and their optical isomers.
Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered. Other name: THC.
(32) Ethylamine analog of phencyclidine (7455). Some trade or other names: N-Ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE.
(33) Pyrrolidine analog of phencyclidine (7458). Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP_{y}; PHP.
(34) Thiophene analog of phencyclidine (7470). Some trade or

other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TPCP.

(35) Salvia divinorum or salvinorin A, including:

(A) all parts of the plant that are classified botanically as salvia divinorum, whether growing or not;

(B) the seeds of the plant;

(C) any extract from any part of the plant; and

(D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.

(36) 5-Methoxy-N,N-Dimethyltryptamine. Some trade or other names: 5-methoxy-3-[2- (dimethylamino)ethyl]indole; 5-MeO-DMT.

(37) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).

(38) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

(39) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C).

(40) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I).

(41) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-2).

(42) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-4).

(43) 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).

(44) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).

(45) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).

(46) Deschloroketamine (2-Phenyl-2-(methylamino)cyclohexanone).

(47) 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).

(48) N-methyltryptamine (1H-Indole-3-ethanamine, N-methyl-).

(e) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H-thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4diazepine) (other names include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and Pasaden)

Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine)

Gamma-hydroxybutyric acid (other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium

oxybate; sodium oxybutyrate) (2010)
Mecloqualone (2572)
Methaqualone (2565)

(f) Stimulants. 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 its salts, isomers, and salts of isomers:

([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590)
Aminorex (1585). Other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine.
Benzylone, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan-1-one. Synonyms: BMDP, N-benzyl methylone, 3,4-Methylenedioxy-Nbenzylcathinone, N-benzyl-3,4-methylenedioxycathinone.
Cathinone (1235). Some trade or other names: 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone.
Fenethylline (1503).
N-Benzylpiperazine (7493). Other names: BZP; and 1-benzylpiperazine.
N-ethylamphetamine (1475).
Methcathinone (1237). Some other trade names: 2-Methylamino-1-Phenylpropan-I-one; Ephedrone; Monomethylpropion; UR 1431.
N, N-dimethylamphetamine (1480). Other names: N, N-alpha-trimethyl-benzeneethanamine; and N, N-alpha-trimethylphenethylamine.

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

SECTION 7. IC 35-48-2-6, AS AMENDED BY P.L.119-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The controlled substances listed in this section are included in schedule II.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine,

dextrorphan, nalbuphine, naloxone, naltrexone, and their respective salts but including:

(A) raw opium (9600);

(B) opium extracts (9610);

(C) opium fluid extracts (9620);

(D) powdered opium (9639);

(E) granulated opium (9640);

(F) tincture of opium (9630);

(G) codeine (9050);

(H) dihydroetorphine (9334);

(I) ethylmorphine (9190);

(J) etorphine hydrochloride (9059);

(K) hydrocodone (9193), and any hydrocodone combination product, as determined by the federal Food and Drug Administration;

(L) hydromorphone (9150);

(M) metopon (9260);

(N) morphine (9300);

(O) oxycodone (9143);

(P) oxymorphone (9652);

(Q) thebaine (9333); and

(R) oripavine.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (b)(1) of this section, but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Cocaine (9041).

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670).

(c) Opiates. 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:

Alfentanil (9737)

Alphaprodine (9010)

Anileridine (9020)

Bezitramide (9800)

Bulk dextropropoxyphene (nondosage forms) (9273)

Carfentanil (9743)

Dihydrocodeine (9120)

Diphenoxylate (9170)
Fentanyl (9801)
Isomethadone (9226)
Levo-alphacetylmethadol (9648). Other names: Levo-alpha-acetylmethadol; levomethadyl acetate; and LAAM.
Levomethorphan (9210)
Levorphanol (9220)
Metazocine (9240)
Methadone (9250)
Methadone-Intermediate, 4-cyano-2-dimethyl-amino-4, 4-diphenyl butane (9254)
Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane- carboxylic acid (9802)
Pethidine (Meperidine) (9230)
Pethidine-Intermediate- A, 4-cyano-1-methyl-4-phenylpiperidine (9232)
Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate (9233)
Pethidine-Intermediate-C,1-methyl-4-phenylpiperidine-4-carbo xylic acid (9234)
~~Phenazodine~~ **Phenazocine** (9715)
Piminodine (9730)
Racemethorphan (9732)
Racemorphan (9733)
Remifentanil (9739)
Sufentanil (9740)
Tapentadol
Thiafentanil

(d) Stimulants. Any material compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers (1100).
(2) Methamphetamine, including its salts, isomers, and salts of its isomers (1105).
(3) Phenmetrazine and its salts (1631).
(4) Methylphenidate (1724).
(5) Lisdexamfetamine, its salts, its isomers, and salts of its isomers.

(e) Depressants. Unless specifically excepted by rule of the board or unless listed in another schedule, any material, compound, mixture,

or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Amobarbital (2125)
Glutethimide (2550)
Pentobarbital (2270)
Phencyclidine (7471)
Secobarbital (2315)

(f) Immediate precursors. Unless specifically excepted by rule of the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine: Phenylacetone (8501). Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.

(2) Immediate precursors to phencyclidine (PCP):

(A) 1-phenylcyclohexylamine (7460); or

(B) 1-piperidinocyclohexanecarbonitrile (PCC) (8603).

(3) Immediate precursor to fentanyl: 4-Anilino-N-Phenethyl-4-Piperidine (ANPP).

(g) Hallucinogenic substances:

Dronabinol oral solution. Other name: (-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC).

Nabilone (7379). Other name: (+/-)-trans-3-(1,1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6, 6-dimethyl-9H-dibenzo [b,d] pyran-9-one.

SECTION 8. IC 35-48-2-12, AS AMENDED BY P.L.119-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) The controlled substances listed in this section are included in schedule V.

(b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in the following quantities, which shall include one (1) 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 the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters

or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than 0.5 milligrams of difenoxin (9168), and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide)).

(d) Pregabalin (2782).

(e) Pyrovalerone (1485).

(f) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].

(g) Epidiolex.

(h) Zulresso (brexanolone) 3a-hydroxy-5apregnan-20-one. Other name: allopregnanolone.

SECTION 9. IC 35-48-4-0.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) In determining whether a controlled substance analog has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system, or is represented or intended to have a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system, the trier of fact may consider the following:

(1) The actual or relative potential for abuse of the substance.

(2) Scientific evidence of the pharmacological effect of the substance, if known.

(3) The state of current scientific knowledge regarding the substance.

(4) The history and current pattern of abuse of the substance.

(5) The scope, duration, and significance of abuse of the substance.

(6) The risk to the public health presented by the substance.

(7) The substance's psychological or physiological dependence liability.

(8) The behavior demonstrated by the defendant, if the defendant is known to have consumed the substance, or by the end user of

the substance that is alleged to have been delivered or otherwise transferred by the defendant.

(9) Whether the substance was diverted from legitimate channels or clandestinely imported, manufactured, or distributed.

(10) Whether the substance is an immediate precursor of a substance controlled under this article.

(11) A comparison of the accepted methods of marketing, distribution, and sales of the substance with the methods of marketing, distribution, and sales of the substance that the substance is purported to be, including:

(A) the packaging of the substance and its appearance in overall finished dosage form;

(B) oral or written statements or representations concerning the substance;

(C) the methods by which the substance is distributed; and

(D) the manner in which the substance is sold to the public.

(12) Any other relevant factor.

(b) For purposes of this chapter, a controlled substance analog that has a narcotic, stimulant, depressant, or hallucinogenic effect **on the central nervous system** shall be treated as ~~the highest scheduled controlled substance under IC 35-48-2 to which it is a controlled substance analog.~~ **a schedule I controlled substance.**

(c) It is not a defense to a prosecution for an offense involving a controlled substance analog that the substance's packaging declares that the substance is not for human consumption.

SECTION 10. IC 35-48-4-2, AS AMENDED BY P.L.80-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, ~~II, or III,~~ except marijuana, hash oil, hashish, or salvia, **or a controlled substance, pure or adulterated, classified in schedule II or III;** or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, ~~II, or III,~~ except marijuana, hash oil, hashish, or salvia, **or a controlled substance, pure or adulterated, classified in schedule II or III;**

commits dealing in a schedule I, II, or III controlled substance, a Level 6 felony, except as provided in subsections (b) through (f).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

(c) The offense is a Level 5 felony if:

(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies.

(d) The offense is a Level 4 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies.

(e) The offense is a Level 3 felony if:

(1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies.

(f) The offense is a Level 2 felony if:

(1) the amount of the drug involved is at least twenty-eight (28) grams; or

(2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies.

SECTION 11. IC 35-48-4-3, AS AMENDED BY P.L.80-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

a controlled substance, ~~or controlled substance analog,~~ pure or adulterated, classified in schedule IV; or

(2) possesses, with intent to manufacture or deliver, a controlled substance, ~~or controlled substance analog,~~ pure or adulterated, classified in schedule IV;

commits dealing in a schedule IV controlled substance, a Class A misdemeanor, except as provided in subsections (b) through (f).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture or deliver the controlled substance or controlled substance analog; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

(c) The offense is a Level 6 felony if:

(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies.

(d) The offense is a Level 5 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies.

(e) The offense is a Level 4 felony if:

(1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies.

(f) The offense is a Level 3 felony if:

(1) the amount of the drug involved is at least twenty-eight (28) grams; or

(2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies.

SECTION 12. IC 35-48-4-4, AS AMENDED BY P.L.80-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

a controlled substance, ~~or controlled substance analog,~~ pure or adulterated, classified in schedule V; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

a controlled substance, ~~or controlled substance analog,~~ pure or adulterated, classified in schedule V;

commits dealing in a schedule V controlled substance, a Class B misdemeanor, except as provided in subsections (b) through (f).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

(c) The offense is a Class A misdemeanor if:

(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies.

(d) The offense is a Level 6 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies.

(e) The offense is a Level 5 felony if:

(1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies.

(f) The offense is a Level 4 felony if:

(1) the amount of the drug involved is at least twenty-eight (28) grams; or

(2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies.

SECTION 13. IC 35-48-4-7, AS AMENDED BY P.L.80-2019, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2020]: Sec. 7. (a) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally possesses a:

(1) controlled substance **or controlled substance analog** (pure or adulterated), **classified in schedule I, except marijuana, hashish, or salvia;** or

(2) controlled substance ~~analog~~ (pure or adulterated), **classified in schedule II, III, or IV;**

~~classified in schedule I, II, III, or IV, except marijuana, hashish, or salvia,~~ commits possession of a controlled substance, a Class A misdemeanor, except as provided in subsection (b).

(b) The offense is a Level 6 felony if the person commits the offense and an enhancing circumstance applies.

(c) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally obtains:

(1) more than four (4) ounces of schedule V controlled substances containing codeine in any given forty-eight (48) hour period unless pursuant to a prescription;

(2) a schedule V controlled substance pursuant to written or verbal misrepresentation; or

(3) possession of a schedule V controlled substance other than by means of a prescription or by means of signing an exempt narcotic register maintained by a pharmacy licensed by the Indiana state board of pharmacy;

commits a Class A misdemeanor.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 194, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 194 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 8, Nays 0