

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 6
100TH GENERAL ASSEMBLY

0363H.04C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 195.010, 195.015, 195.017, 195.080, 195.740, 195.743, 195.746, 195.749, 195.752, 195.755, 195.756, 195.758, 195.764, 195.767, 195.770, 263.250, 332.361, 565.021, 579.015, 579.020, 579.065, and 579.068, RSMo, and to enact in lieu thereof twenty-two new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 195.010, 195.015, 195.017, 195.080, 195.740, 195.743, 195.746, 195.749, 195.752, 195.755, 195.756, 195.758, 195.764, 195.767, 195.770, 263.250, 332.361, 565.021, 579.015, 579.020, 579.065, and 579.068, RSMo, are repealed and twenty-two new sections enacted in lieu thereof, to be known as sections 191.255, 195.010, 195.015, 195.017, 195.080, 195.740, 195.743, 195.746, 195.749, 195.752, 195.756, 195.758, 195.764, 195.767, 195.805, 263.250, 332.361, 565.021, 579.015, 579.020, 579.065, and 579.068, to read as follows:

191.255. 1. Notwithstanding any other provision of law to the contrary, no state agency shall disclose to the federal government the statewide list of persons who have obtained a medical marijuana card.

2. Any violation of this section is a class E felony.

195.010. The following words and phrases as used in this chapter and chapter 579, unless the context otherwise requires, mean:

(1) "Acute pain", pain, whether resulting from disease, accidental or intentional trauma, or other causes, that the practitioner reasonably expects to last only a short period of time. Acute

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 pain shall not include chronic pain, pain being treated as part of cancer care, hospice or other
6 end-of-life care, or medication-assisted treatment for substance use disorders;

7 (2) "Addict", a person who habitually uses one or more controlled substances to such an
8 extent as to create a tolerance for such drugs, and who does not have a medical need for such
9 drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control
10 with reference to his or her addiction;

11 (3) "Administer", to apply a controlled substance, whether by injection, inhalation,
12 ingestion, or any other means, directly to the body of a patient or research subject by:

13 (a) A practitioner (or, in his or her presence, by his or her authorized agent); or

14 (b) The patient or research subject at the direction and in the presence of the practitioner;

15 (4) "Agent", an authorized person who acts on behalf of or at the direction of a
16 manufacturer, distributor, or dispenser. The term does not include a common or contract carrier,
17 public warehouseman, or employee of the carrier or warehouseman while acting in the usual and
18 lawful course of the carrier's or warehouseman's business;

19 (5) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general
20 authorized to investigate, commence and prosecute an action under this chapter;

21 (6) "Controlled substance", a drug, substance, or immediate precursor in Schedules I
22 through V listed in this chapter **and not including medical marijuana pursuant to Article**
23 **XIV of the Missouri Constitution;**

24 (7) "Controlled substance analogue", a substance the chemical structure of which is
25 substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

26 (a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous
27 system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central
28 nervous system of a controlled substance included in Schedule I or II; or

29 (b) With respect to a particular individual, which that individual represents or intends
30 to have a stimulant, depressant, or hallucinogenic effect on the central nervous system
31 substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous
32 system of a controlled substance included in Schedule I or II. The term does not include a
33 controlled substance; any substance for which there is an approved new drug application; any
34 substance for which an exemption is in effect for investigational use, for a particular person,
35 under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. Section 355) to the
36 extent conduct with respect to the substance is pursuant to the exemption; or any substance to
37 the extent not intended for human consumption before such an exemption takes effect with
38 respect to the substance;

39 (8) "Counterfeit substance", a controlled substance which, or the container or labeling
40 of which, without authorization, bears the trademark, trade name, or other identifying mark,

41 imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser
42 other than the person who in fact manufactured, distributed, or dispensed the substance;

43 (9) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one
44 person to another of drug paraphernalia or of a controlled substance, or an imitation controlled
45 substance, whether or not there is an agency relationship, and includes a sale;

46 (10) "Dentist", a person authorized by law to practice dentistry in this state;

47 (11) "Depressant or stimulant substance":

48 (a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid
49 or any derivative of barbituric acid which has been designated by the United States Secretary of
50 Health and Human Services as habit forming under 21 U.S.C. Section 352(d);

51 (b) A drug containing any quantity of:

52 a. Amphetamine or any of its isomers;

53 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

54 c. Any substance the United States Attorney General, after investigation, has found to
55 be, and by regulation designated as, habit forming because of its stimulant effect on the central
56 nervous system;

57 (c) Lysergic acid diethylamide; or

58 (d) Any drug containing any quantity of a substance that the United States Attorney
59 General, after investigation, has found to have, and by regulation designated as having, a
60 potential for abuse because of its depressant or stimulant effect on the central nervous system or
61 its hallucinogenic effect;

62 (12) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user
63 or research subject by or pursuant to the lawful order of a practitioner including the prescribing,
64 administering, packaging, labeling, or compounding necessary to prepare the substance for such
65 delivery. "Dispenser" means a practitioner who dispenses;

66 (13) "Distribute", to deliver other than by administering or dispensing a controlled
67 substance;

68 (14) "Distributor", a person who distributes;

69 (15) "Drug":

70 (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official
71 Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any
72 supplement to any of them;

73 (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or
74 prevention of disease in humans or animals;

75 (c) Substances, other than food, intended to affect the structure or any function of the
76 body of humans or animals; and

77 (d) Substances intended for use as a component of any article specified in this
78 subdivision. It does not include devices or their components, parts or accessories;

79 (16) "Drug-dependent person", a person who is using a controlled substance and who
80 is in a state of psychic or physical dependence, or both, arising from the use of such substance
81 on a continuous basis. Drug dependence is characterized by behavioral and other responses
82 which include a strong compulsion to take the substance on a continuous basis in order to
83 experience its psychic effects or to avoid the discomfort caused by its absence;

84 (17) "Drug enforcement agency", the Drug Enforcement Administration in the United
85 States Department of Justice, or its successor agency;

86 (18) "Drug paraphernalia", all equipment, products, substances and materials of any kind
87 which are used, intended for use, or designed for use, in planting, propagating, cultivating,
88 growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing,
89 storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the
90 human body a controlled substance or an imitation controlled substance in violation of this
91 chapter or chapter 579. It includes, but is not limited to:

92 (a) Kits used, intended for use, or designed for use in planting, propagating, cultivating,
93 growing or harvesting of any species of plant which is a controlled substance or from which a
94 controlled substance can be derived;

95 (b) Kits used, intended for use, or designed for use in manufacturing, compounding,
96 converting, producing, processing, or preparing controlled substances or imitation controlled
97 substances;

98 (c) Isomerization devices used, intended for use, or designed for use in increasing the
99 potency of any species of plant which is a controlled substance or an imitation controlled
100 substance;

101 (d) Testing equipment used, intended for use, or designed for use in identifying, or in
102 analyzing the strength, effectiveness or purity of controlled substances or imitation controlled
103 substances;

104 (e) Scales and balances used, intended for use, or designed for use in weighing or
105 measuring controlled substances or imitation controlled substances;

106 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose
107 and lactose, used, intended for use, or designed for use in cutting controlled substances or
108 imitation controlled substances;

109 (g) Separation gins and sifters used, intended for use, or designed for use in removing
110 twigs and seeds from, or in otherwise cleaning or refining, marijuana;

111 (h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or
112 designed for use in compounding controlled substances or imitation controlled substances;

- 113 (i) Capsules, balloons, envelopes and other containers used, intended for use, or designed
114 for use in packaging small quantities of controlled substances or imitation controlled substances;
- 115 (j) Containers and other objects used, intended for use, or designed for use in storing or
116 concealing controlled substances or imitation controlled substances;
- 117 (k) Hypodermic syringes, needles and other objects used, intended for use, or designed
118 for use in parenterally injecting controlled substances or imitation controlled substances into the
119 human body;
- 120 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise
121 introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
- 122 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens,
123 permanent screens, hashish heads, or punctured metal bowls;
- 124 b. Water pipes;
- 125 c. Carburetion tubes and devices;
- 126 d. Smoking and carburetion masks;
- 127 e. Roach clips meaning objects used to hold burning material, such as a marijuana
128 cigarette, that has become too small or too short to be held in the hand;
- 129 f. Miniature cocaine spoons and cocaine vials;
- 130 g. Chamber pipes;
- 131 h. Carburetor pipes;
- 132 i. Electric pipes;
- 133 j. Air-driven pipes;
- 134 k. Chillums;
- 135 l. Bongs;
- 136 m. Ice pipes or chillers;
- 137 (m) Substances used, intended for use, or designed for use in the manufacture of a
138 controlled substance.
- 139 In determining whether an object, product, substance or material is drug paraphernalia, a court
140 or other authority should consider, in addition to all other logically relevant factors, the
141 following:
- 142 a. Statements by an owner or by anyone in control of the object concerning its use;
- 143 b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any
144 state or federal law relating to any controlled substance or imitation controlled substance;
- 145 c. The proximity of the object, in time and space, to a direct violation of this chapter or
146 chapter 579;
- 147 d. The proximity of the object to controlled substances or imitation controlled
148 substances;

- 149 e. The existence of any residue of controlled substances or imitation controlled
150 substances on the object;
- 151 f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of
152 the object, to deliver it to persons who he or she knows, or should reasonably know, intend to
153 use the object to facilitate a violation of this chapter or chapter 579; the innocence of an owner,
154 or of anyone in control of the object, as to direct violation of this chapter or chapter 579 shall not
155 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 156 g. Instructions, oral or written, provided with the object concerning its use;
- 157 h. Descriptive materials accompanying the object which explain or depict its use;
- 158 i. National or local advertising concerning its use;
- 159 j. The manner in which the object is displayed for sale;
- 160 k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like
161 or related items to the community, such as a licensed distributor or dealer of tobacco products;
- 162 l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of
163 the business enterprise;
- 164 m. The existence and scope of legitimate uses for the object in the community;
- 165 n. Expert testimony concerning its use;
- 166 o. The quantity, form or packaging of the product, substance or material in relation to
167 the quantity, form or packaging associated with any legitimate use for the product, substance or
168 material;
- 169 (19) "Federal narcotic laws", the laws of the United States relating to controlled
170 substances;
- 171 (20) "Hospital", a place devoted primarily to the maintenance and operation of facilities
172 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or
173 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal
174 physical conditions; or a place devoted primarily to provide, for not less than twenty-four
175 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.
176 The term hospital does not include convalescent, nursing, shelter or boarding homes as defined
177 in chapter 198;
- 178 (21) "Illegal industrial hemp":
- 179 (a) All nonseed parts and varieties of the *Cannabis sativa* L. plant, growing or not, that
180 contain an average delta-9 tetrahydrocannabinol (THC) concentration exceeding three-tenths of
181 one percent on a dry weight basis;
- 182 (b) Illegal industrial hemp shall be destroyed in the most effective manner possible, and
183 such destruction shall be verified by the Missouri state highway patrol;
- 184 (22) "Immediate precursor", a substance which:

185 (a) The state department of health and senior services has found to be and by rule
186 designates as being the principal compound commonly used or produced primarily for use in the
187 manufacture of a controlled substance;

188 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture
189 of a controlled substance; and

190 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the
191 controlled substance;

192 (23) "Imitation controlled substance", a substance that is not a controlled substance,
193 which by dosage unit appearance (including color, shape, size and markings), or by
194 representations made, would lead a reasonable person to believe that the substance is a controlled
195 substance. In determining whether the substance is an imitation controlled substance the court
196 or authority concerned should consider, in addition to all other logically relevant factors, the
197 following:

198 (a) Whether the substance was approved by the federal Food and Drug Administration
199 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and
200 Drug Administration-approved package, with the federal Food and Drug
201 Administration-approved labeling information;

202 (b) Statements made by an owner or by anyone else in control of the substance
203 concerning the nature of the substance, or its use or effect;

204 (c) Whether the substance is packaged in a manner normally used for illicit controlled
205 substances;

206 (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state
207 or federal law related to controlled substances or fraud;

208 (e) The proximity of the substances to controlled substances;

209 (f) Whether the consideration tendered in exchange for the noncontrolled substance
210 substantially exceeds the reasonable value of the substance considering the actual chemical
211 composition of the substance and, where applicable, the price at which over-the-counter
212 substances of like chemical composition sell. An imitation controlled substance does not include
213 a placebo or registered investigational drug either of which was manufactured, distributed,
214 possessed or delivered in the ordinary course of professional practice or research;

215 (24) "Industrial hemp":

216 (a) All nonseed parts and varieties of the Cannabis sativa L. plant, growing or not, that
217 contain an average delta-9 tetrahydrocannabinol (THC) concentration that does not exceed
218 three-tenths of one percent on a dry weight basis or the maximum concentration allowed under
219 federal law, whichever is greater;

220 (b) Any *Cannabis sativa* L. seed that is part of a growing crop, retained by a grower for
221 future planting, or used for processing into or use as agricultural hemp seed;

222 (c) Industrial hemp includes industrial hemp commodities and products and topical or
223 ingestible animal and consumer products derived from industrial hemp with a delta-9
224 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight
225 basis;

226 (25) "Initial prescription", a prescription issued to a patient who has never previously
227 been issued a prescription for the drug or its pharmaceutical equivalent or who was previously
228 issued a prescription for the drug or its pharmaceutical equivalent, but the date on which the
229 current prescription is being issued is more than five months after the date the patient last used
230 or was administered the drug or its equivalent;

231 (26) "Laboratory", a laboratory approved by the department of health and senior services
232 as proper to be entrusted with the custody of controlled substances but does not include a
233 pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

234 (27) "Manufacture", the production, preparation, propagation, compounding or
235 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
236 substance, either directly or by extraction from substances of natural origin, or independently by
237 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
238 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
239 This term does not include the preparation or compounding of a controlled substance or an
240 imitation controlled substance or the preparation, compounding, packaging or labeling of a
241 narcotic or dangerous drug:

242 (a) By a practitioner as an incident to his or her administering or dispensing of a
243 controlled substance or an imitation controlled substance in the course of his or her professional
244 practice; or

245 (b) By a practitioner or his or her authorized agent under his or her supervision, for the
246 purpose of, or as an incident to, research, teaching or chemical analysis and not for sale;

247 (28) "Marijuana", all parts of the plant genus *Cannabis* in any species or form thereof,
248 including, but not limited to *Cannabis Sativa* L., except industrial hemp, *Cannabis Indica*,
249 *Cannabis Americana*, *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or not, the
250 seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture,
251 salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the
252 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the
253 plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature
254 stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant
255 which is incapable of germination;

256 (29) "Methamphetamine precursor drug", any drug containing ephedrine,
257 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
258 isomers;

259 (30) "Narcotic drug", any of the following, whether produced directly or indirectly by
260 extraction from substances of vegetable origin, or independently by means of chemical synthesis,
261 or by a combination of extraction and chemical analysis:

262 (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters,
263 ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers,
264 esters, ethers, and salts is possible within the specific chemical designation. The term does not
265 include the isoquinoline alkaloids of opium;

266 (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine,
267 and derivatives of ecgonine or their salts have been removed;

268 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

269 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

270 (e) Any compound, mixture, or preparation containing any quantity of any substance
271 referred to in paragraphs (a) to (d) of this subdivision;

272 (31) "Official written order", an order written on a form provided for that purpose by the
273 United States Commissioner of Narcotics, under any laws of the United States making provision
274 therefor, if such order forms are authorized and required by federal law, and if no such order
275 form is provided, then on an official form provided for that purpose by the department of health
276 and senior services;

277 (32) "Opiate" or "opioid", any substance having an addiction-forming or
278 addiction-sustaining liability similar to morphine or being capable of conversion into a drug
279 having addiction-forming or addiction-sustaining liability. The term includes its racemic and
280 levorotatory forms. It does not include, unless specifically controlled under section 195.017, the
281 dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

282 (33) "Opium poppy", the plant of the species *Papaver somniferum* L., except its seeds;

283 (34) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a drug
284 other than a controlled substance;

285 (35) "Person", an individual, corporation, government or governmental subdivision or
286 agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or
287 commercial entity;

288 (36) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and where
289 the context so requires, the owner of a store or other place of business where controlled
290 substances are compounded or dispensed by a licensed pharmacist; but nothing in this chapter

291 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist
292 any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

293 (37) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

294 (38) "Possessed" or "possessing a controlled substance", a person, with the knowledge
295 of the presence and nature of a substance, has actual or constructive possession of the substance.

296 A person has actual possession if he has the substance on his or her person or within easy reach
297 and convenient control. A person who, although not in actual possession, has the power and the
298 intention at a given time to exercise dominion or control over the substance either directly or
299 through another person or persons is in constructive possession of it. Possession may also be
300 sole or joint. If one person alone has possession of a substance possession is sole. If two or
301 more persons share possession of a substance, possession is joint;

302 (39) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian, scientific
303 investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by
304 this state to distribute, dispense, conduct research with respect to or administer or to use in
305 teaching or chemical analysis, a controlled substance in the course of professional practice or
306 research in this state, or a pharmacy, hospital or other institution licensed, registered, or
307 otherwise permitted to distribute, dispense, conduct research with respect to or administer a
308 controlled substance in the course of professional practice or research;

309 (40) "Production", includes the manufacture, planting, cultivation, growing, or
310 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
311 substance;

312 (41) "Registry number", the number assigned to each person registered under the federal
313 controlled substances laws;

314 (42) "Sale", includes barter, exchange, or gift, or offer therefor, and each such transaction
315 made by any person, whether as principal, proprietor, agent, servant or employee;

316 (43) "State" when applied to a part of the United States, includes any state, district,
317 commonwealth, territory, insular possession thereof, and any area subject to the legal authority
318 of the United States of America;

319 (44) "Synthetic cannabinoid", includes unless specifically excepted or unless listed in
320 another schedule, any natural or synthetic material, compound, mixture, or preparation that
321 contains any quantity of a substance that is a cannabinoid receptor agonist, including but not
322 limited to any substance listed in paragraph (1) of subdivision (4) of subsection 2 of section
323 195.017 and any analogues; homologues; isomers, whether optical, positional, or geometric;
324 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the
325 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it

326 shall not include any approved pharmaceutical authorized by the United States Food and Drug
327 Administration;

328 (45) "Ultimate user", a person who lawfully possesses a controlled substance or an
329 imitation controlled substance for his or her own use or for the use of a member of his or her
330 household or immediate family, regardless of whether they live in the same household, or for
331 administering to an animal owned by him or by a member of his or her household. For purposes
332 of this section, the phrase "immediate family" means a husband, wife, parent, child, sibling,
333 stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

334 (46) "Wholesaler", a person who supplies drug paraphernalia or controlled substances
335 or imitation controlled substances that he himself has not produced or prepared, on official
336 written orders, but not on prescriptions.

195.015. 1. The department of health and senior services shall administer this chapter
2 and may add substances to the schedules after public notice and hearing. In making a
3 determination regarding a substance, the department of health and senior services shall consider
4 the following:

5 (1) The actual or relative potential for abuse;

6 (2) The scientific evidence of its pharmacological effect, if known;

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

8 (4) The history and current pattern of abuse;

9 (5) The scope, duration, and significance of abuse;

10 (6) The risk to the public health;

11 (7) The potential of the substance to produce psychic or physiological dependence
12 liability; and

13 (8) Whether the substance is an immediate precursor of a substance already controlled
14 under this chapter.

15 2. After considering the factors enumerated in subsection 1 of this section the department
16 of health and senior services shall make findings with respect thereto and issue a rule controlling
17 the substance if it finds the substance has a potential for abuse.

18 3. If the department of health and senior services designates a substance as an immediate
19 precursor, substances which are precursors of the controlled precursor shall not be subject to
20 control solely because they are precursors of the controlled precursor.

21 4. If any substance is designated, rescheduled, or deleted as a controlled substance under
22 federal law and notice thereof is given to the department of health and senior services, the
23 department of health and senior services shall similarly control the substance under this chapter
24 ~~[after the expiration of]~~ **and shall submit emergency rules to the secretary of state under**
25 **section 536.025 within** thirty days ~~[from]~~ **of** publication in the federal register of a final order

26 designating a substance as a controlled substance or rescheduling or deleting a substance, unless
27 within that thirty-day period, the department of health and senior services objects to inclusion,
28 rescheduling, or deletion. In that case, the department of health and senior services shall publish
29 the reasons for objection and afford all interested parties an opportunity to be heard. At the
30 conclusion of the hearing, the department of health and senior services shall publish its decision,
31 which shall be final unless altered by statute. Upon publication of objection to inclusion,
32 rescheduling or deletion under this chapter by the department of health and senior services,
33 control under this chapter is stayed as to the substance in question until the department of health
34 and senior services publishes its decision. **When the department promulgates emergency**
35 **rules under this subsection, such rules may, notwithstanding the provisions of subsection**
36 **7 of section 536.025, remain in effect until the general assembly concludes its next regular**
37 **session following the imposition of any such rules.**

38 5. The department of health and senior services shall exclude any nonnarcotic substance
39 from a schedule if such substance may, under the federal Food, Drug, and Cosmetic Act and the
40 law of this state, be lawfully sold over the counter without a prescription.

41 6. The department of health and senior services shall prepare a list of all drugs falling
42 within the purview of controlled substances. Upon preparation, a copy of the list shall be filed
43 in the office of the secretary of state.

195.017. 1. The department of health and senior services shall place a substance in
2 Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and
4 (2) Has no accepted medical use in treatment in the United States or lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in Schedule I;
8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

11 (a) Acetyl-alpha-methylfentanyl (**N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-**
12 **phenylacetamide)**;

13 (b) Acetylmethadol;

14 (c) **Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)**;

15 (d) **AH-7921(3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl] benzamide)**;

16 (e) Allylprodine;

17 [~~e~~] (f) **Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-**
18 **alpha-acetylmethadol levothadyl acetate or LAAM)**;

- 19 [~~e~~] **(g)** Alphameprodine;
- 20 [~~f~~] **(h)** Alphamethadol;
- 21 [~~g~~] **(i)** Alpha-methylfentanyl (**N–1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl)**
- 22 **propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine);**
- 23 [~~h~~] **(j)** Alpha-methylthiofentanyl (**N–(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-**
- 24 **phenylpropanamide);**
- 25 [~~i~~] **(k)** Benzethidine;
- 26 [~~j~~] **(l)** Betacetylmethadol;
- 27 [~~k~~] **(m)** Beta-hydroxyfentanyl (**N–(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-**
- 28 **phenylpropanamide);**
- 29 [~~l~~] **(n)** Beta-hydroxy-3-methylfentanyl (**N–(1-(2-hydroxy-2-phenethyl)-3-methyl-4-**
- 30 **piperidinyl)-N-phenylpropanamide);**
- 31 [~~m~~] **(o)** Betameprodine;
- 32 [~~n~~] **(p)** Betamethadol;
- 33 [~~o~~] **(q)** Betaprodine;
- 34 [~~p~~] **(r)** Clonitazene;
- 35 [~~q~~] **(s)** Dextromoramide;
- 36 [~~r~~] **(t)** Diampromide;
- 37 [~~s~~] **(u)** Diethylthiambutene;
- 38 [~~t~~] **(v)** Difenoxy;
- 39 [~~u~~] **(w)** Dimenoxadol;
- 40 [~~v~~] **(x)** Dimepheptanol;
- 41 [~~w~~] **(y)** Dimethylthiambutene;
- 42 [~~x~~] **(z)** Dioxaphetyl butyrate;
- 43 [~~y~~] **(aa)** Dipipanone;
- 44 [~~z~~] **(bb)** Ethylmethylthiambutene;
- 45 [~~aa~~] **(cc)** Etonitazene;
- 46 [~~bb~~] **(dd)** Etoxeridine;
- 47 [~~cc~~] **(ee)** Furethidine;
- 48 [~~dd~~] **(ff)** Hydroxypethidine;
- 49 [~~ee~~] **(gg)** Ketobemidone;
- 50 [~~ff~~] **(hh)** Levomoramide;
- 51 [~~gg~~] **(ii)** Levophenacymorphan;
- 52 [~~hh~~] **(jj)** 3-Methylfentanyl (**N–(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-**
- 53 **phenylproanamide), its optical and geometric isomers, salts, and salts of isomers;**

- 54 [~~(ii)~~] **(kk)** 3-Methylthiofentanyl (N-((3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-
55 **phenylpropanamide**);
- 56 [~~(jj)~~] **(ll)** Morpheridine;
- 57 [~~(kk)~~] **(mm)** MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 58 **(nn)** MT-45(1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);
- 59 [~~(ll)~~] **(oo)** Noracymethadol;
- 60 [~~(mm)~~] **(pp)** Norlevorphanol;
- 61 [~~(nn)~~] **(qq)** Normethadone;
- 62 [~~(oo)~~] **(rr)** Norpipanone;
- 63 [~~(pp)~~] **(ss)** Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)
64 **propanamide**;
- 65 [~~(qq)~~] **(tt)** PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 66 [~~(rr)~~] **(uu)** Phenadoxone;
- 67 [~~(ss)~~] **(vv)** Phenampromide;
- 68 [~~(tt)~~] **(ww)** Phenomorphan;
- 69 [~~(uu)~~] **(xx)** Phenoperidine;
- 70 [~~(vv)~~] **(yy)** Piritramide;
- 71 [~~(ww)~~] **(zz)** Proheptazine;
- 72 [~~(xx)~~] **(aaa)** Properidine;
- 73 [~~(yy)~~] **(bbb)** Propiram;
- 74 [~~(zz)~~] **(ccc)** Racemoramide;
- 75 [~~(aaa)~~] **(ddd)** Thiofentanyl (N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-
76 **propanamide**;
- 77 [~~(bbb)~~] **(eee)** Tilidine;
- 78 [~~(ccc)~~] **(fff)** Trimeperidine;
- 79 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
80 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
81 is possible within the specific chemical designation:
- 82 (a) Acetorphine;
- 83 (b) Acetyldihydrocodeine;
- 84 (c) Benzylmorphine;
- 85 (d) Codeine methylbromide;
- 86 (e) Codeine-N-Oxide;
- 87 (f) Cyprenorphine;
- 88 (g) Desomorphine;
- 89 (h) Dihydromorphine;

- 90 (i) Drotebanol;
- 91 (j) Etorphine (except hydrochloride salt);
- 92 (k) Heroin;
- 93 (l) Hydromorphenol;
- 94 (m) Methyldesorphine;
- 95 (n) Methyldihydromorphine;
- 96 (o) Morphine methylbromide;
- 97 (p) Morphine methylsulfonate;
- 98 (q) Morphine-N-Oxide;
- 99 (r) Myrophine;
- 100 (s) Nicocodeine;
- 101 (t) Nicomorphine;
- 102 (u) Normorphine;
- 103 (v) Pholcodine;
- 104 (w) Thebacon;
- 105 (4) **Any of the following opiate similar synthetic substances scheduled by the U.S.**
- 106 **Drug Enforcement Administration as substances that share a pharmacological profile**
- 107 **similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or**
- 108 **unless listed in another schedule:**
- 109 (a) **Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);**
- 110 (b) **U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-N-methyl benzamide);**
- 111 (5) Any material, compound, mixture or preparation which contains any quantity of the
- 112 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
- 113 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
- 114 the specific chemical designation:
- 115 (a) **Alpha-ethyltryptamine;**
- 116 (b) 4-bromo-2, 5-dimethoxyamphetamine;
- 117 [~~(b) 4-bromo-2, 5-dimethoxyphenethylamine;~~]
- 118 (c) **4-bromo-2,5-dimethoxyphenethylamine;**
- 119 (d) 2,5-dimethoxyamphetamine;
- 120 [~~(e)~~] (e) 2,5-dimethoxy-4-ethylamphetamine;
- 121 [~~(f)~~] (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 122 [~~(g)~~] (g) **2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;**
- 123 (h) **2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;**
- 124 (i) **2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;**
- 125 (j) **2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;**

- 126 **(k) 2-(2,5-Dimethoxyphenyl) ethanamine;**
 127 **(l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;**
 128 **(m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;**
 129 **(n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;**
 130 **(o) 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;**
 131 **(p) 4-methoxyamphetamine;**
 132 ~~[(g)]~~ **(q) 5-methoxy-3,4-methylenedioxyamphetamine;**
 133 ~~[(h)]~~ **(r) 4-methyl-2, 5-dimethoxyamphetamine;**
 134 ~~[(i)]~~ **(s) 3,4-methylenedioxyamphetamine;**
 135 ~~[(j)]~~ **(t) 3,4-methylenedioxymethamphetamine;**
 136 ~~[(k)]~~ **(u) 3,4-methylenedioxy-N-ethylamphetamine;**
 137 ~~[(l)]~~ **(v) N-hydroxy-3, 4-methylenedioxyamphetamine;**
 138 ~~[(m)]~~ **(w) 3,4,5-trimethoxyamphetamine;**
 139 ~~[(n)]~~ **(x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine**~~[, its isomers, salts, and~~
 140 ~~salts of isomers];~~
 141 ~~[(o)]~~ **Alpha-ethyltryptamine;**
 142 ~~[(p)]~~ **(y) Alpha-methyltryptamine;**
 143 ~~[(q)]~~ **(z) Bufotenine;**
 144 ~~[(r)]~~ **(aa) Diethyltryptamine;**
 145 ~~[(s)]~~ **(bb) Dimethyltryptamine;**
 146 ~~[(t)]~~ **(cc) 5-methoxy-N,N-diisopropyltryptamine;**
 147 ~~[(u)]~~ **(dd) Ibogaine;**
 148 ~~[(v)]~~ **(ee) Lysergic acid diethylamide;**
 149 ~~[(w)]~~ **(ff) Marijuana or marihuana, except **medical marijuana pursuant to Article XIV****
 150 **of the Missouri Constitution and industrial hemp;**
 151 ~~[(x)]~~ **(gg) Mescaline;**
 152 ~~[(y)]~~ **(hh) Parahexyl;**
 153 ~~[(z)]~~ **(ii) Peyote, to include all parts of the plant presently classified botanically as**
 154 **Lophophora [Williamsii] williamsii Lemaire, whether growing or not; the seeds thereof; any**
 155 **extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture**
 156 **or preparation of the plant, its seed or extracts;**
 157 ~~[(aa)]~~ **(jj) N-ethyl-3-piperidyl benzilate;**
 158 ~~[(bb)]~~ **(kk) N-methyl-3-piperidyl benzilate;**
 159 ~~[(cc)]~~ **(ll) Psilocybin;**
 160 ~~[(dd)]~~ **(mm) Psilocyn;**

161 ~~[(ee)]~~ **(nn)** Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
162 (cannabis plant), except **medical marijuana pursuant to Article XIV of the Missouri**
163 **Constitution and** industrial hemp, as well as synthetic equivalents of the substances contained
164 in the cannabis plant, or in the resinous extractives of such plant, or synthetic substances,
165 derivatives[;] and their isomers, **or both**, with similar chemical structure and pharmacological
166 activity to those substances contained in the plant, such as the following:

- 167 a. 1 cis or trans tetrahydrocannabinol[;] and their optical isomers;
168 b. 6 cis or trans tetrahydrocannabinol[;] and their optical isomers;
169 c. 3,4 cis or trans tetrahydrocannabinol[;] and their optical isomers;
170 d. Any compounds of these structures, regardless of numerical designation of atomic
171 positions covered;

172 ~~[(ff)]~~ **(oo)** Ethylamine analog of phencyclidine;

173 ~~[(gg)]~~ **(pp)** Pyrrolidine analog of phencyclidine;

174 ~~[(hh)]~~ **(qq)** Thiophene analog of phencyclidine;

175 ~~[(ii)]~~ **(rr)** 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

176 ~~[(jj)]~~ **(ss)** Salvia divinorum;

177 ~~[(kk)]~~ **(tt)** Salvinorin A;

178 ~~[(ll)]~~ **(uu)** Synthetic cannabinoids:

- 179 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
180 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
181 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl
182 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
183 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
184 to:

185 (i) **AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;**

186 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

187 ~~[(ii)]~~ (iii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;

188 ~~[(iii)]~~ (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

189 ~~[(iv)]~~ (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

190 ~~[(v)]~~ (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

191 ~~[(vi)]~~ (vii) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

192 ~~[(vii)]~~ (viii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)

193 indole;

194 ~~[(viii)]~~ (ix) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;

195 ~~[(ix)]~~ (x) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

196 ~~[(x)]~~ (xi) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

- 197 [~~(xi)~~] **(xii)** JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
198 [~~(xii)~~] **(xiii)** JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
- 199 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
200 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
201 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
202 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
203 extent;
- 204 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
205 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
206 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
207 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
208 ring to any extent;
- 209 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
210 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
211 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
212 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
213 extent. Including, but not limited to:
- 214 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
215 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
216 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
217 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
218 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- 219 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
220 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
221 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
222 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:
- 223 (i) C P 4 7 , 4 9 7 [&] a n d h o m o l o g u e s , o r
224 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol), where side chain n=5, and
225 homologues where side chain n=4,6, or 7;
- 226 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
227 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
228 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
229 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
230 any extent. Including, but not limited to:
- 231 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
232 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (**SR-19 and RCS-4**);

- 233 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5 -
234 phenylpentan-2-yl]-oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
235 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
236 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
237 i. HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,
238 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
239 j. [~~CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-~~
240 ~~phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;~~
241 ~~—k.] Dimethylheptylpyran, or DMHP;~~
242 [~~5~~] (6) Any material, compound, mixture or preparation containing any quantity of the
243 following substances having a depressant effect on the central nervous system, including their
244 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
245 isomers is possible within the specific chemical designation:
246 (a) Gamma-hydroxybutyric acid;
247 (b) Mecloqualone;
248 (c) Methaqualone;
249 [~~6~~] (7) Any material, compound, mixture or preparation containing any quantity of the
250 following substances having a stimulant effect on the central nervous system, including their
251 salts, isomers and salts of isomers:
252 (a) Aminorex;
253 (b) N-benzylpiperazine;
254 (c) Cathinone;
255 (d) Fenethylamine;
256 (e) 3-Fluoromethcathinone;
257 (f) 4-Fluoromethcathinone;
258 (g) Mephedrone, or 4-methylmethcathinone;
259 (h) Methcathinone;
260 (i) 4-methoxymethcathinone;
261 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
262 oxazolamine);
263 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-
264 (1-pyrrolidinyl)-1-pentanone);
265 (l) Methylenedioxypropylamphetamine;
266 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
267 (n) N-ethylamphetamine;
268 (o) N,N-dimethylamphetamine;

- 269 (p) Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate (PB-22; QUPIC);
- 270 (q) Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-fluoro-PB-22; 5F-
- 271 PB-22);
- 272 (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-
- 273 carboxamide (AB-FUBINACA);
- 274 (s) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide
- 275 (ADB-PINACA);
- 276 [(7)] (8) A temporary listing of substances subject to emergency scheduling under
- 277 federal law shall include any material, compound, mixture or preparation which contains any
- 278 quantity of the following substances:
- 279 (a) [N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,
- 280 salts and salts of isomers;
- 281 ~~————(b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thienylfentanyl), its~~
- 282 ~~optical isomers, salts and salts of isomers;]~~ (1-pentyl-1*H*-indol-3-yl)(2,2,3,3-
- 283 tetramethylcyclopropyl)methanone, its optical, positional, and geometric isomers, salts, and
- 284 salts of isomers;
- 285 (b) [1-(5-fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone,
- 286 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 287 (c) N-(1-adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide, its optical, positional,
- 288 and geometric isomers, salts, and salts of isomers;
- 289 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
- 290 positional, and geometric isomers, salts, and salts of isomers;
- 291 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
- 292 positional, and geometric isomers, salts, and salts of isomers;
- 293 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, its optical,
- 294 positional, and geometric isomers, salts, and salts of isomers;
- 295 (g) 4-methyl-N-ethylcathinone, its optical, positional, and geometric isomers, salts,
- 296 and salts of isomers;
- 297 (h) 4-methyl-alpha-pyrrolidinopropiophenone, its optical, positional, and geometric
- 298 isomers, salts, and salts of isomers;
- 299 (i) Alpha-pyrrolidinopentiophenone, its optical, positional, and geometric isomers,
- 300 salts, and salts of isomers;
- 301 (j) Butylone, its optical, positional, and geometric isomers, salts, and salts of
- 302 isomers;
- 303 (k) Pentedrone, its optical, positional, and geometric isomers, salts, and salts of
- 304 isomers;

- 305 (l) Pentylone, its optical, positional, and geometric isomers, salts, and salts of
306 isomers;
- 307 (m) Naphyrone, its optical, positional, and geometric isomers, salts, and salts of
308 isomers;
- 309 (n) Alpha-pyrrolidinobutiophenone, its optical, positional, and geometric isomers,
310 salts, and salts of isomers;
- 311 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
312 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 313 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide,
314 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 315 (q) [1-(5-fluoropentyl)-1*H*-indazole-3-yl](naphthalen-1-yl)methanone, its optical,
316 positional, and geometric isomers, salts, and salts of isomers;
- 317 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide,
318 its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 319 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and
320 geometric isomers, salts, and salts of isomers;
- 321 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-
322 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 323 (u) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide;
- 324 (v) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-
325 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
326 isomers;
- 327 (w) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
328 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 329 (x) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide, its optical,
330 positional, and geometric isomers, salts, and salts of isomers;
- 331 (y) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-
332 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers;
- 333 (z) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-
334 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
335 isomers;
- 336 (aa) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-
337 dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of
338 isomers;
- 339 (bb) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide, its isomers,
340 esters, ethers, salts, and salts of isomers, esters, and ethers;

- 341 (cc) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers,
342 salts, and salts of isomers, esters, and ethers;
- 343 (dd) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers,
344 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 345 (ee) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide, its
346 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 347 (ff) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its isomers,
348 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 349 (gg) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate,
350 its optical, positional, and geometric isomers, salts, and salts of isomers;
- 351 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide, its isomers,
352 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 353 (ii) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters, ethers,
354 salts, and salts of isomers, esters, and ethers;
- 355 (jj) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers,
356 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 357 (kk) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers,
358 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 359 (ll) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers,
360 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 361 (mm) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters,
362 ethers, salts, and salts of isomers, esters, and ethers;
- 363 (nn) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide, its isomers,
364 esters, ethers, salts, and salts of isomers, esters, and ethers;
- 365 (oo) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide, its
366 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;
- 367 (pp) Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of
368 isomers, esters, and ethers. Fentanyl-related substance shall mean any substance not
369 otherwise listed under another Drug Enforcement Administration Controlled Substance
370 Code Number, and for which no exemption or approval is in effect under section 505 of the
371 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 355, that is structurally related
372 to fentanyl by one or more of the following modifications:
- 373 a. Replacement of the phenyl portion of the phenethyl group by any monocycle,
374 whether or not further substituted in or on the monocycle;
- 375 b. Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl,
376 halo, haloalkyl, amino or nitro groups;

377 c. Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether,
378 hydroxyl, amino or nitro groups;

379 d. Replacement of the aniline ring with any aromatic monocycle, whether or not
380 further substituted in or on the aromatic monocycle; or

381 e. Replacement of the N-propionyl group by another acyl group;

382 (qq) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate, its optical,
383 positional, and geometric isomers, salts, and salts of isomers (NM2201; CBL2201);

384 (rr) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-
385 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (5F-
386 AB-PINACA);

387 (ss) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide, its
388 optical, positional, and geometric isomers, salts, and salts of isomers (4-CN-CUMYL-
389 BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-
390 BINACA; SGT-78);

391 (tt) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate,
392 its optical, positional, and geometric isomers, salts, and salts of isomers (MMB-CHMICA,
393 AMB-CHMICA);

394 (uu) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-
395 carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (5F-
396 CUMYL-P7AICA);

397 (vv) *N*-Ethylpentylone, its optical, positional, and geometric isomers, salts, and salts
398 of isomers (ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one);

399 [(8)] (9) Khat, to include all parts of the plant presently classified botanically as *catha*
400 *edulis*, whether growing or not; the seeds thereof; any extract from any part of such plant; and
401 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or
402 extracts.

403 3. The department of health and senior services shall place a substance in Schedule II
404 if it finds that:

405 (1) The substance has high potential for abuse;

406 (2) The substance has currently accepted medical use in treatment in the United States,
407 or currently accepted medical use with severe restrictions; and

408 (3) The abuse of the substance may lead to severe psychic or physical dependence.

409 4. The controlled substances listed in this subsection are included in Schedule II:

410 (1) Any of the following substances whether produced directly or indirectly by extraction
411 from substances of vegetable origin, or independently by means of chemical synthesis, or by
412 combination of extraction and chemical synthesis:

413 (a) Opium and opiate; and any salt, compound, derivative or preparation of opium or
414 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
415 nalmefene, **naloxegol**, naloxone, and naltrexone, and their respective salts, but including the
416 following:

- 417 a. Raw opium;
- 418 b. Opium extracts;
- 419 c. Opium fluid;
- 420 d. Powdered opium;
- 421 e. Granulated opium;
- 422 f. Tincture of opium;
- 423 g. Codeine;
- 424 h. **Dihydroetorphine**;
- 425 i. Ethylmorphine;
- 426 [~~t~~] j. Etorphine hydrochloride;
- 427 [~~t~~] k. Hydrocodone;
- 428 [~~k~~] l. Hydromorphone;
- 429 [~~t~~] m. Metopon;
- 430 [~~m~~] n. Morphine;
- 431 [~~n~~] o. **Oripavine**;
- 432 p. Oxycodone;
- 433 [~~o~~] q. Oxymorphone;
- 434 [~~p~~] r. Thebaine;

435 (b) Any salt, compound, derivative, or preparation thereof which is chemically
436 equivalent or identical with any of the substances referred to in this subdivision, but not
437 including the isoquinoline alkaloids of opium;

438 (c) Opium poppy and poppy straw;

439 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
440 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
441 with any of these substances, but not including **the following**:

442 a. Decocainized coca leaves or extractions **of coca leaves**, which **extractions** do not
443 contain cocaine or ecgonine; **or**

444 **b. Ioflupane**;

445 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
446 or powder form which contains the phenanthrene alkaloids of the opium poppy);

- 447 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
 448 of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within
 449 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 450 (a) Alfentanil;
 451 (b) Alphaprodine;
 452 (c) Anileridine;
 453 (d) Bezitramide;
 454 (e) Bulk dextropropoxyphene;
 455 (f) Carfentanil;
 456 (g) Dihydrocodeine;
 457 (h) Diphenoxylate;
 458 (i) Fentanyl;
 459 (j) Isomethadone;
 460 (k) Levo-alphaacetylmethadol;
 461 (l) Levomethorphan;
 462 (m) Levorphanol;
 463 (n) Metazocine;
 464 (o) Methadone;
 465 (p) ~~Meperidine~~;
 466 ~~—(q)~~ Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
 467 ~~[(r)]~~ (q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
 468 1-diphenylpropane-carboxylic acid;
 469 ~~[(s)]~~ (r) Pethidine (meperidine);
 470 ~~[(t)]~~ (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
 471 ~~[(u)]~~ (t) Pethidine-Intermediate -B, ethyl-4-phenylpiperidine-4-
 472 carboxylate;
 473 ~~[(v)]~~ (u) Pethidine-Intermediate -C, 1-methyl-4-phenylpiperidine-4-
 474 carboxylic acid;
 475 ~~[(w)]~~ (v) Phenazocine;
 476 ~~[(x)]~~ (w) Piminodine;
 477 ~~[(y)]~~ (x) Racemethorphan;
 478 ~~[(z)]~~ (y) Racemorphan;
 479 ~~[(aa)]~~ (z) Remifentanil;
 480 ~~[(bb)]~~ (aa) Sufentanil;
 481 ~~[(cc)]~~ (bb) Tapentadol;
 482 (cc) **Thiafentanil**;

483 (3) Any material, compound, mixture, or preparation which contains any quantity of the
484 following substances having a stimulant effect on the central nervous system:

- 485 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 486 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 487 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 488 (d) Phenmetrazine and its salts;
- 489 (e) Methylphenidate;

490 (4) Any material, compound, mixture, or preparation which contains any quantity of the
491 following substances having a depressant effect on the central nervous system, including its salts,
492 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
493 is possible within the specific chemical designation:

- 494 (a) Amobarbital;
- 495 (b) Glutethimide;
- 496 (c) Pentobarbital;
- 497 (d) Phencyclidine;
- 498 (e) Secobarbital;

499 (5) ~~Any material or compound which contains any quantity of nabilone~~ **Hallucinogenic**
500 **substances:**

- 501 (a) **Any material or compound which contains any quantity of nabilone;**
- 502 (b) **Dronabinol [(-)- Δ -9-trans tetrahydrocannabinol] in an oral solution in a drug**
503 **product approved for marketing by the U.S. Food and Drug Administration;**

504 (6) Any material, compound, mixture, or preparation which contains any quantity of the
505 following substances:

- 506 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 507 (b) Immediate precursors to phencyclidine (PCP):
508 a. 1-phenylcyclohexylamine;
- 509 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 510 (c) **Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperidine (ANPP);**

511 (7) Any material, compound, mixture, or preparation which contains any quantity of the
512 following alkyl nitrites:

- 513 (a) Amyl nitrite;
- 514 (b) Butyl nitrite.

515 5. The department of health and senior services shall place a substance in Schedule III
516 if it finds that:

- 517 (1) The substance has a potential for abuse less than the substances listed in Schedules
518 I and II;

519 (2) The substance has currently accepted medical use in treatment in the United States;
520 and

521 (3) Abuse of the substance may lead to moderate or low physical dependence or high
522 psychological dependence.

523 6. The controlled substances listed in this subsection are included in Schedule III:

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

527 (a) Benzphetamine;

528 (b) Chlorphentermine;

529 (c) Clortermine;

530 (d) Phendimetrazine;

531 (2) Any material, compound, mixture or preparation which contains any quantity or salt
532 of the following substances or salts having a depressant effect on the central nervous system:

533 (a) Any material, compound, mixture or preparation which contains any quantity or salt
534 of the following substances combined with one or more active medicinal ingredients:

535 a. Amobarbital;

536 b. Secobarbital;

537 c. Pentobarbital;

538 (b) Any suppository dosage form containing any quantity or salt of the following:

539 a. Amobarbital;

540 b. Secobarbital;

541 c. Pentobarbital;

542 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
543 salt;

544 (d) Chlorhexadol;

545 (e) Embutramide;

546 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
547 a drug product for which an application has been approved under Section 505 of the federal
548 Food, Drug, and Cosmetic Act;

549 (g) Ketamine, its salts, isomers, and salts of isomers;

550 (h) Lysergic acid;

551 (i) Lysergic acid amide;

552 (j) Methyprylon;

553 (k) **Perampanel, and its salts, isomers, and salts of isomers;**

554 (l) Sulfondiethylmethane;

- 555 ~~[(+)]~~ **(m)** Sulfonethylmethane;
- 556 ~~[(+)]~~ **(n)** Sulfonmethane;
- 557 ~~[(+)]~~ **(o)** Tiletamine and zolazepam or any salt thereof;
- 558 (3) Nalorphine;
- 559 (4) Any material, compound, mixture, or preparation containing limited quantities of any
- 560 of the following narcotic drugs or their salts:
- 561 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 562 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
- 563 of opium;
- 564 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
- 565 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
- 566 therapeutic amounts;
- 567 (c) ~~[Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
- 568 ~~or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an~~
- 569 ~~isoquinoline alkaloid of opium;~~
- 570 ~~——(d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters~~
- 571 ~~or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic~~
- 572 ~~ingredients in recognized therapeutic amounts;~~
- 573 ~~——(e)]~~ Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
- 574 than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in
- 575 recognized therapeutic amounts;
- 576 ~~[(+)]~~ **(d)** Not more than three hundred milligrams of ethylmorphine per one hundred
- 577 milliliters or not more than fifteen milligrams per dosage unit, with one or more active,
- 578 nonnarcotic ingredients in recognized therapeutic amounts;
- 579 ~~[(+)]~~ **(e)** Not more than five hundred milligrams of opium per one hundred milliliters
- 580 or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or
- 581 more active nonnarcotic ingredients in recognized therapeutic amounts;
- 582 ~~[(+)]~~ **(f)** Not more than fifty milligrams of morphine per one hundred milliliters or per
- 583 one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
- 584 amounts;
- 585 (5) Any material, compound, mixture, or preparation containing any of the following
- 586 narcotic drugs or their salts~~[-as set forth in subdivision (6) of this subsection;]~~ : Buprenorphine;
- 587 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
- 588 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
- 589 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
- 590 expressly intended for administration through implants to cattle or other nonhuman species and

591 which has been approved by the Secretary of Health and Human Services for that administration.
 592 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
 593 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
 594 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,
 595 any material, compound, mixture or preparation containing any quantity of the following
 596 substances, including its salts, esters and ethers:

- 597 (a) ~~[3 β ,17-dihydroxy-5 α -androstane]~~ **3 β ,17 β -dihydroxy-5 α -androstane**;
 598 (b) 3 α ,17 β -dihydroxy-5 α -androstane;
 599 (c) 5 α -androstan-3,17-dione;
 600 (d) 1-androstenediol (3 β ,17 β -dihydroxy-5 α -androst-1-ene);
 601 (e) 1-androstenediol (3 α ,17 β -dihydroxy-5 α -androst-1-ene);
 602 (f) 4-androstenediol (3 β ,17 β -dihydroxy-androst-4-ene);
 603 (g) 5-androstenediol (3 β ,17 β -dihydroxy-androst-5-ene);
 604 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
 605 (i) 4-androstenedione (androst-4-en-3,17-dione);
 606 (j) 5-androstenedione (androst-5-en-3,17-dione);
 607 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
 608 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);
 609 (m) Boldione;
 610 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-3-one);
 611 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);
 612 (p) Dehydrochloromethyltestosterone(4-chloro-17 β -hydroxy -17 α -methyl-
 613 androst-1,4-dien-3-one);
 614 (q) Desoxymethyltestosterone;
 615 (r) Δ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 β -hydroxy-5 α -
 616 androst-1-en-3-one);
 617 (s) ~~[4-dihydrotestosterone (17 β -hydroxy-androstan-3-one)]~~;
 618 ~~——(t)~~ Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-one);
 619 ~~[(u)]~~ (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);
 620 ~~[(v)]~~ (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -dihydroxyandrost
 621 -4-en-3-one);
 622 ~~[(w)]~~ (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -dihydroxyandrost
 623 -1,4-dien-3-one);
 624 ~~[(x)]~~ (w) Furazabol (17 α -methyl-17 β -hydroxyandrostano[2,3-c]-fuzazan);
 625 ~~[(y)]~~ (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;
 626 ~~[(z)]~~ (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);

- 627 [(aa)] (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
- 628 [(bb)] (aa) Mestanolone [~~(17 α -methyl-17 β -hydroxy-5-androstan-3-one)~~]
- 629 **(17 α -methyl-17 β -hydroxy-5 α -androstan-3-one)**;
- 630 [(ee)] (bb) Mesterolone [~~(1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one)~~] **(1 α -**
- 631 **methyl-17 β -hydroxy-[5 α]-androstan-3-one)**;
- 632 [~~(dd)~~] (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
- 633 [(ee)] (dd) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
- 634 [(ff)] (ee) **Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one)**;
- 635 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
- 636 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
- 637 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
- 638 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
- 639 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -
- 640 hydroxyestr-4-en-3-one);
- 641 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
- 642 (ll) [~~Methyltrienolone—(17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one)~~]
- 643 **Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)**;
- 644 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
- 645 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
- 646 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -
- 647 androst-1-en-3-one) (a.k.a. '17- α -methyl-1-testosterone');
- 648 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
- 649 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
- 650 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
- 651 (ss) 19-nor-4,9(10)-androstadienedione **(estra-4,9(10)-diene-3,17-dione)**;
- 652 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
- 653 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
- 654 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 655 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 656 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
- 657 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
- 658 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
- 659 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
- 660 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
- 661 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
- 662 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-

- 663 androstan-3-one);
- 664 (eee) **Prostanozolol (17 β -hydroxy-5 α -androstan[3,2-c]pyrazole);**
- 665 **(fff) Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -**
- 666 **androst-1-en-3-one));**
- 667 **(ggg) Stanozolol(17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-**
- 668 **pyrazole);**
- 669 [~~(fff)~~] **(hhh) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);**
- 670 [~~(ggg)~~] **(iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien**
- 671 **-17-oic acid lactone);**
- 672 [~~(hhh)~~] **(jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);**
- 673 [~~(iii)~~] **(kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon -4,**
- 674 **9,11-trien-3-one);**
- 675 [~~(jjj)~~] **(lll) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);**
- 676 [~~(kkk)~~] **(mmm) Any salt, ester, or ether of a drug or substance described or listed in this**
- 677 **subdivision, except an anabolic steroid which is expressly intended for administration through**
- 678 **implants to cattle or other nonhuman species and which has been approved by the Secretary of**
- 679 **Health and Human Services for that administration;**
- 680 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
- 681 United States Food and Drug Administration approved drug product;
- 682 (8) The department of health and senior services may except by rule any compound,
- 683 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
- 684 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
- 685 195.320 if the compound, mixture, or preparation contains one or more active medicinal
- 686 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
- 687 admixtures are included therein in combinations, quantity, proportion, or concentration that
- 688 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
- 689 the central nervous system.
- 690 7. The department of health and senior services shall place a substance in Schedule IV
- 691 if it finds that:
- 692 (1) The substance has a low potential for abuse relative to substances in Schedule III;
- 693 (2) The substance has currently accepted medical use in treatment in the United States;
- 694 and
- 695 (3) Abuse of the substance may lead to limited physical dependence or psychological
- 696 dependence relative to the substances in Schedule III.
- 697 8. The controlled substances listed in this subsection are included in Schedule IV:

698 (1) Any material, compound, mixture, or preparation containing any of the following
 699 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
 700 as set forth below:

701 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
 702 of atropine sulfate per dosage unit;

703 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
 704 2-diphenyl-3-methyl-2-propionoxybutane);

705 (c) **2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical**
 706 **and geometric isomers, and salts of these isomers (including tramadol);**

707 (d) Any of the following limited quantities of narcotic drugs or their salts, which shall
 708 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer
 709 upon the compound, mixture or preparation valuable medicinal qualities other than those
 710 possessed by the narcotic drug alone:

711 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
 712 one hundred grams;

713 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
 714 or per one hundred grams;

715 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
 716 or per one hundred grams;

717 (2) Any material, compound, mixture or preparation containing any quantity of the
 718 following substances, including their salts, isomers, and salts of isomers whenever the existence
 719 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

720 (a) **Alfaxalone;**

721 (b) Alprazolam;

722 [~~(b)~~] (c) Barbitol;

723 [~~(c)~~] (d) Bromazepam;

724 [~~(d)~~] (e) Camazepam;

725 [~~(e)~~] (f) **Carisoprodol;**

726 (g) Chloral betaine;

727 [~~(g)~~] (h) Chloral hydrate;

728 [~~(h)~~] (i) Chlordiazepoxide;

729 [~~(i)~~] (j) Clobazam;

730 [~~(j)~~] (k) Clonazepam;

731 [~~(k)~~] (l) Clorazepate;

732 [~~(l)~~] (m) Clotiazepam;

733 [~~(m)~~] (n) Cloxazolam;

734	[(m)] (o) Delorazepam;
735	[(n)] (p) Diazepam;
736	[(o)] (q) Dichloralphenazone;
737	[(p)] (r) Estazolam;
738	[(q)] (s) Ethchlorvynol;
739	[(r)] (t) Ethinamate;
740	[(s)] (u) Ethyl loflazepate;
741	[(t)] (v) Fludiazepam;
742	[(u)] (w) Flunitrazepam;
743	[(v)] (x) Flurazepam;
744	[(w)] (y) Fospropofol;
745	[(x)] (z) Halazepam;
746	[(y)] (aa) Haloxazolam;
747	[(z)] (bb) Ketazolam;
748	[(aa)] (cc) Loprazolam;
749	[(bb)] (dd) Lorazepam;
750	[(cc)] (ee) Lormetazepam;
751	[(dd)] (ff) Mebutamate;
752	[(ee)] (gg) Medazepam;
753	[(ff)] (hh) Meprobamate;
754	[(gg)] (ii) Methohexital;
755	[(hh)] (jj) Methylphenobarbital (mephobarbital);
756	[(ii)] (kk) Midazolam;
757	[(jj)] (ll) Nimetazepam;
758	[(kk)] (mm) Nitrazepam;
759	[(ll)] (nn) Nordiazepam;
760	[(mm)] (oo) Oxazepam;
761	[(nn)] (pp) Oxazolam;
762	[(oo)] (qq) Paraldehyde;
763	[(pp)] (rr) Petrichloral;
764	[(qq)] (ss) Phenobarbital;
765	[(rr)] (tt) Pinazepam;
766	[(ss)] (uu) Prazepam;
767	[(tt)] (vv) Quazepam;
768	[(uu)] (ww) Suvorexant;
769	(xx) Temazepam;

- 770 [~~(vv)~~] **(yy)** Tetrazepam;
- 771 [~~(ww)~~] **(zz)** Triazolam;
- 772 [~~(xx)~~] **(aaa)** Zaleplon;
- 773 [~~(yy)~~] **(bbb)** Zolpidem;
- 774 [~~(zz)~~] **(ccc)** Zopiclone;
- 775 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 776 following substance including its salts, isomers and salts of isomers whenever the existence of
- 777 such salts, isomers and salts of isomers is possible: fenfluramine;
- 778 (4) **Any material, compound, mixture, or preparation which contains any quantity**
- 779 **of the following substances, including its salts, isomers, and salts of isomers, whenever the**
- 780 **existence of such salts, isomers, and salts of isomers is possible: Lorcaserin;**
- 781 (5) Any material, compound, mixture or preparation containing any quantity of the
- 782 following substances having a stimulant effect on the central nervous system, including their
- 783 salts, isomers and salts of isomers:
- 784 (a) Cathine ((+)-norpseudoephedrine);
- 785 (b) Diethylpropion;
- 786 (c) Fencamfamin;
- 787 (d) Fenproporex;
- 788 (e) Mazindol;
- 789 (f) Mefenorex;
- 790 (g) Modafinil;
- 791 (h) Pemoline, including organometallic complexes and chelates thereof;
- 792 (i) Phentermine;
- 793 (j) Pipradrol;
- 794 (k) Sibutramine;
- 795 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 796 [~~(5)~~] **(6)** Any material, compound, mixture or preparation containing any quantity of the
- 797 following substance, including its salts:
- 798 (a) Butorphanol **(including its optical isomers)**;
- 799 (b) **Eluxadoline (5-[[[(2*S*)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-**
- 800 **oxopropyl] [(1*S*)-1-(4-phenyl-1 *H*-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic**
- 801 **acid) (including its optical isomers) and its salts, isomers, and salts of isomers;**
- 802 (c) Pentazocine;
- 803 [~~(6)~~] **(7)** Ephedrine, its salts, optical isomers and salts of optical isomers, when the
- 804 substance is the only active medicinal ingredient;

805 ~~(7)~~ **(8)** The department of health and senior services may except by rule any
806 compound, mixture, or preparation containing any depressant substance listed in subdivision (1)
807 of this subsection from the application of all or any part of sections 195.010 to 195.320 and
808 sections 579.015 to 579.086 if the compound, mixture, or preparation contains one or more
809 active medicinal ingredients not having a depressant effect on the central nervous system, and
810 if the admixtures are included therein in combinations, quantity, proportion, or concentration that
811 vitiate the potential for abuse of the substances which have a depressant effect on the central
812 nervous system.

813 9. The department of health and senior services shall place a substance in Schedule V
814 if it finds that:

815 (1) The substance has low potential for abuse relative to the controlled substances listed
816 in Schedule IV;

817 (2) The substance has currently accepted medical use in treatment in the United States;
818 and

819 (3) The substance has limited physical dependence or psychological dependence liability
820 relative to the controlled substances listed in Schedule IV.

821 10. The controlled substances listed in this subsection are included in Schedule V:

822 (1) Any compound, mixture or preparation containing any of the following narcotic
823 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
824 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
825 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
826 qualities other than those possessed by the narcotic drug alone:

827 (a) **Not more than two hundred milligrams of codeine per one hundred milliliters**
828 **or per one hundred grams;**

829 (b) **Not more than one hundred milligrams of dihydrocodeine per one hundred**
830 **milliliters or per one hundred grams;**

831 (c) **Not more than one hundred milligrams of ethylmorphine per one hundred**
832 **milliliters or per one hundred grams;**

833 (d) Not more than two and five-tenths milligrams of diphenoxylate and not less than
834 twenty-five micrograms of atropine sulfate per dosage unit;

835 ~~(b)~~ (e) Not more than one hundred milligrams of opium per one hundred milliliters or
836 per one hundred grams;

837 ~~(e)~~ (f) Not more than five-tenths milligram of difenoxin and not less than twenty-five
838 micrograms of atropine sulfate per dosage unit;

839 (2) Any material, compound, mixture or preparation which contains any quantity of the
840 following substance having a stimulant effect on the central nervous system including its salts,
841 isomers and salts of isomers: pyrovalerone;

842 (3) Any compound, mixture, or preparation containing any detectable quantity of
843 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
844 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
845 isomers, or salts of optical isomers;

846 (4) Unless specifically exempted or excluded or unless listed in another schedule, any
847 material, compound, mixture, or preparation which contains any quantity of the following
848 substances having a depressant effect on the central nervous system, including its salts:

849 (a) **Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also**
850 **referred to as BRV; UCB-34714; Briviact);**

851 (b) **Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl**
852 **ester];**

853 (c) **Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];**

854 [~~(b)~~] (d) **Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid];**

855 (5) **Any drug product in finished dosage formulation that has been approved by the**
856 **U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-**
857 **methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and**
858 **no more than 0.1 percent (w/w) residual tetrahydro cannabinoids.**

859 11. If any compound, mixture, or preparation as specified in subdivision (3) of
860 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a
861 prescription:

862 (1) All packages of any compound, mixture, or preparation containing any detectable
863 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,
864 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
865 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
866 registered pharmacy technician; and

867 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
868 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
869 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
870 shall be at least eighteen years of age; and

871 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
872 any person, prior to such person's purchasing, receiving or otherwise acquiring such compound,
873 mixture, or preparation to furnish suitable photo identification that is issued by a state or the

874 federal government or a document that, with respect to identification, is considered acceptable
875 and showing the date of birth of the person;

876 (4) The seller shall deliver the product directly into the custody of the purchaser.

877 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall
878 implement and maintain an electronic log of each transaction. Such log shall include the
879 following information:

880 (1) The name, address, and signature of the purchaser;

881 (2) The amount of the compound, mixture, or preparation purchased;

882 (3) The date and time of each purchase; and

883 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
884 technician who dispensed the compound, mixture, or preparation to the purchaser.

885 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
886 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
887 transmission methods and frequency established by the department by regulation[;] .

888 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
889 greater than those specified in this chapter.

890 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
891 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
892 where the public is not permitted.

893 16. The penalties for a knowing or reckless violation of the provisions of subsections 11
894 to 15 of this section are found in section 579.060.

895 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
896 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
897 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
898 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
899 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

900 18. The manufacturer of a drug product or another interested party may apply with the
901 department of health and senior services for an exemption from this section. The department of
902 health and senior services may grant an exemption by rule from this section if the department
903 finds the drug product is not used in the illegal manufacture of methamphetamine or other
904 controlled or dangerous substances. The department of health and senior services shall rely on
905 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
906 proposed product can be used to manufacture illicit controlled substances.

907 19. The department of health and senior services shall revise and republish the schedules
908 annually.

909 20. The department of health and senior services shall promulgate rules under chapter
910 536 regarding the security and storage of Schedule V controlled substances, as described in
911 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
912 of health and senior services.

913 21. Logs of transactions required to be kept and maintained by this section and section
914 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
915 the person whose transactions are recorded in the logs.

195.080. 1. Except as otherwise provided in this chapter and chapter 579, this chapter
2 and chapter 579 shall not apply to the following cases: prescribing, administering, dispensing
3 or selling at retail of liniments, ointments, and other preparations that are susceptible of external
4 use only and that contain controlled substances in such combinations of drugs as to prevent the
5 drugs from being readily extracted from such liniments, ointments, or preparations, except that
6 this chapter and chapter 579 shall apply to all liniments, ointments, and other preparations that
7 contain coca leaves in any quantity or combination.

8 2. Unless otherwise provided in sections 334.037, 334.104, and 334.747, a practitioner,
9 other than a veterinarian, shall not issue an initial prescription for more than a seven-day supply
10 of any opioid controlled substance upon the initial consultation and treatment of a patient for
11 acute pain. Upon any subsequent consultation for the same pain, the practitioner may issue any
12 appropriate renewal, refill, or new prescription in compliance with the general provisions of this
13 chapter and chapter 579. Prior to issuing an initial prescription for an opioid controlled
14 substance, a practitioner shall consult with the patient regarding the quantity of the opioid and
15 the patient's option to fill the prescription in a lesser quantity and shall inform the patient of the
16 risks associated with the opioid prescribed. If, in the professional medical judgment of the
17 practitioner, more than a seven-day supply is required to treat the patient's acute pain, the
18 practitioner may issue a prescription for the quantity needed to treat the patient; provided, that
19 the practitioner shall document in the patient's medical record the condition triggering the
20 necessity for more than a seven-day supply and that a nonopioid alternative was not appropriate
21 to address the patient's condition. The provisions of this subsection shall not apply to
22 prescriptions for opioid controlled substances for a patient who is currently undergoing treatment
23 for cancer **or sickle cell disease**, is receiving hospice care from a hospice certified under chapter
24 197 or palliative care, is a resident of a long-term care facility licensed under chapter 198, or is
25 receiving treatment for substance abuse or opioid dependence.

26 3. A pharmacist or pharmacy shall not be subject to disciplinary action or other civil or
27 criminal liability for dispensing or refusing to dispense medication in good faith pursuant to an
28 otherwise valid prescription that exceeds the prescribing limits established by subsection 2 of
29 this section.

30 4. Unless otherwise provided in this section, the quantity of Schedule II controlled
 31 substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The
 32 quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time
 33 shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with
 34 the general provisions of this chapter and chapter 579. The supply limitations provided in this
 35 subsection may be increased up to three months if the physician describes on the prescription
 36 form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered
 37 on or attached to the prescription form the medical reason for requiring the larger supply. The
 38 supply limitations provided in this subsection shall not apply if:

39 (1) The prescription is issued by a practitioner located in another state according to and
 40 in compliance with the applicable laws of that state and the United States and dispensed to a
 41 patient located in another state; or

42 (2) The prescription is dispensed directly to a member of the United States Armed Forces
 43 serving outside the United States.

44 5. The partial filling of a prescription for a Schedule II substance is permissible as
 45 defined by regulation by the department of health and senior services.

195.740. For the purposes of sections 195.740 to 195.773, the following terms shall
 2 mean:

3 (1) **"Agricultural hemp propagule", any viable nonseed plant material used to**
 4 **cultivate industrial hemp including, but not limited to, transplants, cuttings, and clones;**

5 (2) "Agricultural hemp seed", Cannabis sativa L. seed that meets any labeling, quality,
 6 or other standards set by the department of agriculture and that is intended for sale, is sold to, or
 7 is purchased by registered ~~[growers]~~ **producers** for planting;

8 ~~[(2)]~~ (3) "Crop", industrial hemp grown under a single registration;

9 ~~[(3)]~~ (4) "Department", the Missouri department of agriculture;

10 ~~[(4)] "Grain", Cannabis sativa L. seed used to make an industrial hemp commodity or~~
 11 ~~product;~~

12 (5) ~~["Grower", a person, joint venture, or cooperative who is a Missouri resident or an~~
 13 ~~entity that is domiciled in this state that produces industrial hemp;~~

14 ~~——(6) "Handler", a person, joint venture, or cooperative who is a Missouri resident or an~~
 15 ~~entity that is domiciled in this state that receives industrial hemp for processing into~~
 16 ~~commodities, products, feed, or agricultural hemp seed;~~

17 ~~——(7)] "Indoor cultivation facility", any greenhouse or enclosed building or structure~~
 18 ~~capable of continuous cultivation throughout the year that is not a residential building;~~

19 (6) "Industrial hemp plant monitoring system", a reporting system that includes, but is
 20 not limited to, testing, transfer reports, and data collection maintained by a ~~[grower or handler]~~

21 **producer or agricultural hemp propagule and seed permit holder** and available to the
 22 department for purposes of monitoring **viable** ~~[agricultural hemp seed and]~~ industrial hemp
 23 cultivated as an agricultural product from planting to final ~~[packaging]~~ **sale or transfer as a**
 24 **publicly marketable hemp product;**

25 (7) **"Nonviable"**, plant material or agricultural hemp seed that is not capable of
 26 living or growing;

27 (8) **"Produce"**, the cultivation and harvest of viable industrial hemp;

28 (9) **"Producer"**, a person who is a Missouri resident, or an entity that is domiciled
 29 in this state, who grows or produces viable industrial hemp;

30 (10) **"Publicly marketable product"**, any nonviable hemp material, including seed,
 31 stem, root, leaf, or floral material, that contains no material with a delta-9
 32 tetrahydrocannabinol concentration exceeding three-tenths of one percent on a dry weight
 33 basis.

195.743. ~~[1. There is hereby created an "Industrial Hemp Agricultural Pilot Program",
 2 in accordance with federal law, to be implemented by the department to study the growth,
 3 cultivation, processing, feeding, and marketing of industrial hemp.~~

4 ~~—————2.]~~ **Viable** industrial hemp shall be an agricultural product that is subject to regulation
 5 by the department, including compliance with an industrial hemp plant monitoring system.

195.746. 1. Any ~~[grower or handler]~~ **producer** of industrial hemp shall obtain a
 2 registration from the department. ~~[Growers and handlers engaged in the production of
 3 agricultural hemp seed shall obtain an agricultural hemp seed production permit. An agricultural
 4 hemp seed production permit shall authorize a grower or handler to produce and handle
 5 agricultural hemp seed for sale to registered industrial hemp growers and handlers. The
 6 department shall make information that identifies sellers of agricultural hemp seed available to
 7 growers, and any seller]~~ Any **producer** of agricultural hemp [seed] shall ensure that ~~[the]~~ **all**
 8 **agricultural hemp propagules and agricultural hemp seed** ~~[complies]~~ **comply** with any
 9 standards established by the department.

10 2. Any person who sells, distributes, or offers for sale any agricultural hemp
 11 propagule or agricultural hemp seed in the state shall obtain an agricultural hemp
 12 propagule and seed permit from the department. An agricultural hemp propagule and
 13 seed permit shall authorize a permit holder to sell, distribute, or offer for sale agricultural
 14 hemp propagules or agricultural hemp seed to registered producers or other permit
 15 holders. A permit holder is exempt from requirements in chapter 266 if he or she only
 16 sells, distributes, or offers for sale agricultural hemp propagules or agricultural hemp seed.

17 3. An application for an industrial hemp registration or agricultural hemp **propagule and**
 18 seed ~~[production]~~ permit shall include:

- 19 (1) The name and address of the applicant;
- 20 (2) The name and address of the industrial hemp or agricultural hemp **propagule or seed**
- 21 operation;
- 22 (3) **For any industrial hemp registration**, the global positioning system coordinates
- 23 and legal description for the property used for the industrial hemp [~~or agricultural hemp seed~~]
- 24 operation;
- 25 (4) The application fee, as determined by the department, in an amount sufficient to
- 26 cover the administration, regulation, and enforcement costs associated with sections 195.740 to
- 27 195.773; and
- 28 (5) Any other information the department deems necessary.
- 29 ~~[3-]~~ **4.** The department shall issue a registration [~~or permit~~] under this section to an
- 30 applicant who meets the requirements of this section and section 195.749[~~;~~] **and** who
- 31 satisfactorily completes a state and federal fingerprint criminal history background check under
- 32 section 43.543[~~, who signs an acknowledgment that industrial hemp is an experimental crop, and~~
- 33 ~~who signs a waiver that holds the department harmless in the event a lawsuit occurs or if the~~
- 34 ~~growth, cultivation, processing, feeding, or marketing of industrial hemp or seed is later declared~~
- 35 ~~illegal under federal law~~]. The department may charge an applicant an additional fee for the cost
- 36 of the fingerprint criminal history background check in addition to the registration [~~or permit~~]
- 37 fee. **If required by federal law, the department shall require an applicant for an**
- 38 **agricultural hemp propagule and seed permit to comply with the fingerprint criminal**
- 39 **history background check requirements of this subsection.**
- 40 ~~[4-]~~ **5.** Upon issuance of a registration or permit, information regarding all [~~registration~~]
- 41 **producers** and permit holders shall be forwarded to the Missouri state highway patrol.
- 42 ~~[5-]~~ **6.** An industrial hemp registration or agricultural hemp **propagule and seed**
- 43 [~~production~~] permit is:
- 44 (1) Nontransferable, except such registration or permit may be transferred to a [~~spouse~~
- 45 ~~or child~~] **person** who otherwise meets the requirements of a registrant or [~~permittee~~] **permit**
- 46 **holder**, and the [~~spouse or child~~] **person** may operate under the existing registration or permit
- 47 until the registration or permit expires, at which time the renewal shall reflect the change of the
- 48 registrant or [~~permittee~~] **permit holder**;
- 49 (2) Valid for a three-year term unless revoked by the department; and
- 50 (3) Renewable as determined by the department, **if the registrant or permit holder is**
- 51 **found to be in good standing.**
- 52 **7. Each individual parcel of ground or indoor cultivation facility with a separate**
- 53 **legal description shall be required to obtain a separate registration unless the parcels are**
- 54 **contiguous and owned by the same person of record.**

195.749. 1. The department may revoke, refuse to issue, or refuse to renew an industrial hemp registration or agricultural hemp **propagule and seed** ~~[production]~~ permit and may impose a civil penalty of not less than ~~[two thousand]~~ five hundred dollars or more than fifty thousand dollars for violation of:

- 5 (1) A registration or permit requirement, term, or condition;
- 6 (2) Department rules relating to ~~[growing or handling]~~ **the production of industrial hemp or an agricultural hemp propagule and seed permit**;
- 8 (3) Any industrial hemp plant monitoring system requirement; or
- 9 (4) A final order of the department that is specifically directed to the ~~[grower's or handler's]~~ **producer or permit holder's** industrial hemp operations or activities.

11 2. A registration or permit shall not be issued to a person who in the ~~[five]~~ **ten** years immediately preceding the application date has been found guilty of, or pled guilty to, a felony offense under any state or federal law regarding the possession, distribution, manufacturing, cultivation, or use of a controlled substance.

15 3. The department may revoke, refuse to issue, or refuse to renew an industrial hemp registration or agricultural hemp **propagule and seed** ~~[production]~~ permit for failing to comply with any provision of this chapter, or for a violation of any department rule relating to agricultural operations or activities other than industrial hemp ~~[growing or handling]~~ **production**.

~~[4. The department shall refuse to issue an industrial hemp registration or agricultural hemp seed permit to any applicant if approving such registration or permit would authorize the growth or cultivation of industrial hemp or agricultural hemp seed on a plot of land that is less than ten acres or more than forty acres by any single registrant or permittee, or over two thousand acres of land statewide among all registrants or permittees, notwithstanding the twenty-acre limitation for institutions of higher education set forth in section 195.767.]~~

26 195.752. **1.** Any person ~~[growing]~~ **producing** industrial hemp who does not have a valid industrial hemp registration issued under section 195.746 ~~[shall]~~ **may** be subject to an administrative fine of five hundred dollars and ~~[shall obtain a valid registration to grow industrial hemp within thirty days. If, during the thirty-day period, such person applies for and receives an industrial hemp registration, the amount of the fine imposed under this section shall be refunded in full. If, during the thirty-day period described in this section, such person fails to obtain an industrial hemp registration, the person shall]~~ **may** be fined one thousand dollars per day until such person ~~[obtains a registration. After thirty days of failing to obtain an industrial hemp registration and an accumulation of administrative fines exceeding thirty days, such person shall destroy]~~ **destroys** the industrial hemp crop. The Missouri state highway patrol shall certify such destruction to the department.

37 **2. Any person selling, distributing, or offering for sale any agricultural hemp**
38 **propagule or agricultural hemp seed in the state who does not have a valid agricultural**
39 **hemp propagule and seed permit issued under section 195.746 may be subject to an**
40 **administrative fine of five hundred dollars and may be fined one thousand dollars per day**
41 **until such person obtains a valid permit.**

195.756. Notwithstanding sections 281.050 and 281.101 to the contrary, in the [~~growing~~
2 ~~and handling~~] **production** of industrial hemp consistent with sections 195.740 to 195.773, no
3 retailer of pesticides as defined in 7 U.S.C. Section 136, or agricultural chemicals shall be liable
4 for the sale, application, or handling of such products by a producer or applicator in any manner
5 or for any purpose not approved by applicable state and federal agencies. No producer or
6 applicator may use or apply pesticides or agricultural chemicals in the growing or handling of
7 industrial hemp except as approved by state and federal law.

195.758. 1. Every [~~grower or handler~~] **producer or permit holder** shall be subject to
2 an industrial hemp plant monitoring system and shall keep industrial hemp crop and agricultural
3 hemp **propagule and** seed records as required by the department. [~~Upon three days' notice,~~] The
4 department may require an inspection or audit during any normal business hours for the purpose
5 of ensuring compliance with:

- 6 (1) Any provision of sections 195.740 to 195.773;
- 7 (2) Department rules and regulations;
- 8 (3) Industrial hemp registration or agricultural hemp **propagule and** seed [~~production~~]
9 permit requirements, terms, or conditions;
- 10 (4) Any industrial hemp plant monitoring system requirement; or
- 11 (5) A final department order directed to the [~~grower's or handler's~~] **producer or permit**
12 **holder's** industrial hemp or agricultural hemp **propagule and** seed operations or activities.

13 2. In addition to any inspection conducted under subsection 1 of this section, the
14 department may inspect any industrial hemp crop during the crop's growth phase and take a
15 representative sample for field analysis. If a crop contains an average delta-9
16 tetrahydrocannabinol concentration exceeding three-tenths of one percent or the maximum
17 concentration allowed under federal law, whichever is greater, on a dry weight basis, the
18 department may **retest the crop. If the second test indicates that a crop contains an average**
19 **delta-9 tetrahydrocannabinol concentration exceeding three-tenths of one percent or the**
20 **maximum concentration allowed under federal law, whichever is greater, on a dry weight**
21 **basis, the department may order any** [~~grower or handler~~] **producer** to destroy the crop.

22 3. If such crop is not destroyed within fifteen days of the [~~grower or handler~~] **producer**
23 being notified by the department by certified mail that the crop contains concentrations
24 exceeding those set forth in subsection 2 of this section, and directing the [~~grower or handler~~]

25 **producer** to destroy the crop, such ~~[grower or handler]~~ **producer** shall be subject to a fine of
26 five thousand dollars per day until such crop is destroyed. ~~[Such fine shall be in addition to any~~
27 ~~criminal liability the grower or handler may incur, except that]~~ No such penalty or fine shall be
28 imposed prior to the expiration of the fifteen-day notification period.

29 4. The Missouri state highway patrol may, **at its own expense**, perform aerial
30 surveillance to ensure illegal industrial hemp ~~[or marijuana]~~ plants are not being cultivated on
31 or near legal, registered industrial hemp plantings.

32 5. The Missouri state highway patrol may coordinate with local law enforcement
33 agencies to certify the destruction of illegal industrial hemp ~~[and marijuana]~~ plants.

34 6. The department shall notify the Missouri state highway patrol and local law
35 enforcement agencies of the need to certify that a crop of industrial hemp deemed illegal through
36 field analysis has been destroyed.

37 **7. Unless required by federal law, the department shall not regulate the sale or**
38 **transfer of nonviable hemp including, but not limited to, stripped stalks, fiber, dried roots,**
39 **nonviable leaf material, nonviable floral material, nonviable seeds, seed oils, floral and**
40 **plant extracts, unadulterated forage, and other marketable agricultural hemp products to**
41 **members of the general public both within and outside the state.**

195.764. 1. The department may charge ~~[growers and handlers]~~ **producers and permit**
2 **holders** reasonable fees as determined by the department for the purposes of administering
3 sections 195.740 to 195.773. Fees charged for purposes of administering sections 195.740 to
4 195.773 shall only be used to administer such sections, and shall not provide additional revenue
5 for the department to use to administer any other program or provide staff to the department for
6 any other program. All fees collected under sections 195.740 to 195.773 shall be deposited in
7 the industrial hemp fund created under this section for use by the department to administer
8 sections 195.740 to 195.773.

9 2. There is hereby created in the state treasury the "Industrial Hemp Fund", which shall
10 consist of **any grants, gifts, donations, bequests, or** money collected under sections 195.740
11 to 195.773. The state treasurer shall be custodian of the fund. In accordance with sections
12 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated
13 fund and money in the fund shall be used solely by the department of agriculture for the purpose
14 of administering such sections, including reimbursing the Missouri state highway patrol for the
15 enforcement of such sections. Notwithstanding the provisions of section 33.080 to the contrary,
16 any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the
17 general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as
18 other funds are invested. Any interest and moneys earned on such investments shall be credited
19 to the fund.

195.767. ~~[1.]~~ An institution of higher education **based in Missouri** may ~~[, in~~
2 ~~collaboration with the department,]~~ engage in the **research and** study of the growth, cultivation,
3 or marketing of industrial hemp ~~[and agricultural hemp seed]~~ **as authorized by Section 7606**
4 **of the federal Agricultural Act of 2014, Pub. L. 113-79, or any successor law.** Institutions
5 for higher education **based in Missouri and research centers directed or operated by such**
6 **institutions** shall **not be required to** obtain a registration for the ~~[growth]~~ **production** of
7 industrial hemp~~[, or a permit for the growth and handling of agricultural hemp seed,]~~ from the
8 department as set forth in sections 195.746 and 195.749.

9 ~~[2. The department shall refuse to issue an industrial hemp registration or agricultural~~
10 ~~hemp seed permit to any institution of higher education if approving such registration or permit~~
11 ~~would authorize the growth or cultivation of industrial hemp or agricultural hemp seed by~~
12 ~~institutions of higher education on over twenty acres of land statewide, notwithstanding the two~~
13 ~~thousand-acre limitation set forth in section 195.749. Notwithstanding subsection 4 of section~~
14 ~~195.749 to the contrary, the department may issue a registration or permit to an institution of~~
15 ~~higher education for the growth or cultivation of industrial hemp or agricultural hemp seed on~~
16 ~~a plot of land that is less than ten acres.]~~

195.805. 1. No edible marijuana-infused product sold in Missouri pursuant to
2 **Article XIV of the Missouri Constitution shall be designed in the shape of a human, animal,**
3 **or fruit, including realistic, artistic, caricature, or cartoon renderings.**

4 **2. Each package containing an edible marijuana-infused product with ten or more**
5 **milligrams of tetrahydrocannabinols (THC) shall be stamped with a diamond containing**
6 **the letters "THC" and the number of milligrams of THC in that increment. The design,**
7 **size, and placement of such stamp shall be determined by the department of health and**
8 **senior services.**

9 **3. Any licensed or certified entity regulated by the department of health and senior**
10 **services pursuant to Article XIV of the Missouri Constitution found to have violated the**
11 **provisions of this section shall be subject to department sanctions, including an**
12 **administrative penalty, in accordance with the regulations promulgated by the department**
13 **pursuant to Article XIV of the Missouri Constitution.**

263.250. 1. The plant "marijuana", botanically known as cannabis sativa, is hereby
2 declared to be a noxious weed and all owners and occupiers of land shall destroy all such plants
3 growing upon their land. Any person who knowingly allows such plants to grow on his land or
4 refuses to destroy such plants after being notified to do so shall allow any sheriff or such other
5 persons as designated by the county commission to enter upon any land in this state and destroy
6 such plants.

7 2. Entry to such lands shall not be made, by any sheriff or other designated person to
8 destroy such plants, until fifteen days' notice by certified mail shall be given the owner or
9 occupant to destroy such plants or a search warrant shall be issued on probable cause shown. In
10 all such instances, the county commission shall bear the cost of destruction and notification.

11 **3. The provisions of this section shall not apply to marijuana plants grown lawfully**
12 **pursuant to Article XIV of the Missouri Constitution.**

 332.361. 1. Any duly registered and currently licensed dentist in Missouri may write,
2 and any pharmacist in Missouri who is currently licensed under the provisions of chapter 338 and
3 any amendments thereto, may fill any prescription of a duly registered and currently licensed
4 dentist in Missouri for any drug necessary or proper in the practice of dentistry, provided that no
5 such prescription is in violation of either the Missouri or federal narcotic drug act.

6 2. Any duly registered and currently licensed dentist in Missouri may possess, have
7 under his control, prescribe, administer, dispense, or distribute a "controlled substance" as that
8 term is defined in section 195.010 only to the extent that:

9 (1) The dentist possesses the requisite valid federal and state registration to distribute or
10 dispense that class of controlled substance;

11 (2) The dentist prescribes, administers, dispenses, or distributes the controlled substance
12 in the course of his professional practice of dentistry, and for no other reason;

13 (3) A bona fide dentist-patient relationship exists; and

14 (4) The dentist possesses, has under his control, prescribes, administers, dispenses, or
15 distributes the controlled substance in accord with all pertinent requirements of the federal and
16 Missouri narcotic drug and controlled substances acts, including the keeping of records and
17 inventories when required therein.

18 **3. Opioids that are categorized as long-acting or extended-release by the Food and**
19 **Drug Administration shall not be prescribed for the treatment of acute dental pain unless,**
20 **in the professional judgment of the dentist, the use of the long-acting or extended-release**
21 **opioid is necessary to treat the patient's acute pain. If a long-acting or extended-release**
22 **opioid is prescribed, the dentist shall document in the patient's dental record the reason**
23 **for the necessity for the type of opioid used.**

24 **4. Dentists shall avoid prescribing opioid doses greater than fifty morphine**
25 **milligram equivalent (MME) per day for treatment of acute dental pain unless, in the**
26 **professional judgment of the dentist, a dose greater than fifty MME is necessary to treat**
27 **the patient's acute pain. If an opioid dose greater than fifty MME is prescribed, the dentist**
28 **shall document in the patient's dental record the reason for the particular dose.**

29 **5. For purposes of this section, the relative potency of opioids is represented by a**
30 **value assigned to individual opioids known as a morphine milligram equivalent (MME).**

31 **The MME value represents how many milligrams of a particular opioid is equivalent to**
32 **one milligram of morphine. The Missouri Dental Board shall maintain an MME**
33 **conversion chart and instructions for calculating MME on its website to assist licensees**
34 **with calculating MMEs.**

565.021. 1. A person commits the offense of murder in the second degree if he or she:

2 (1) Knowingly causes the death of another person or, with the purpose of causing serious
3 physical injury to another person, causes the death of another person; ~~or~~

4 (2) Commits or attempts to commit any felony, and, in the perpetration or the attempted
5 perpetration of such felony or in the flight from the perpetration or attempted perpetration of
6 such felony, another person is killed as a result of the perpetration or attempted perpetration of
7 such felony or immediate flight from the perpetration of such felony or attempted perpetration
8 of such felony; or

9 **(3) Knowingly manufactures, delivers, or distributes fentanyl or a fentanyl-related**
10 **substance, as described in section 195.017 and regulations promulgated by the department**
11 **of health and senior services, in violation of chapter 195 or 579, and the fentanyl or**
12 **fentanyl-related substance thereafter is the cause-in-fact of the death of another person**
13 **who uses or consumes the fentanyl or fentanyl-related substance. It shall not be a defense**
14 **that the defendant did not directly deliver or distribute the fentanyl or fentanyl-related**
15 **substance to the decedent.**

16 2. The offense of murder in the second degree is a class A felony, and the punishment
17 for second degree murder shall be in addition to the punishment for commission of a related
18 felony or attempted felony, other than murder or manslaughter.

19 3. Notwithstanding section 556.046 and section 565.029, in any charge of murder in the
20 second degree, the jury shall be instructed on, or, in a jury-waived trial, the judge shall consider,
21 any and all of the subdivisions in subsection 1 of this section which are supported by the
22 evidence and requested by one of the parties or the court.

579.015. 1. A person commits the offense of possession of a controlled substance if he
2 or she knowingly possesses a controlled substance, except as authorized by this chapter or
3 chapter 195.

4 2. The offense of possession of any controlled substance except thirty-five grams or less
5 of marijuana or any synthetic cannabinoid is a class D felony. **If the defendant is an**
6 **emergency care provider, as defined in section 191.630, or a home health care employee,**
7 **a hospice employee, an in-home care employee, a personal care assistant, or any other**
8 **individual who provides home health services, as defined in section 197.400, or personal**
9 **care assistance services, as defined in section 208.900, to patients and who knowingly and**

10 **unlawfully possesses such controlled substance belonging to the patient or another member**
11 **of the patient's household, the offense is a class C felony.**

12 3. The offense of possession of more than ten grams but thirty-five grams or less of
13 marijuana or any synthetic cannabinoid is a class A misdemeanor.

14 4. The offense of possession of not more than ten grams of marijuana or any synthetic
15 cannabinoid is a class D misdemeanor. If the defendant has previously been found guilty of any
16 offense of the laws related to controlled substances of this state, or of the United States, or any
17 state, territory, or district, the offense is a class A misdemeanor. Prior findings of guilt shall be
18 pleaded and proven in the same manner as required by section 558.021.

19 5. In any complaint, information, or indictment, and in any action or proceeding brought
20 for the enforcement of any provision of this chapter or chapter 195, it shall not be necessary to
21 include any exception, excuse, proviso, or exemption contained in this chapter or chapter 195,
22 and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the
23 defendant.

579.020. 1. A person commits the offense of delivery of a controlled substance if,
2 except as authorized in this chapter or chapter 195, he or she:

3 (1) Knowingly distributes or delivers a controlled substance;

4 (2) Attempts to distribute or deliver a controlled substance;

5 (3) Knowingly possesses a controlled substance with the intent to distribute or deliver
6 any amount of a controlled substance; or

7 (4) Knowingly permits a minor to purchase or transport illegally obtained controlled
8 substances.

9 2. Except when the controlled substance is thirty-five grams or less of marijuana or
10 synthetic cannabinoid or as otherwise provided under subsection 5 of this section, the offense
11 of delivery of a controlled substance is a class C felony.

12 3. Except as otherwise provided under subsection 4 of this section, the offense of
13 delivery of thirty-five grams or less of marijuana or synthetic cannabinoid is a class E felony.

14 4. The offense of delivery of thirty-five grams or less of marijuana or synthetic
15 cannabinoid to a person less than seventeen years of age who is at least two years younger than
16 the defendant is a class C felony.

17 5. The offense of delivery of a controlled substance is a class B felony if:

18 (1) The delivery or distribution is any amount of a controlled substance except thirty-five
19 grams or less of marijuana or synthetic cannabinoid, to a person less than seventeen years of age
20 who is at least two years younger than the defendant; ~~or~~

21 (2) The person knowingly permits a minor to purchase or transport illegally obtained
22 controlled substances; **or**

23 **(3) The person knowingly distributes or delivers a mixture or substance containing**
24 **a detectable amount of heroin.**

579.065. 1. A person commits the offense of trafficking drugs in the first degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,
3 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

4 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
5 containing a detectable amount of heroin;

6 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a
7 mixture or substance containing a detectable amount of coca leaves, except coca leaves and
8 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts
9 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;
10 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture,
11 or preparation which contains any quantity of any of the foregoing substances;

12 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
13 described in subdivision (2) of this subsection which contains cocaine base;

14 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
15 containing a detectable amount of lysergic acid diethylamide (LSD);

16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
17 containing a detectable amount of phencyclidine (PCP);

18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;

19 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
20 substance containing marijuana, **excluding medical marijuana pursuant to Article XIV of the**
21 **Missouri Constitution;**

22 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
23 mixture, or preparation containing any quantity of the following substances having a stimulant
24 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
25 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
26 phenmetrazine and its salts; or methylphenidate; [~~or~~]

27 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
28 mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;

29 **(10) One gram or more of flunetrazepam for the first offense;**

30 **(11) Any amount of gamma-hydroxybutyric acid for the first offense; or**

31 **(12) More than ten milligrams of fentanyl, or any derivative thereof, or any**
32 **compound, mixture, or substance containing more than ten milligrams of fentanyl or**
33 **carfentanil, or their optical isomers or analogues.**

34 2. The offense of trafficking drugs in the first degree is a class B felony.

35 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
36 involved is:

37 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
38 heroin; or

39 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
40 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
41 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
42 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
43 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
44 any of the foregoing substances; or

45 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2)
46 of this subsection which contains cocaine base; or

47 (4) One gram or more of a mixture or substance containing a detectable amount of
48 lysergic acid diethylamide (LSD); or

49 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
50 phencyclidine (PCP); or

51 (6) Twelve grams or more of phencyclidine; or

52 (7) One hundred kilograms or more of a mixture or substance containing marijuana,
53 **excluding medical marijuana pursuant to Article XIV of the Missouri Constitution**; or

54 (8) Ninety grams or more of any material, compound, mixture, or preparation containing
55 any quantity of the following substances having a stimulant effect on the central nervous system:
56 amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its
57 salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
58 methylphenidate; or

59 (9) More than thirty grams of any material, compound, mixture, or preparation
60 containing any quantity of the following substances having a stimulant effect on the central
61 nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers;
62 methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and
63 its salts; or methylphenidate, and the location of the offense was within two thousand feet of real
64 property comprising a public or private elementary, vocational, or secondary school, college,
65 community college, university, or any school bus, in or on the real property comprising public
66 housing or any other governmental assisted housing, or within a motor vehicle, or in any
67 structure or building which contains rooms furnished for the accommodation or lodging of
68 guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping
69 accommodations are sought for pay or compensation to transient guests or permanent guests; or

70 (10) Ninety grams or more of any material, compound, mixture or preparation which
71 contains any quantity of 3,4-methylenedioxymethamphetamine; or

72 (11) More than thirty grams of any material, compound, mixture, or preparation which
73 contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense
74 was within two thousand feet of real property comprising a public or private elementary,
75 vocational, or secondary school, college, community college, university, or any school bus, in
76 or on the real property comprising public housing or any other governmental assisted housing,
77 within a motor vehicle, or in any structure or building which contains rooms furnished for the
78 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the
79 public as a place where sleeping accommodations are sought for pay or compensation to transient
80 guests or permanent guests;

81 **(12) One gram or more of flunitrazepam for a second or subsequent offense;**

82 **(13) Any amount of gamma-hydroxybutyric acid for a second or subsequent**
83 **offense; or**

84 **(14) Twenty milligrams or more of fentanyl, or any derivative thereof, or any**
85 **compound, mixture, or substance containing twenty milligrams or more of fentanyl or**
86 **carfentanil, or their optical isomers or analogues.**

579.068. 1. A person commits the offense of trafficking drugs in the second degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly possesses or has
3 under his or her control, purchases or attempts to purchase, or brings into this state:

4 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
5 containing a detectable amount of heroin;

6 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a
7 mixture or substance containing a detectable amount of coca leaves, except coca leaves and
8 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts
9 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;
10 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture,
11 or preparation which contains any quantity of any of the foregoing substances;

12 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
13 described in subdivision (2) of this subsection which contains cocaine base;

14 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
15 containing a detectable amount of lysergic acid diethylamide (LSD);

16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
17 containing a detectable amount of phencyclidine (PCP);

18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;

19 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
20 substance containing marijuana, **excluding medical marijuana pursuant to Article XIV of the**
21 **Missouri Constitution;**

22 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
23 mixture, or preparation containing any quantity of the following substances having a stimulant
24 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
25 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
26 phenmetrazine and its salts; or methylphenidate; [~~or~~]

27 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
28 mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;
29 **or**

30 **(10) More than ten milligrams of fentanyl, or any derivative thereof, or any**
31 **compound, mixture, or substance containing more than ten milligrams of fentanyl or**
32 **carfentanil, or their optical isomers or analogues.**

33 2. The offense of trafficking drugs in the second degree is a class C felony.

34 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
35 involved is:

36 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
37 heroin; or

38 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
39 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
40 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
41 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
42 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
43 any of the foregoing substances; or

44 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2)
45 of this subsection which contains cocaine base; or

46 (4) One gram or more of a mixture or substance containing a detectable amount of
47 lysergic acid diethylamide (LSD); or

48 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
49 phencyclidine (PCP); or

50 (6) Twelve grams or more of phencyclidine; or

51 (7) One hundred kilograms or more of a mixture or substance containing marijuana,
52 **excluding medical marijuana pursuant to Article XIV of the Missouri Constitution;** or

53 (8) More than five hundred marijuana plants, **excluding medical marijuana pursuant**
54 **to Article XIV of the Missouri Constitution;** or

55 (9) Ninety grams or more but less than four hundred fifty grams of any material,
 56 compound, mixture, or preparation containing any quantity of the following substances having
 57 a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts
 58 of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
 59 phenmetrazine and its salts; or methylphenidate; or

60 (10) Ninety grams or more but less than four hundred fifty grams of any material,
 61 compound, mixture, or preparation which contains any quantity of
 62 3,4-methylenedioxymethamphetamine; or

63 **(11) Twenty milligrams or more of fentanyl, or any derivative thereof, or any**
 64 **compound, mixture, or substance containing twenty milligrams or more of fentanyl or**
 65 **carfentanil, or their optical isomers or analogues.**

66 4. The offense of trafficking drugs in the second degree is a class A felony if the quantity
 67 involved is four hundred fifty grams or more of any material, compound, mixture or preparation
 68 which contains:

69 (1) Any quantity of the following substances having a stimulant effect on the central
 70 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
 71 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
 72 methylphenidate; or

73 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

74 **5. The offense of drug trafficking in the second degree is a class C felony for the**
 75 **first offense and a class B felony for any second or subsequent offense for the trafficking**
 76 **of less than one gram of flunitrazepam.**

~~2 [195.755. A grower may retain seed from each industrial hemp crop to
 3 ensure a sufficient supply of seed for that grower for the following year. A
 4 grower shall not be required to obtain an agricultural hemp seed production
 5 permit in order to retain seed for future planting. Any seed retained by a grower
 6 for future planting shall not be sold or transferred and does not have to meet
 7 agricultural hemp seed standards established by the department.]~~

~~2 [195.770. 1. The Missouri Crop Improvement Association, in
 3 collaboration with the department, may establish and administer a certification
 4 program for agricultural hemp seed in this state. Participation in the certification
 5 program shall be voluntary for growers and cultivators of industrial hemp.~~

~~6 2. The Missouri Crop Improvement Association, in collaboration with
 7 the department, may develop a Missouri heritage seed for industrial hemp. In
 8 developing a Missouri heritage seed, the department may:~~

~~9 (1) Breed, plant, grow, cultivate, and harvest the plant cannabis; and~~

~~10 (2) Collect seeds from wild cannabis plants.]~~

Section B. Because immediate action is necessary to ensure the vitality of the agricultural
2 industry in the state by allowing for the research into the effectiveness of the multiple varieties
3 of industrial hemp, the repeal and reenactment of section 195.767 of section A of this act is
4 deemed necessary for the immediate preservation of the public health, welfare, peace, and safety,
5 and is hereby declared to be an emergency act within the meaning of the constitution, and the
6 repeal and reenactment of section 195.767 of section A of this act shall be in full force and effect
7 upon its passage and approval.

✓