

AMENDMENTS TO LB157

Introduced by Judiciary.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. (1) A health care provider, an emergency medical
4 services provider, a laboratory, or a pharmacy providing medical
5 services, transportation, medications, or other services related to the
6 examination or treatment of injuries arising out of sexual assault as
7 defined in section 29-4309, domestic assault under section 28-323, or
8 child abuse under section 28-707 shall not:

9 (a) Refer a bill for such services to a collection agency or an
10 attorney for collection against the victim or the victim's guardian or
11 family;

12 (b) Distribute information regarding such services and status of
13 payment in any way that would affect the credit rating of the victim or
14 the victim's guardian or family; or

15 (c) Take any other action adverse to the victim or the victim's
16 guardian or family on account of providing such services.

17 (2) This section shall not be construed to prevent an entity
18 described in subsection (1) of this section from otherwise seeking
19 payment for such services from the victim or any other source.

20 (3) If a collection agency or an attorney is referred a debt for a
21 bill described in subsection (1) of this section, then upon notice of the
22 applicability of this section, the collection agency or attorney shall
23 return the debt to the referring health care provider, emergency medical
24 services provider, laboratory, or pharmacy.

25 (4) No private cause of action shall exist under this section
26 against a debt collector.

27 Sec. 2. Section 28-405, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 28-405 The following are the schedules of controlled substances
3 referred to in the Uniform Controlled Substances Act, unless specifically
4 contained on the list of exempted products of the Drug Enforcement
5 Administration of the United States Department of Justice as the list
6 existed on January 31, 2022 ~~2021~~:

7 Schedule I

8 (a) Any of the following opiates, including their isomers, esters,
9 ethers, salts, and salts of isomers, esters, and ethers, unless
10 specifically excepted, whenever the existence of such isomers, esters,
11 ethers, and salts is possible within the specific chemical designation:

- 12 (1) Acetylmethadol;
- 13 (2) Allylprodine;
- 14 (3) Alphacetylmethadol, except levo-alphacetylmethadol which is also
15 known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 16 (4) Alphameprodine;
- 17 (5) Alphamethadol;
- 18 (6) Benzethidine;
- 19 (7) Betacetylmethadol;
- 20 (8) Betameprodine;
- 21 (9) Betamethadol;
- 22 (10) Betaprodine;
- 23 (11) Clonitazene;
- 24 (12) Dextromoramide;
- 25 (13) Difenoquin;
- 26 (14) Diampromide;
- 27 (15) Diethylthiambutene;
- 28 (16) Dimenoxadol;
- 29 (17) Dimepheptanol;
- 30 (18) Dimethylthiambutene;
- 31 (19) Dioxaphetyl butyrate;

- 1 (20) Dipipanone;
- 2 (21) Ethylmethylthiambutene;
- 3 (22) Etonitazene;
- 4 (23) Etoxeridine;
- 5 (24) Furethidine;
- 6 (25) Hydroxypethidine;
- 7 (26) Ketobemidone;
- 8 (27) Levomoramide;
- 9 (28) Levophenacymorphan;
- 10 (29) Morpheridine;
- 11 (30) Noracymethadol;
- 12 (31) Norlevorphanol;
- 13 (32) Normethadone;
- 14 (33) Norpipanone;
- 15 (34) Phenadoxone;
- 16 (35) Phenampromide;
- 17 (36) Phenomorphan;
- 18 (37) Phenoperidine;
- 19 (38) Piritramide;
- 20 (39) Proheptazine;
- 21 (40) Properidine;
- 22 (41) Propiram;
- 23 (42) Racemoramide;
- 24 (43) Trimeperidine;
- 25 (44) Alpha-methylfentanyl, N-(1-(alpha-methyl-beta-phenyl)ethyl-4-
- 26 piperidyl) propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
- 27 piperidine;
- 28 (45) Tilidine;
- 29 (46) 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
- 30 phenylpropanamide, its optical and geometric isomers, salts, and salts of
- 31 isomers;

1 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical
2 isomers, salts, and salts of isomers;

3 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its
4 optical isomers, salts, and salts of isomers;

5 (49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-
6 piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of
7 isomers;

8 (50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-
9 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
10 of isomers;

11 (51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide,
12 its optical isomers, salts, and salts of isomers;

13 (52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-
14 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
15 of isomers;

16 (53) Beta-hydroxy-3-methylfentanyl, (other name: N-(1-(2-hydroxy-2-
17 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide), its optical and
18 geometric isomers, salts, and salts of isomers;

19 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-
20 piperidinyl)-N-phenylpropanamide, its optical and geometric isomers,
21 salts, and salts of isomers;

22 (55) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
23 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

24 (56) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-
25 propanamide, its optical isomers, salts, and salts of isomers;

26 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
27 piperidinyl)propanamide, its optical isomers, salts, and salts of
28 isomers;

29 (58) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
30 methylbenzamide;

31 (59) 4-Fluoroisobutyryl Fentanyl;

- 1 (60) Acetyl Fentanyl;
- 2 (61) Acetyl fentanyl;
- 3 (62) AH-7921; 3, 4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]
- 4 benzamide;
- 5 (63) Butyryl fentanyl;
- 6 (64) Cyclopentyl fentanyl;
- 7 (65) Cyclopropyl fentanyl;
- 8 (66) Furanyl fentanyl;
- 9 (67) Isobutyryl fentanyl;
- 10 (68) Isotonitazene;
- 11 (69) Methoxyacetyl fentanyl;
- 12 (70) MT-45; 1-cyclohexyl-4-(1,2-diphenylethyl) piperazine;
- 13 (71) Tetrahydrofuranyl fentanyl;
- 14 (72) 2-fluorofentanyl; N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
- 15 yl) propionamide;
- 16 (73) Oxycodone;
- 17 (74) Ortho-Fluorofentanyl;
- 18 (75) Para-chloroisobutyryl fentanyl;
- 19 (76) Para-Fluorobutyryl Fentanyl;
- 20 (77) Valeryl fentanyl;
- 21 (78) Phenyl Fentanyl;
- 22 (79) Para-Methylfentanyl;
- 23 (80) Thiofuranyl Fentanyl;
- 24 (81) Beta-methyl Fentanyl;
- 25 (82) Beta'-Phenyl Fentanyl;
- 26 (83) Crotonyl Fentanyl;
- 27 (84) 2'-Fluoro Ortho-Fluorofentanyl;
- 28 (85) 4'-Methyl Acetyl Fentanyl;
- 29 (86) Ortho-Fluorobutyryl Fentanyl;
- 30 (87) Ortho-Methyl Acetylfentanyl;
- 31 (88) Ortho-Methyl Methoxyacetyl Fentanyl;

1 (89) Ortho-Fluoroacryl Fentanyl;

2 (90) Fentanyl Carbamate;

3 (91) Ortho-Fluoroisobutyryl Fentanyl;

4 (92) Para-Fluoro Furanyl Fentanyl;

5 (93) Para-Methoxybutyryl Fentanyl; ~~and~~

6 (94) Brorphine (other name: 1-(1-(1-(4-bromophenyl) ethyl)
7 piperidin-4-yl-1,3-dihydro-2H-benzo[D]imidazole-2-one); and -

8 (95) Fentanyl-related substances, their isomers, esters, ethers,
9 salts and salts of isomers, esters, and ethers. Unless specifically
10 excepted, listed in another schedule, or specifically named in this
11 schedule, this includes any substance that is structurally related to
12 fentanyl by one or more of the following modifications:

13 (A) Replacement of the phenyl portion of the phenethyl group by any
14 monocycle, whether or not further substituted in or on the monocycle;

15 (B) Substitution in or on the phenethyl group with alkyl, alkenyl,
16 alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

17 (C) Substitution in or on the piperidine ring with alkyl, alkenyl,
18 alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

19 (D) Replacement of the aniline ring with any aromatic monocycle
20 whether or not further substituted in or on the aromatic monocycle; or

21 (E) Replacement of the N-propionyl group by another acyl group.

22 (b) Any of the following opium derivatives, their salts, isomers,
23 and salts of isomers, unless specifically excepted, whenever the
24 existence of such salts, isomers, and salts of isomers is possible within
25 the specific chemical designation:

26 (1) Acetorphine;

27 (2) Acetyldihydrocodeine;

28 (3) Benzylmorphine;

29 (4) Codeine methylbromide;

30 (5) Codeine-N-Oxide;

31 (6) Cyprenorphine;

- 1 (7) Desomorphine;
- 2 (8) Dihydromorphine;
- 3 (9) Drotebanol;
- 4 (10) Etorphine, except hydrochloride salt;
- 5 (11) Heroin;
- 6 (12) Hydromorphinol;
- 7 (13) Methyldesorphine;
- 8 (14) Methyldihydromorphine;
- 9 (15) Morphine methylbromide;
- 10 (16) Morphine methylsulfonate;
- 11 (17) Morphine-N-Oxide;
- 12 (18) Myrophine;
- 13 (19) Nicocodeine;
- 14 (20) Nicomorphine;
- 15 (21) Normorphine;
- 16 (22) Pholcodine; and
- 17 (23) Thebacon.

18 (c) Any material, compound, mixture, or preparation which contains
19 any quantity of the following hallucinogenic substances, their salts,
20 isomers, and salts of isomers, unless specifically excepted, whenever the
21 existence of such salts, isomers, and salts of isomers is possible within
22 the specific chemical designation, and, for purposes of this subdivision
23 only, isomer shall include the optical, position, and geometric isomers:

24 (1) Bufotenine. Trade and other names shall include, but are not
25 limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-
26 dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-
27 dimethyltryptamine; and mappine;

28 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall
29 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-
30 methylphenethylamine; and 4-bromo-2,5-DMA;

31 (3) 4-methoxyamphetamine. Trade and other names shall include, but

1 are not limited to: 4-methoxy-alpha-methylphenethylamine; and
2 paramethoxyamphetamine, PMA;

3 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall
4 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-
5 methylphenethylamine; DOM; and STP;

6 (5) Para-methoxymethamphetamine. Trade and other names shall
7 include, but are not limited to: 1-(4-Methoxyphenyl)-N-methylpropan-2-
8 amine, PMMA, and 4-MMA;

9 (6) Ibogaine. Trade and other names shall include, but are not
10 limited to: 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-
11 methano-5H-pyrido (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe
12 iboga;

13 (7) Lysergic acid diethylamide;

14 (8) Marijuana;

15 (9) Mescaline;

16 (10) Methoxetamine (MXE);

17 (11) (10) Peyote. Peyote shall mean all parts of the plant presently
18 classified botanically as *Lophophora williamsii* Lemaire, whether growing
19 or not, the seeds thereof, any extract from any part of such plant, and
20 every compound, manufacture, salts, derivative, mixture, or preparation
21 of such plant or its seeds or extracts;

22 (12) (11) Psilocybin;

23 (13) (12) Psilocyn;

24 (14) (13) Tetrahydrocannabinols, including, but not limited to,
25 synthetic equivalents of the substances contained in the plant or in the
26 resinous extractives of cannabis, sp. or synthetic substances,
27 derivatives, and their isomers with similar chemical structure and
28 pharmacological activity such as the following: Delta 1 cis or trans
29 tetrahydrocannabinol and their optical isomers, excluding dronabinol in a
30 drug product approved by the federal Food and Drug Administration; Delta
31 6 cis or trans tetrahydrocannabinol and their optical isomers; and Delta

1 3,4 cis or trans tetrahydrocannabinol and its optical isomers. Since
2 nomenclature of these substances is not internationally standardized,
3 compounds of these structures shall be included regardless of the
4 numerical designation of atomic positions covered. Tetrahydrocannabinols
5 does not include cannabidiol contained in a drug product approved by the
6 federal Food and Drug Administration;

7 (15) ~~(14)~~ N-ethyl-3-piperidyl benzilate;

8 (16) ~~(15)~~ N-methyl-3-piperidyl benzilate;

9 (17) ~~(16)~~ Thiophene analog of phencyclidine. Trade and other names
10 shall include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-
11 piperidine; 2-thienyl analog of phencyclidine; TCP; and TCP;

12 (18) ~~(17)~~ Hashish or concentrated cannabis;

13 (19) ~~(18)~~ Parahexyl. Trade and other names shall include, but are
14 not limited to: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
15 dibenzo(b,d)pyran; and Synhexyl;

16 (20) ~~(19)~~ Ethylamine analog of phencyclidine. Trade and other names
17 shall include, but are not limited to: N-ethyl-1-phenylcyclohexylamine;
18 (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
19 cyclohexamine; and PCE;

20 (21) ~~(20)~~ Pyrrolidine analog of phencyclidine. Trade and other names
21 shall include, but are not limited to: 1-(1-phenylcyclohexyl)-
22 pyrrolidine; PCPy; and PHP;

23 (22) ~~(21)~~ Alpha-ethyltryptamine. Some trade or other names:
24 etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)
25 indole; alpha-ET; and AET;

26 (23) ~~(22)~~ 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

27 (24) ~~(23)~~ 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

28 (25) ~~(24)~~ Alpha-methyltryptamine, which is also known as AMT;

29 (26) ~~(25)~~ Salvia divinorum or Salvinorin A. Salvia divinorum or
30 Salvinorin A includes all parts of the plant presently classified
31 botanically as Salvia divinorum, whether growing or not, the seeds

1 thereof, any extract from any part of such plant, and every compound,
2 manufacture, derivative, mixture, or preparation of such plant, its
3 seeds, or its extracts, including salts, isomers, and salts of isomers
4 whenever the existence of such salts, isomers, and salts of isomers is
5 possible within the specific chemical designation;

6 (27) ~~(26)~~ Any material, compound, mixture, or preparation containing
7 any quantity of synthetically produced cannabinoids as listed in
8 subdivisions (A) through (L) of this subdivision, including their salts,
9 isomers, salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic
10 analogs, unless specifically excepted elsewhere in this section. Since
11 nomenclature of these synthetically produced cannabinoids is not
12 internationally standardized and may continually evolve, these structures
13 or compounds of these structures shall be included under this
14 subdivision, regardless of their specific numerical designation of atomic
15 positions covered, so long as it can be determined through a recognized
16 method of scientific testing or analysis that the substance contains
17 properties that fit within one or more of the following categories:

18 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally
19 contained in a plant of the genus cannabis (cannabis plant), as well as
20 synthetic equivalents of the substances contained in the plant, or in the
21 resinous extractives of cannabis, sp. and/or synthetic substances,
22 derivatives, and their isomers with similar chemical structure and
23 pharmacological activity such as the following: Delta 1 cis or trans
24 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans
25 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans
26 tetrahydrocannabinol, and its optical isomers. This subdivision does not
27 include cannabidiol contained in a drug product approved by the federal
28 Food and Drug Administration;

29 (B) Naphthoylindoles: Any compound containing a 3-(1-
30 naphthoyl)indole structure with substitution at the nitrogen atom of the
31 indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,

1 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
2 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
3 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
4 tetrahydropyranylmethyl group, whether or not further substituted in or
5 on any of the listed ring systems to any extent;

6 (C) Naphthylmethyloindoles: Any compound containing a 1 H-indol-3-
7 yl-(1-naphthyl)methane structure with substitution at the nitrogen atom
8 of the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
9 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
10 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
11 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
12 tetrahydropyranylmethyl group, whether or not further substituted in or
13 on any of the listed ring systems to any extent;

14 (D) Naphthoylpyrroles: Any compound containing a 3-(1-
15 naphthoyl)pyrrole structure with substitution at the nitrogen atom of the
16 pyrrole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
17 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
18 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
19 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
20 tetrahydropyranylmethyl group, whether or not further substituted in or
21 on any of the listed ring systems to any extent;

22 (E) Naphthylideneindenes: Any compound containing a
23 naphthylideneindene structure with substitution at the 3-position of the
24 indene ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
25 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
26 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
27 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
28 tetrahydropyranylmethyl group, whether or not further substituted in or
29 on any of the listed ring systems to any extent;

30 (F) Phenylacetyloindoles: Any compound containing a 3-
31 phenylacetyloindole structure with substitution at the nitrogen atom of

1 the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
2 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
3 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
4 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
5 tetrahydropyranylmethyl group, whether or not further substituted in or
6 on any of the listed ring systems to any extent;

7 (G) Cyclohexylphenols: Any compound containing a 2-(3-
8 hydroxycyclohexyl)phenol structure with substitution at the 5-position of
9 the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
10 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
11 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
12 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
13 tetrahydropyranylmethyl group, whether or not substituted in or on any of
14 the listed ring systems to any extent;

15 (H) Benzoylindoles: Any compound containing a 3-(benzoyl)indole
16 structure with substitution at the nitrogen atom of the indole ring by an
17 alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl,
18 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-
19 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
20 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not
21 further substituted in or on any of the listed ring systems to any
22 extent;

23 (I) Adamantoylindoles: Any compound containing a 3-adamantoylindole
24 structure with substitution at the nitrogen atom of the indole ring by an
25 alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl, benzyl,
26 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
27 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
28 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not
29 further substituted in or on any of the listed ring systems to any
30 extent;

31 (J) Tetramethylcyclopropanoylindoles: Any compound containing a 3-

1 tetramethylcyclopropanoylindole structure with substitution at the
2 nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
3 alkenyl, halobenzyl, benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
4 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
5 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
6 tetrahydropyranylmethyl group, whether or not further substituted in or
7 on any of the listed ring systems to any extent;

8 (K) Indole carboxamides: Any compound containing a 1-indole-3-
9 carboxamide structure with substitution at the nitrogen atom of the
10 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
11 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
12 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
13 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
14 tetrahydropyranylmethyl group, substitution at the carboxamide group by
15 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
16 phenyl, aminoalkyl group, or quinolinyl group, whether or not further
17 substituted in or on any of the listed ring systems to any extent or to
18 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
19 propionaldehyde groups to any extent;

20 (L) Indole carboxylates: Any compound containing a 1-indole-3-
21 carboxylate structure with substitution at the nitrogen atom of the
22 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
23 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
24 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
25 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
26 tetrahydropyranylmethyl group, substitution at the carboxylate group by
27 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
28 phenyl, aminoalkyl group, or quinolinyl group, whether or not further
29 substituted in or on any of the listed ring systems to any extent or to
30 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
31 propionaldehyde groups to any extent; and

1 (M) Any nonnaturally occurring substance, chemical compound,
2 mixture, or preparation, not specifically listed elsewhere in these
3 schedules and which is not approved for human consumption by the federal
4 Food and Drug Administration, containing or constituting a cannabinoid
5 receptor agonist as defined in section 28-401;

6 (28) Zipeprol 1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-
7 yl]-1-phenylpropan-2-ol, including its isomers, esters, ethers, salts,
8 and salts of isomers, esters, and ethers, whenever the existence of such
9 isomers, esters, ethers, and salts is possible within the specific
10 chemical designation;

11 (29) ~~(27)~~ Any material, compound, mixture, or preparation containing
12 any quantity of a substituted phenethylamine as listed in subdivisions
13 (A) through (C) of this subdivision, unless specifically excepted, listed
14 in another schedule, or specifically named in this schedule, that is
15 structurally derived from phenylethan-2-amine by substitution on the
16 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a
17 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by
18 substitution with one alkoxy and either one fused furan, tetrahydrofuran,
19 or tetrahydropyran ring system; or by substitution with two fused ring
20 systems from any combination of the furan, tetrahydrofuran, or
21 tetrahydropyran ring systems, whether or not the compound is further
22 modified in any of the following ways:

23 (A) Substitution of the phenyl ring by any halo, hydroxyl, alkyl,
24 trifluoromethyl, alkoxy, or alkylthio groups; (B) substitution at the 2-
25 position by any alkyl groups; or (C) substitution at the 2-amino nitrogen
26 atom with alkyl, dialkyl, benzyl, hydroxybenzyl, or methoxybenzyl groups,
27 and including, but not limited to:

28 (i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine, which is also known
29 as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine;

30 (ii) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine, which is also known
31 as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine;

- 1 (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine, which is also known
2 as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine;
- 3 (iv) 2-(2,5-Dimethoxyphenyl)ethanamine, which is also known as 2C-H
4 or 2,5-Dimethoxyphenethylamine;
- 5 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as
6 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;
- 7 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is also known
8 as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;
- 9 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine, which is also
10 known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;
- 11 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine, which is
12 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;
- 13 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is
14 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;
- 15 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
16 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;
- 17 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
18 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;
- 19 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
20 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;
- 21 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
22 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 23 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
24 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 25 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
26 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
27 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 28 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
29 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
30 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 31 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,

- 1 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
2 methoxybenzyl)phenethylamine;
- 3 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
4 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
5 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 6 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
7 which is also known as 2CB-5-hemiFLY;
- 8 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
9 yl)ethanamine, which is also known as 2C-B-FLY;
- 10 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
11 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 12 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
13 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-
14 NBOMe;
- 15 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,
16 which is also known as bromo-benzodifuranylisopropylamine or bromo-
17 dragonFLY;
- 18 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which
19 is also known as 2C-INBOH or 25I-NBOH;
- 20 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as 5-APB;
- 21 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
- 22 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known
23 as 5-APDB;
- 24 (xxviii) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also
25 known as 6-APDB;
- 26 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-
27 dimethoxy-a-methylphenethylamine; 2, 5-DMA;
- 28 (xxx) 2,5-dimethoxy-4-ethylamphetamine, which is also known as DOET;
- 29 (xxxii) 2,5-dimethoxy-4-(n)-propylthiophenethylamine, which is also
30 known as 2C-T-7;
- 31 (xxxiii) 5-methoxy-3,4-methylenedioxy-amphetamine;

1 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as
2 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;

3 (xxxiv) 3,4-methylenedioxy amphetamine, which is also known as MDA;

4 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as
5 MDMA;

6 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known
7 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA;

8 (xxxvii) 3,4,5-trimethoxy amphetamine; and

9 (xxxviii) n-hydroxy-3,4-Methylenedioxy-N-Hydroxyamphetamine, which
10 is also known as N-hydroxyMDA;

11 (30) ~~(28)~~ Any material, compound, mixture, or preparation containing
12 any quantity of a substituted tryptamine unless specifically excepted,
13 listed in another schedule, or specifically named in this schedule, that
14 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
15 known as tryptamine, by mono- or di-substitution of the amine nitrogen
16 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
17 in a cyclic structure whether or not the compound is further substituted
18 at the alpha position with an alkyl group or whether or not further
19 substituted on the indole ring to any extent with any alkyl, alkoxy,
20 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

21 (A) 5-methoxy-N,N-diallyltryptamine, which is also known as 5-MeO-
22 DALT;

23 (B) 4-acetoxy-N,N-dimethyltryptamine, which is also known as 4-AcO-
24 DMT or OAcetylpsilocin;

25 (C) 4-hydroxy-N-methyl-N-ethyltryptamine, which is also known as 4-
26 HO-MET;

27 (D) 4-hydroxy-N,N-diisopropyltryptamine, which is also known as 4-
28 HO-DIPT;

29 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
30 5-MeOMiPT;

31 (F) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-

1 DMT;

2 (G) 5-methoxy-N,N-diisopropyltryptamine, which is also known as 5-
3 MeO-DiPT;

4 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,
5 DET; and

6 (I) Dimethyltryptamine, which is also known as DMT; and

7 (31)(A) ~~(29)(A)~~ Any substance containing any quantity of the
8 following materials, compounds, mixtures, or structures:

9 (i) 3,4-methylenedioxy methcathinone, or bk-MDMA, or methylone;

10 (ii) 3,4-methylenedioxy pyrovalerone, or MDPV;

11 (iii) 4-methylmethcathinone, or 4-MMC, or mephedrone;

12 (iv) 4-methoxymethcathinone, or bk-PMMA, or PMMC, or methedrone;

13 (v) Fluoromethcathinone, or FMC;

14 (vi) Naphthylpyrovalerone, or naphyrone; or

15 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or
16 butylone; or

17 (B) Unless listed in another schedule, any substance which contains
18 any quantity of any material, compound, mixture, or structure, other than
19 bupropion, that is structurally derived by any means from 2-
20 aminopropan-1-one by substitution at the 1-position with either phenyl,
21 naphthyl, or thiophene ring systems, whether or not the compound is
22 further modified in any of the following ways:

23 (i) Substitution in the ring system to any extent with alkyl,
24 alkoxy, alkylendioxy, haloalkyl, hydroxyl, or halide substituents,
25 whether or not further substituted in the ring system by one or more
26 other univalent substituents;

27 (ii) Substitution at the 3-position with an acyclic alkyl
28 substituent; or

29 (iii) Substitution at the 2-amino nitrogen atom with alkyl or
30 dialkyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic
31 structure.

1 (d) Unless specifically excepted or unless listed in another
2 schedule, any material, compound, mixture, or preparation which contains
3 any quantity of the following substances having a depressant effect on
4 the central nervous system, including its salts, isomers, and salts of
5 isomers whenever the existence of such salts, isomers, and salts of
6 isomers is possible within the specific chemical designation:

7 (1) Amineptine 7-[(10,11-dihydro-5H-dibenzo[a,d]-cyclohepten-5-
8 yl)amino]heptanoic acid, including its salts, isomers, and salts of
9 isomers;

10 (2) ~~(1)~~ Mecloqualone;

11 (3) ~~(2)~~ Methaqualone; and

12 (4) ~~(3)~~ Gamma-Hydroxybutyric Acid. Some other names include: GHB;
13 Gamma-hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium
14 Oxybate; and Sodium Oxybutyrate.

15 (e) Unless specifically excepted or unless listed in another
16 schedule, any material, compound, mixture, or preparation which contains
17 any quantity of the following substances having a stimulant effect on the
18 central nervous system, including its salts, isomers, and salts of
19 isomers:

20 (1) Fenethylamine;

21 (2) N-ethylamphetamine;

22 (3) Amphetamine; amphetamine; 2-amino-5-phenyl-2-oxazoline; or 4,5-
23 dihydro-5-phenyl-2-oxazolamine;

24 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-
25 aminopropiophenone; 2-aminopropiophenone; and norephedrine;

26 (5) Methcathinone, its salts, optical isomers, and salts of optical
27 isomers. Some other names: 2-(methylamino)-propionophenone; alpha-
28 (methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-
29 N-methylaminopropionophenone; methylcathinone; monomethylpropion;
30 ephedrine; N-methylcathinone; AL-464; AL-422; AL-463; UR1432; and 4-MEC;

31 (6) (+/-)-cis-4-methylamphetamine; and (+/-)-cis-4,5-dihydro-4-methyl-5-

1 phenyl-2-oxazolamine;

2 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;
3 and N,N-alpha-trimethylphenethylamine;

4 (8) Benzylpiperazine, 1-benzylpiperazine;~~and~~

5 (9) 4,4'-dimethylaminorex (other names: 4,4'-DMAR, 4,5-dihydro-4-
6 methyl-5-(4-methylphenyl)-2-oxazolamine); and -

7 (10) N-phenyl-N' -(3-(1- phenylpropan-2-yl)-1,2,3-oxadiazol-3-
8 ium-5-yl)carbamimidate), including its salts, isomers, and salts of
9 isomers.

10 (f) Any controlled substance analogue to the extent intended for
11 human consumption.

12 Schedule II

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

18 (1) Opium and opiate, and any salt, compound, derivative, or
19 preparation of opium or opiate, excluding apomorphine, buprenorphine,
20 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeffene,
21 naloxone, and naltrexone and their salts, but including the following:

22 (A) Raw opium;

23 (B) Opium extracts;

24 (C) Opium fluid;

25 (D) Powdered opium;

26 (E) Granulated opium;

27 (F) Tincture of opium;

28 (G) Codeine;

29 (H) Ethylmorphine;

30 (I) Etorphine hydrochloride;

31 (J) Hydrocodone;

1 (K) Hydromorphone;

2 (L) Metopon;

3 (M) Morphine;

4 (N) Oxycodone;

5 (O) Oxymorphone;

6 (P) Oripavine;

7 (Q) Thebaine; and

8 (R) Dihydroetorphine;

9 (2) Any salt, compound, derivative, or preparation thereof which is
10 chemically equivalent to or identical with any of the substances referred
11 to in subdivision (1) of this subdivision, except that these substances
12 shall not include the isoquinoline alkaloids of opium;

13 (3) Opium poppy and poppy straw;

14 (4) Coca leaves and any salt, compound, derivative, or preparation
15 of coca leaves, and any salt, compound, derivative, or preparation
16 thereof which is chemically equivalent to or identical with any of these
17 substances, including cocaine or ecgonine and its salts, optical isomers,
18 and salts of optical isomers, except that the substances shall not
19 include decocainized coca leaves or extractions which do not contain
20 cocaine or ecgonine; and

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

24 (b) Unless specifically excepted or unless in another schedule any
25 of the following opiates, including their isomers, esters, ethers, salts,
26 and salts of their isomers, esters, and ethers whenever the existence of
27 such isomers, esters, ethers, and salts is possible within the specific
28 chemical designation, dextrorphan excepted:

29 (1) Alphaprodine;

30 (2) Anileridine;

31 (3) Bezitramide;

- 1 (4) Diphenoxylate;
- 2 (5) Fentanyl;
- 3 (6) Isomethadone;
- 4 (7) Levomethorphan;
- 5 (8) Levorphanol;
- 6 (9) Metazocine;
- 7 (10) Methadone;
- 8 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
- 9 butane;
- 10 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
- 11 diphenylpropane-carboxylic acid;
- 12 (13) Norfentanyl (N-phenyl-N-piperidin-4-yl) propionamide;
- 13 (14) Oliceridine;
- 14 (15) Pethidine or meperidine;
- 15 (16) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 16 (17) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
- 17 carboxylate;
- 18 (18) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
- 19 carboxylic acid;
- 20 (19) Phenazocine;
- 21 (20) Piminodine;
- 22 (21) Racemethorphan;
- 23 (22) Racemorphan;
- 24 (23) Dihydrocodeine;
- 25 (24) Bulk Propoxyphene in nondosage forms;
- 26 (25) Sufentanil;
- 27 (26) Alfentanil;
- 28 (27) Levo-alphaacetylmethadol which is also known as levo-alpha-
- 29 acetylmethadol, levomethadyl acetate, and LAAM;
- 30 (28) Carfentanil;
- 31 (29) Remifentanil;

1 (30) Tapentadol; and

2 (31) Thiafentanil.

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

6 (1) Amphetamine, its salts, optical isomers, and salts of its
7 optical isomers;

8 (2) Phenmetrazine and its salts;

9 (3) Methamphetamine, its salts, isomers, and salts of its isomers;

10 (4) Methylphenidate; and

11 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

12 (d) Any material, compound, mixture, or preparation which contains
13 any quantity of the following substances having a potential for abuse
14 associated with a depressant effect on the central nervous system,
15 including their salts, isomers, and salts of isomers whenever the
16 existence of such salts, isomers, and salts of isomers is possible within
17 the specific chemical designations:

18 (1) Amobarbital;

19 (2) Secobarbital;

20 (3) Pentobarbital;

21 (4) Phencyclidine; and

22 (5) Glutethimide.

23 (e) Hallucinogenic substances known as:

24 (1) Nabilone. Another name for nabilone: (+/-)-trans-3-(1,1-
25 dimethylheptyl)- 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-
26 dibenzo(b,d)pyran-9-one; and

27 (2) Dronabinol in an oral solution in a drug product approved by the
28 federal Food and Drug Administration.

29 (f) Unless specifically excepted or unless listed in another
30 schedule, any material, compound, mixture, or preparation which contains
31 any quantity of the following substances:

1 (1) Immediate precursor to amphetamine and methamphetamine:
2 Phenylacetone. Trade and other names shall include, but are not limited
3 to: Phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl
4 ketone;

5 (2) Immediate precursors to phencyclidine, PCP:

6 (A) 1-phenylcyclohexylamine; or

7 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

8 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine
9 (ANPP).

10 Schedule III

11 (a) Any material, compound, mixture, or preparation which contains
12 any quantity of the following substances having a potential for abuse
13 associated with a stimulant effect on the central nervous system,
14 including their salts, isomers, whether optical, position, or geometric,
15 and salts of such isomers whenever the existence of such salts, isomers,
16 and salts of isomers is possible within the specific chemical
17 designation:

18 (1) Benzphetamine;

19 (2) Chlorphentermine;

20 (3) Clortermine; and

21 (4) Phendimetrazine.

22 (b) Any material, compound, mixture, or preparation which contains
23 any quantity of the following substances having a potential for abuse
24 associated with a depressant effect on the central nervous system:

25 (1) Any substance which contains any quantity of a derivative of
26 barbituric acid or any salt of a derivative of barbituric acid, except
27 those substances which are specifically listed in other schedules of this
28 section;

29 (2) Aprobarbital;

30 (3) Butabarbital;

31 (4) Butalbital;

- 1 (5) Butethal;
- 2 (6) Butobarbital;
- 3 (7) Chlorhexadol;
- 4 (8) Embutramide;
- 5 (9) Lysergic acid;
- 6 (10) Lysergic acid amide;
- 7 (11) Methyprylon;
- 8 (12) Perampanel;
- 9 (13) Secbutobarbital;
- 10 (14) Sulfondiethylmethane;
- 11 (15) Sulfonethylmethane;
- 12 (16) Sulfonmethane;
- 13 (17) Nalorphine;
- 14 (18) Talbutal;
- 15 (19) Thiamylal;
- 16 (20) Thiopental;
- 17 (21) Vinbarbital;
- 18 (22) Any compound, mixture, or preparation containing amobarbital,
19 secobarbital, pentobarbital, or any salt thereof and one or more other
20 active medicinal ingredients which are not listed in any schedule;
- 21 (23) Any suppository dosage form containing amobarbital,
22 secobarbital, pentobarbital, or any salt of any of these drugs and
23 approved by the federal Food and Drug Administration for marketing only
24 as a suppository;
- 25 (24) Any drug product containing gamma-hydroxybutyric acid,
26 including its salts, isomers, and salts of isomers, for which an
27 application is approved under section 505 of the Federal Food, Drug, and
28 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;
- 29 (25) Ketamine, its salts, isomers, and salts of isomers. Some other
30 names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
31 cyclohexanone; and

1 (26) Tiletamine and zolazepam or any salt thereof. Trade or other
2 names for a tiletamine-zolazepam combination product shall include, but
3 are not limited to: telazol. Trade or other names for tiletamine shall
4 include, but are not limited to: 2-(ethylamino)-2-(2-thienyl)-
5 cyclohexanone. Trade or other names for zolazepam shall include, but are
6 not limited to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-
7 trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, and flupyrzapon.

8 (c) Unless specifically excepted or unless listed in another
9 schedule:

10 (1) Any material, compound, mixture, or preparation containing
11 limited quantities of any of the following narcotic drugs, or any salts
12 calculated as the free anhydrous base or alkaloid, in limited quantities
13 as set forth below:

14 (A) Not more than one and eight-tenths grams of codeine per one
15 hundred milliliters or not more than ninety milligrams per dosage unit,
16 with an equal or greater quantity of an isoquinoline alkaloid of opium;

17 (B) Not more than one and eight-tenths grams of codeine per one
18 hundred milliliters or not more than ninety milligrams per dosage unit,
19 with one or more active, nonnarcotic ingredients in recognized
20 therapeutic amounts;

21 (C) Not more than one and eight-tenths grams of dihydrocodeine per
22 one hundred milliliters or not more than ninety milligrams per dosage
23 unit, with one or more active, nonnarcotic ingredients in recognized
24 therapeutic amounts;

25 (D) Not more than three hundred milligrams of ethylmorphine per one
26 hundred milliliters or not more than fifteen milligrams per dosage unit,
27 with one or more active, nonnarcotic ingredients in recognized
28 therapeutic amounts;

29 (E) Not more than five hundred milligrams of opium per one hundred
30 milliliters or per one hundred grams, or not more than twenty-five
31 milligrams per dosage unit, with one or more active, nonnarcotic

1 ingredients in recognized therapeutic amounts; and

2 (F) Not more than fifty milligrams of morphine per one hundred
3 milliliters or per one hundred grams with one or more active, nonnarcotic
4 ingredients in recognized therapeutic amounts; and

5 (2) Any material, compound, mixture, or preparation containing any
6 of the following narcotic drug or its salts, as set forth below:

7 (A) Buprenorphine.

8 (d) Unless contained on the list of exempt anabolic steroids of the
9 Drug Enforcement Administration of the United States Department of
10 Justice as the list existed on January 31, 2022 ~~2021~~, any anabolic
11 steroid, which shall include any material, compound, mixture, or
12 preparation containing any quantity of the following substances,
13 including its salts, isomers, and salts of isomers whenever the existence
14 of such salts of isomers is possible within the specific chemical
15 designation:

16 (1) 3-beta,17-dihydroxy-5a-androstane;

17 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;

18 (3) 5-alpha-androstan-3,17-dione;

19 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
20 ene);

21 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
22 ene);

23 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

24 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

25 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);

26 (9) 4-androstenedione (androst-4-en-3,17-dione);

27 (10) 5-androstenedione (androst-5-en-3,17-dione);

28 (11) Bolasterone (7-alpha,17-alpha-dimethyl-17-beta-
29 hydroxyandrost-4-en-3-one);

30 (12) Boldenone (17-beta-hydroxyandrost-1,4-diene-3-one);

31 (13) Boldione (androsta-1,4-diene-3,17-3-one);

- 1 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
2 en-3-one);
- 3 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);
- 4 (16) Dehydrochloromethyltestosterone (4-chloro-17-beta-hydroxy-17-
5 alpha-methyl-androst-1,4-dien-3-one);
- 6 (17) Desoxymethyltestosterone (17-alpha-methyl-5-alpha-androst-2-
7 en-17-beta-ol) (a.k.a. 'madol');
- 8 (18) Delta-1-Dihydrotestosterone (a.k.a. '1-testosterone')(17-beta-
9 hydroxy-5-alpha-androst-1-en-3-one);
- 10 (19) 4-Dihydrotestosterone (17-beta-hydroxy-androstan-3-one);
- 11 (20) Drostanolone (17-beta-hydroxy-2-alpha-methyl-5-alpha-
12 androstan-3-one);
- 13 (21) Ethylestrenol (17-alpha-ethyl-17-beta-hydroxyestr-4-ene);
- 14 (22) Fluoxymesterone (9-fluoro-17-alpha-methyl-11-beta,17-beta-
15 dihydroxyandrost-4-en-3-one);
- 16 (23) Formebolone (formebolone); (2-formyl-17-alpha-methyl-11-
17 alpha,17-beta-dihydroxyandrost-1,4-dien-3-one);
- 18 (24) Furazabol (17-alpha-methyl-17-beta-hydroxyandrostano[2,3-c]-
19 furazan);
- 20 (25) 13-beta-ethyl-17-beta-hydroxygon-4-en-3-one;
- 21 (26) 4-hydroxytestosterone (4,17-beta-dihydroxy-androst-4-en-3-one);
- 22 (27) 4-hydroxy-19-nortestosterone (4,17-beta-dihydroxy-estr-4-en-3-
23 one);
- 24 (28) Mestanolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
25 one);
- 26 (29) Mesterolone (17-alpha-methyl-17-beta-hydroxy-5-androstan-3-
27 one);
- 28 (30) Methandienone (17-alpha-methyl-17-beta-hydroxyandrost-1,4-
29 dien-3-one);
- 30 (31) Methandriol (17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-5-
31 ene);

- 1 (32) Methasterone (2-alpha,17-alpha-dimethyl-5-alpha-androstan-17-
2 beta-ol-3-one);
- 3 (33) Methenolone (1-methyl-17-beta-hydroxy-5-alpha-androst-1-en-3-
4 one);
- 5 (34) 17-alpha-methyl-3-beta,17-beta-dihydroxy-5a-androstane;
- 6 (35) 17-alpha-methyl-3-alpha,17-beta-dihydroxy-5a-androstane;
- 7 (36) 17-alpha-methyl-3-beta,17-beta-dihydroxyandrost-4-ene;
- 8 (37) 17-alpha-methyl-4-hydroxynandrolone (17-alpha-methyl-4-
9 hydroxy-17-beta-hydroxyestr-4-en-3-one);
- 10 (38) Methyldienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9(10)-
11 dien-3-one);
- 12 (39) Methyltrienolone (17-alpha-methyl-17-beta-hydroxyestra-4,9,11-
13 trien-3-one);
- 14 (40) Methyltestosterone (17-alpha-methyl-17-beta-hydroxyandrost-4-
15 en-3-one);
- 16 (41) Mibolerone (7-alpha,17-alpha-dimethyl-17-beta-hydroxyestr-4-
17 en-3-one);
- 18 (42) 17-alpha-methyl-delta-1-dihydrotestosterone (17-beta-
19 hydroxy-17-alpha-methyl-5-alpha-androst-1-en-3-one) (a.k.a. '17-alpha-
20 methyl-1-testosterone');
- 21 (43) Nandrolone (17-beta-hydroxyestr-4-en-3-one);
- 22 (44) 19-nor-4-androstenediol (3-beta, 17-beta-dihydroxyestr-4-ene);
- 23 (45) 19-nor-4-androstenediol (3-alpha, 17-beta-dihydroxyestr-4-ene);
- 24 (46) 19-nor-5-androstenediol (3-beta, 17-beta-dihydroxyestr-5-ene);
- 25 (47) 19-nor-5-androstenediol (3-alpha, 17-beta-dihydroxyestr-5-ene);
- 26 (48) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-
27 dione);
- 28 (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 29 (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 30 (51) Norbolethone (13-beta, 17-alpha-diethyl-17-beta-hydroxygon-4-
31 en-3-one);

- 1 (52) Norclostebol (4-chloro-17-beta-hydroxyestr-4-en-3-one);
- 2 (53) Norethandrolone (17-alpha-ethyl-17-beta-hydroxyestr-4-en-3-
- 3 one);
- 4 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
- 5 one);
- 6 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
- 7 androstan-3-one);
- 8 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
- 9 en-3-one);
- 10 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
- 11 hydroxy-[5-alpha]-androstan-3-one);
- 12 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
- 13 c]pyrazole);
- 14 (59) Stanozolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
- 15 androst-2-eno[3,2-c]-pyrazole);
- 16 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
- 17 one);
- 18 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
- 19 oic acid lactone);
- 20 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);
- 21 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
- 22 hydroxygon-4,9,11-trien-3-one);
- 23 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one);
- 24 (65) [3,2-c]-furazan-5 alpha-androstane-17 beta-ol;
- 25 (66) [3,2-c]pyrazole-androst-4-en-17 beta-ol;
- 26 (67) 17 alpha-methyl-androst-ene-3,17 beta-diol;
- 27 (68) 17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 28 (69) 17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
- 29 (70) 17 beta-hydroxy-androstano[2,3-d]isoxazole;
- 30 (71) 17 beta-hydroxy-androstano[3,2-c]isoxazole;
- 31 (72) 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;

1 (73) 2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androstan-17
2 beta-ol;

3 (74) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3-one;

4 (75) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3,11-
5 dione;

6 (76) 4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;

7 (77) 4-chloro-17 alpha-methyl-androsta-1,4,7,11-tetraene-3,17 beta-diol;

8 (78) 4-hydroxy-androst-4-ene-3,17-dione;

9 (79) 5 alpha-Androstan-3,6,17-trione;

10 (80) 6-bromo-androst-1,4-diene-3,17-dione;

11 (81) 6-bromo-androstan-3,17-dione;

12 (82) 6 alpha-methyl-androst-4-ene-3,17-dione;

13 (83) Delta 1-dihydrotestosterone;

14 (84) Estra-4,9,11-triene-3,17-dione; and

15 (85) Any salt, ester, or ether of a drug or substance described or
16 listed in this subdivision if the salt, ester, or ether promotes muscle
17 growth.

18 (e) Hallucinogenic substances known as:

19 (1) Dronabinol, synthetic, in sesame oil and encapsulated in a soft
20 gelatin capsule in a drug product approved by the federal Food and Drug
21 Administration. Some other names for dronabinol are (6aR-
22 trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo
23 (b,d)pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

24 Schedule IV

25 (a) Any material, compound, mixture, or preparation which contains
26 any quantity of the following substances, including their salts, isomers,
27 and salts of isomers whenever the existence of such salts, isomers, and
28 salts of isomers is possible within the specific chemical designation:

29 (1) Barbital;

30 (2) Chloral betaine;

31 (3) Chloral hydrate;

- 1 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
- 2 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
- 3 water soluble esterified estrogens);
- 4 (5) Clonazepam;
- 5 (6) Clorazepate;
- 6 (7) Daridorexant;
- 7 (8) (7) Diazepam;
- 8 (9) (8) Ethchlorvynol;
- 9 (10) (9) Ethinamate;
- 10 (11) (10) Flurazepam;
- 11 (12) (11) Mebutamate;
- 12 (13) (12) Meprobamate;
- 13 (14) (13) Methohexital;
- 14 (15) (14) Methylphenobarbital;
- 15 (16) (15) Oxazepam;
- 16 (17) (16) Paraldehyde;
- 17 (18) (17) Petrichloral;
- 18 (19) (18) Phenobarbital;
- 19 (20) (19) Prazepam;
- 20 (21) (20) Alprazolam;
- 21 (22) (21) Bromazepam;
- 22 (23) (22) Camazepam;
- 23 (24) (23) Clobazam;
- 24 (25) (24) Clotiazepam;
- 25 (26) (25) Cloxazolam;
- 26 (27) (26) Delorazepam;
- 27 (28) (27) Estazolam;
- 28 (29) (28) Ethyl loflazepate;
- 29 (30) (29) Fludiazepam;
- 30 (31) (30) Flunitrazepam;
- 31 (32) (31) Halazepam;

- 1 ~~(33)~~ ~~(32)~~ Haloxazolam;
- 2 ~~(34)~~ ~~(33)~~ Ketazolam;
- 3 ~~(35)~~ ~~(34)~~ Loprazolam;
- 4 ~~(36)~~ ~~(35)~~ Lorazepam;
- 5 ~~(37)~~ ~~(36)~~ Lormetazepam;
- 6 ~~(38)~~ ~~(37)~~ Medazepam;
- 7 ~~(39)~~ ~~(38)~~ Nimetazepam;
- 8 ~~(40)~~ ~~(39)~~ Nitrazepam;
- 9 ~~(41)~~ ~~(40)~~ Nordiazepam;
- 10 ~~(42)~~ ~~(41)~~ Oxazolam;
- 11 ~~(43)~~ ~~(42)~~ Pinazepam;
- 12 ~~(44)~~ ~~(43)~~ Temazepam;
- 13 ~~(45)~~ ~~(44)~~ Tetrazepam;
- 14 ~~(46)~~ ~~(45)~~ Triazolam;
- 15 ~~(47)~~ ~~(46)~~ Midazolam;
- 16 ~~(48)~~ ~~(47)~~ Quazepam;
- 17 ~~(49)~~ ~~(48)~~ Zolpidem;
- 18 ~~(50)~~ ~~(49)~~ Dichloralphenazone;
- 19 ~~(51)~~ ~~(50)~~ Zaleplon;
- 20 ~~(52)~~ ~~(51)~~ Zopiclone;
- 21 ~~(53)~~ ~~(52)~~ Fospropofol;
- 22 ~~(54)~~ ~~(53)~~ Alfaxalone;
- 23 ~~(55)~~ ~~(54)~~ Suvorexant;
- 24 ~~(56)~~ ~~(55)~~ Carisoprodol;
- 25 ~~(57)~~ ~~(56)~~ Brexanolone; 3 alpha-hydroxy-5 alpha-pregnan-20-one;
- 26 ~~(58)~~ ~~(57)~~ Lemborexant;
- 27 ~~(59)~~ ~~(58)~~ Solriamfetol; 2-amino-3-phenylpropyl carbamate;
- 28 ~~(60)~~ ~~(59)~~ Remimazolam; and
- 29 ~~(61)~~ ~~(60)~~ Serdexmethylphenidate.
- 30 (b) Any material, compound, mixture, or preparation which contains
- 31 any quantity of the following substance, including its salts, isomers,

1 whether optical, position, or geometric, and salts of such isomers,
2 whenever the existence of such salts, isomers, and salts of isomers is
3 possible: Fenfluramine.

4 (c) Unless specifically excepted or unless listed in another
5 schedule, any material, compound, mixture, or preparation which contains
6 any quantity of the following substances having a stimulant effect on the
7 central nervous system, including their salts, isomers, whether optical,
8 position, or geometric, and salts of such isomers whenever the existence
9 of such salts, isomers, and salts of isomers is possible within the
10 specific chemical designation:

11 (1) Diethylpropion;

12 (2) Phentermine;

13 (3) Pemoline, including organometallic complexes and chelates
14 thereof;

15 (4) Mazindol;

16 (5) Pipradrol;

17 (6) SPA, ((-)-1-dimethylamino--1,2-diphenylethane);

18 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);

19 (8) Fencamfamin;

20 (9) Fenproporex;

21 (10) Mefenorex;

22 (11) Modafinil; and

23 (12) Sibutramine.

24 (d) Unless specifically excepted or unless listed in another
25 schedule, any material, compound, mixture, or preparation which contains
26 any quantity of the following narcotic drugs, or their salts or isomers
27 calculated as the free anhydrous base or alkaloid, in limited quantities
28 as set forth below:

29 (1) Propoxyphene in manufactured dosage forms;

30 (2) Not more than one milligram of difenoxin and not less than
31 twenty-five micrograms of atropine sulfate per dosage unit; and

1 (3) 2-[[dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its
2 salts, optical and geometric isomers, and salts of these isomers to
3 include: Tramadol.

4 (e) Unless specifically excepted or unless listed in another
5 schedule, any material, compound, mixture, or preparation which contains
6 any quantity of the following substance, including its salts:

7 (1) Pentazocine; and

8 (2) Butorphanol (including its optical isomers).

9 (f) Any material, compound, mixture, or preparation which contains
10 any quantity of the following substances, including its salts, isomers,
11 and salts of such isomers, whenever the existence of such salts, isomers,
12 and salts of isomers is possible: Lorcaserin.

13 (g)(1) Unless specifically excepted or unless listed in another
14 schedule, any material, compound, mixture, or preparation which contains
15 any quantity of the following substance, including its salts, optical
16 isomers, and salts of such optical isomers: Ephedrine.

17 (2) The following drug products containing ephedrine, its salts,
18 optical isomers, and salts of such optical isomers, are excepted from
19 subdivision (g)(1) of Schedule IV if they (A) are stored behind a
20 counter, in an area not accessible to customers, or in a locked case so
21 that a customer needs assistance from an employee to access the drug
22 product; (B) are sold by a person, eighteen years of age or older, in the
23 course of his or her employment to a customer eighteen years of age or
24 older with the following restrictions: No customer shall be allowed to
25 purchase, receive, or otherwise acquire more than three and six-tenths
26 grams of ephedrine base during a twenty-four-hour period; no customer
27 shall purchase, receive, or otherwise acquire more than nine grams of
28 ephedrine base during a thirty-day period; and the customer shall display
29 a valid driver's or operator's license, a Nebraska state identification
30 card, a military identification card, an alien registration card, or a
31 passport as proof of identification; (C) are labeled and marketed in a

1 manner consistent with the pertinent OTC Tentative Final or Final
2 Monograph; (D) are manufactured and distributed for legitimate medicinal
3 use in a manner that reduces or eliminates the likelihood of abuse; and
4 (E) are not marketed, advertised, or represented in any manner for the
5 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or
6 high, heightened sexual performance, or increased muscle mass:

7 (i) Primatene Tablets; and

8 (ii) Bronkaid Dual Action Caplets.

9 Schedule V

10 (a) Any compound, mixture, or preparation containing any of the
11 following limited quantities of narcotic drugs or salts calculated as the
12 free anhydrous base or alkaloid, which shall include one or more
13 nonnarcotic active medicinal ingredients in sufficient proportion to
14 confer upon the compound, mixture, or preparation valuable medicinal
15 qualities other than those possessed by the narcotic drug alone:

16 (1) Not more than two hundred milligrams of codeine per one hundred
17 milliliters or per one hundred grams;

18 (2) Not more than one hundred milligrams of dihydrocodeine per one
19 hundred milliliters or per one hundred grams;

20 (3) Not more than one hundred milligrams of ethylmorphine per one
21 hundred milliliters or per one hundred grams;

22 (4) Not more than two and five-tenths milligrams of diphenoxylate
23 and not less than twenty-five micrograms of atropine sulfate per dosage
24 unit;

25 (5) Not more than one hundred milligrams of opium per one hundred
26 milliliters or per one hundred grams; and

27 (6) Not more than five-tenths milligram of difenoxin and not less
28 than twenty-five micrograms of atropine sulfate per dosage unit.

29 (b) Unless specifically exempted or excluded or unless listed in
30 another schedule, any material, compound, mixture, or preparation which
31 contains any quantity of the following substances having a stimulant

1 effect on the central nervous system, including its salts, isomers, and
2 salts of isomers: Pyrovalerone.

3 (c) Unless specifically exempted or excluded or unless listed in
4 another schedule, any material, compound, mixture, or preparation which
5 contains any quantity of the following substances having a depressant
6 effect on the central nervous system, including its salts, isomers, and
7 salts of isomers:

8 (1) Ezogabine (N-(2-amino-4-(4-fluorobenzylamino)-phenyl)-carbamic
9 acid ethyl ester);

10 (2) Ganaxolone;

11 (3) ~~(2)~~ Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-
12 propionamide);

13 (4) ~~(3)~~ Pregabalin ((S)-3-(aminomethyl)-5-methylhexanoic acid);

14 (5) ~~(4)~~ Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]
15 butanamide) (also referred to as BRV; UCB-34714; Briviact), including its
16 salts;

17 (6) ~~(5)~~ Cenobamate; and

18 (7) ~~(6)~~ Lasmiditan.

19 Sec. 3. Section 28-416, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 28-416 (1) Except as authorized by the Uniform Controlled Substances
22 Act, it shall be unlawful for any person knowingly or intentionally: (a)
23 To manufacture, distribute, deliver, dispense, or possess with intent to
24 manufacture, distribute, deliver, or dispense a controlled substance; or
25 (b) to create, distribute, or possess with intent to distribute a
26 counterfeit controlled substance.

27 (2) Except as provided in subsections (4), (5), (7), (8), (9), and
28 (10) of this section, any person who violates subsection (1) of this
29 section with respect to: (a) A controlled substance classified in
30 Schedule I, II, or III of section 28-405 which is an exceptionally
31 hazardous drug shall be guilty of a Class II felony; (b) any other

1 controlled substance classified in Schedule I, II, or III of section
2 28-405 shall be guilty of a Class IIA felony; or (c) a controlled
3 substance classified in Schedule IV or V of section 28-405 shall be
4 guilty of a Class IIIA felony.

5 (3) A person knowingly or intentionally possessing a controlled
6 substance, except marijuana or any substance containing a quantifiable
7 amount of the substances, chemicals, or compounds described, defined, or
8 delineated in subdivision (c)(27) ~~(e)(26)~~ of Schedule I of section
9 28-405, unless such substance was obtained directly or pursuant to a
10 medical order issued by a practitioner authorized to prescribe while
11 acting in the course of his or her professional practice, or except as
12 otherwise authorized by the act, shall be guilty of a Class IV felony. A
13 person shall not be in violation of this subsection if section 28-472 or
14 28-1701 applies.

15 (4)(a) Except as authorized by the Uniform Controlled Substances
16 Act, any person eighteen years of age or older who knowingly or
17 intentionally manufactures, distributes, delivers, dispenses, or
18 possesses with intent to manufacture, distribute, deliver, or dispense a
19 controlled substance or a counterfeit controlled substance (i) to a
20 person under the age of eighteen years, (ii) in, on, or within one
21 thousand feet of the real property comprising a public or private
22 elementary, vocational, or secondary school, a community college, a
23 public or private college, junior college, or university, or a
24 playground, or (iii) within one hundred feet of a public or private youth
25 center, public swimming pool, or video arcade facility shall be punished
26 by the next higher penalty classification than the penalty prescribed in
27 subsection (2), (7), (8), (9), or (10) of this section, depending upon
28 the controlled substance involved, for the first violation and for a
29 second or subsequent violation shall be punished by the next higher
30 penalty classification than that prescribed for a first violation of this
31 subsection, but in no event shall such person be punished by a penalty

1 greater than a Class IB felony.

2 (b) For purposes of this subsection:

3 (i) Playground means any outdoor facility, including any parking lot
4 appurtenant to the facility, intended for recreation, open to the public,
5 and with any portion containing three or more apparatus intended for the
6 recreation of children, including sliding boards, swingsets, and
7 teeterboards;

8 (ii) Video arcade facility means any facility legally accessible to
9 persons under eighteen years of age, intended primarily for the use of
10 pinball and video machines for amusement, and containing a minimum of ten
11 pinball or video machines; and

12 (iii) Youth center means any recreational facility or gymnasium,
13 including any parking lot appurtenant to the facility or gymnasium,
14 intended primarily for use by persons under eighteen years of age which
15 regularly provides athletic, civic, or cultural activities.

16 (5)(a) Except as authorized by the Uniform Controlled Substances
17 Act, it shall be unlawful for any person eighteen years of age or older
18 to knowingly and intentionally employ, hire, use, cause, persuade, coax,
19 induce, entice, seduce, or coerce any person under the age of eighteen
20 years to manufacture, transport, distribute, carry, deliver, dispense,
21 prepare for delivery, offer for delivery, or possess with intent to do
22 the same a controlled substance or a counterfeit controlled substance.

23 (b) Except as authorized by the Uniform Controlled Substances Act,
24 it shall be unlawful for any person eighteen years of age or older to
25 knowingly and intentionally employ, hire, use, cause, persuade, coax,
26 induce, entice, seduce, or coerce any person under the age of eighteen
27 years to aid and abet any person in the manufacture, transportation,
28 distribution, carrying, delivery, dispensing, preparation for delivery,
29 offering for delivery, or possession with intent to do the same of a
30 controlled substance or a counterfeit controlled substance.

31 (c) Any person who violates subdivision (a) or (b) of this

1 subsection shall be punished by the next higher penalty classification
2 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of
3 this section, depending upon the controlled substance involved, for the
4 first violation and for a second or subsequent violation shall be
5 punished by the next higher penalty classification than that prescribed
6 for a first violation of this subsection, but in no event shall such
7 person be punished by a penalty greater than a Class IB felony.

8 (6) It shall not be a defense to prosecution for violation of
9 subsection (4) or (5) of this section that the defendant did not know the
10 age of the person through whom the defendant violated such subsection.

11 (7) Any person who violates subsection (1) of this section with
12 respect to cocaine or any mixture or substance containing a detectable
13 amount of cocaine in a quantity of:

14 (a) One hundred forty grams or more shall be guilty of a Class IB
15 felony;

16 (b) At least twenty-eight grams but less than one hundred forty
17 grams shall be guilty of a Class IC felony; or

18 (c) At least ten grams but less than twenty-eight grams shall be
19 guilty of a Class ID felony.

20 (8) Any person who violates subsection (1) of this section with
21 respect to base cocaine (crack) or any mixture or substance containing a
22 detectable amount of base cocaine in a quantity of:

23 (a) One hundred forty grams or more shall be guilty of a Class IB
24 felony;

25 (b) At least twenty-eight grams but less than one hundred forty
26 grams shall be guilty of a Class IC felony; or

27 (c) At least ten grams but less than twenty-eight grams shall be
28 guilty of a Class ID felony.

29 (9) Any person who violates subsection (1) of this section with
30 respect to heroin or any mixture or substance containing a detectable
31 amount of heroin in a quantity of:

1 (a) One hundred forty grams or more shall be guilty of a Class IB
2 felony;

3 (b) At least twenty-eight grams but less than one hundred forty
4 grams shall be guilty of a Class IC felony; or

5 (c) At least ten grams but less than twenty-eight grams shall be
6 guilty of a Class ID felony.

7 (10) Any person who violates subsection (1) of this section with
8 respect to amphetamine, its salts, optical isomers, and salts of its
9 isomers, or with respect to methamphetamine, its salts, optical isomers,
10 and salts of its isomers, in a quantity of:

11 (a) One hundred forty grams or more shall be guilty of a Class IB
12 felony;

13 (b) At least twenty-eight grams but less than one hundred forty
14 grams shall be guilty of a Class IC felony; or

15 (c) At least ten grams but less than twenty-eight grams shall be
16 guilty of a Class ID felony.

17 (11) Any person knowingly or intentionally possessing marijuana
18 weighing more than one ounce but not more than one pound shall be guilty
19 of a Class III misdemeanor.

20 (12) Any person knowingly or intentionally possessing marijuana
21 weighing more than one pound shall be guilty of a Class IV felony.

22 (13) Except as provided in section 28-1701, any person knowingly or
23 intentionally possessing marijuana weighing one ounce or less or any
24 substance containing a quantifiable amount of the substances, chemicals,
25 or compounds described, defined, or delineated in subdivision (c)(27) ~~(e)~~
26 ~~(26)~~ of Schedule I of section 28-405 shall:

27 (a) For the first offense, be guilty of an infraction, receive a
28 citation, be fined three hundred dollars, and be assigned to attend a
29 course as prescribed in section 29-433 if the judge determines that
30 attending such course is in the best interest of the individual
31 defendant;

1 (b) For the second offense, be guilty of a Class IV misdemeanor,
2 receive a citation, and be fined four hundred dollars and may be
3 imprisoned not to exceed five days; and

4 (c) For the third and all subsequent offenses, be guilty of a Class
5 IIIA misdemeanor, receive a citation, be fined five hundred dollars, and
6 be imprisoned not to exceed seven days.

7 (14) Any person convicted of violating this section, if placed on
8 probation, shall, as a condition of probation, satisfactorily attend and
9 complete appropriate treatment and counseling on drug abuse provided by a
10 program authorized under the Nebraska Behavioral Health Services Act or
11 other licensed drug treatment facility.

12 (15) Any person convicted of violating this section, if sentenced to
13 the Department of Correctional Services, shall attend appropriate
14 treatment and counseling on drug abuse.

15 (16) Any person knowingly or intentionally possessing a firearm
16 while in violation of subsection (1) of this section shall be punished by
17 the next higher penalty classification than the penalty prescribed in
18 subsection (2), (7), (8), (9), or (10) of this section, but in no event
19 shall such person be punished by a penalty greater than a Class IB
20 felony.

21 (17) A person knowingly or intentionally in possession of money used
22 or intended to be used to facilitate a violation of subsection (1) of
23 this section shall be guilty of a Class IV felony.

24 (18) In addition to the existing penalties available for a violation
25 of subsection (1) of this section, including any criminal attempt or
26 conspiracy to violate subsection (1) of this section, a sentencing court
27 may order that any money, securities, negotiable instruments, firearms,
28 conveyances, or electronic communication devices as defined in section
29 28-833 or any equipment, components, peripherals, software, hardware, or
30 accessories related to electronic communication devices be forfeited as a
31 part of the sentence imposed if it finds by clear and convincing evidence

1 adduced at a separate hearing in the same prosecution, following
2 conviction for a violation of subsection (1) of this section, and
3 conducted pursuant to section 28-1601, that any or all such property was
4 derived from, used, or intended to be used to facilitate a violation of
5 subsection (1) of this section.

6 (19) In addition to the penalties provided in this section:

7 (a) If the person convicted or adjudicated of violating this section
8 is eighteen years of age or younger and has one or more licenses or
9 permits issued under the Motor Vehicle Operator's License Act:

10 (i) For the first offense, the court may, as a part of the judgment
11 of conviction or adjudication, (A) impound any such licenses or permits
12 for thirty days and (B) require such person to attend a drug education
13 class;

14 (ii) For a second offense, the court may, as a part of the judgment
15 of conviction or adjudication, (A) impound any such licenses or permits
16 for ninety days and (B) require such person to complete no fewer than
17 twenty and no more than forty hours of community service and to attend a
18 drug education class; and

19 (iii) For a third or subsequent offense, the court may, as a part of
20 the judgment of conviction or adjudication, (A) impound any such licenses
21 or permits for twelve months and (B) require such person to complete no
22 fewer than sixty hours of community service, to attend a drug education
23 class, and to submit to a drug assessment by a licensed alcohol and drug
24 counselor; and

25 (b) If the person convicted or adjudicated of violating this section
26 is eighteen years of age or younger and does not have a permit or license
27 issued under the Motor Vehicle Operator's License Act:

28 (i) For the first offense, the court may, as part of the judgment of
29 conviction or adjudication, (A) prohibit such person from obtaining any
30 permit or any license pursuant to the act for which such person would
31 otherwise be eligible until thirty days after the date of such order and

1 (B) require such person to attend a drug education class;

2 (ii) For a second offense, the court may, as part of the judgment of
3 conviction or adjudication, (A) prohibit such person from obtaining any
4 permit or any license pursuant to the act for which such person would
5 otherwise be eligible until ninety days after the date of such order and
6 (B) require such person to complete no fewer than twenty hours and no
7 more than forty hours of community service and to attend a drug education
8 class; and

9 (iii) For a third or subsequent offense, the court may, as part of
10 the judgment of conviction or adjudication, (A) prohibit such person from
11 obtaining any permit or any license pursuant to the act for which such
12 person would otherwise be eligible until twelve months after the date of
13 such order and (B) require such person to complete no fewer than sixty
14 hours of community service, to attend a drug education class, and to
15 submit to a drug assessment by a licensed alcohol and drug counselor.

16 A copy of an abstract of the court's conviction or adjudication
17 shall be transmitted to the Director of Motor Vehicles pursuant to
18 sections 60-497.01 to 60-497.04 if a license or permit is impounded or a
19 juvenile is prohibited from obtaining a license or permit under this
20 subsection.

21 Sec. 4. Section 30-24,125, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 30-24,125 (a) Thirty days after the death of a decedent, any person
24 indebted to the decedent or having possession of tangible personal
25 property or an instrument evidencing a debt, obligation, stock, or chose
26 in action belonging to the decedent shall make payment of the
27 indebtedness or deliver the tangible personal property or an instrument
28 evidencing a debt, obligation, stock, or chose in action to a person
29 claiming to be the successor of the decedent upon being presented an
30 affidavit made by or on behalf of the successor stating:

31 (1) the value of all of the personal property in the decedent's

1 estate, wherever located, less liens and encumbrances, does not exceed
2 one hundred thousand dollars;

3 (2) thirty days have elapsed since the death of the decedent as
4 shown in a certified or authenticated copy of the decedent's death
5 certificate attached to the affidavit;

6 (3) the claiming successor's relationship to the decedent or, if
7 there is no relationship, the basis of the successor's claim to the
8 personal property;

9 (4) the person or persons claiming as successors under the affidavit
10 swear or affirm that all statements in the affidavit are true and
11 material and further acknowledge that any false statement may subject the
12 person or persons to penalties relating to perjury under section 28-915;

13 (5) no application or petition for the appointment of a personal
14 representative is pending or has been granted in any jurisdiction; and

15 (6) the claiming successor is entitled to payment or delivery of the
16 property.

17 (b) A transfer agent of any security shall change the registered
18 ownership on the books of a corporation from the decedent to the
19 successor or successors upon the presentation of an affidavit as provided
20 in subsection (a).

21 (c) Upon the presentation of an affidavit as provided in subsection
22 (a), the claiming successor may endorse or negotiate any instrument
23 evidencing a debt belonging to the decedent that is a check, draft, or
24 other negotiable instrument that is payable to the decedent or the
25 decedent's estate. Notwithstanding the provisions of section 3-403,
26 3-417, or 3-420, Uniform Commercial Code, a financial institution
27 accepting such a check, draft, or other negotiable instrument presented
28 for deposit in such manner is discharged from all claims for the amount
29 accepted.

30 (d) ~~(e)~~ In addition to compliance with the requirements of
31 subsection (a), a person seeking a transfer of a certificate of title to

1 a motor vehicle, motorboat, all-terrain vehicle, utility-type vehicle, or
2 minibike shall be required to furnish to the Department of Motor Vehicles
3 an affidavit showing applicability of this section and compliance with
4 the requirements of this section to authorize the department to issue a
5 new certificate of title.

6 Sec. 5. Section 30-2626, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 30-2626 (a)(1) ~~(a)~~ If a person alleged to be incapacitated has no
9 guardian and an emergency exists, the court may, pending notice and
10 hearing, exercise the power of a guardian or enter an ex parte order
11 appointing a temporary guardian to address the emergency. The order and
12 letters of temporary guardianship shall specify the powers and duties of
13 the temporary guardian, limiting the powers and duties to those necessary
14 to address the emergency.

15 (2)(i) For purposes of this subdivision (a)(2):

16 (A) Benefits means private or government benefits to which a person
17 alleged to be incapacitated may be entitled; and

18 (B) Covered county means a county containing a city of the
19 metropolitan class or a city of the primary class.

20 (ii) Subject to subsection (k) of this section, if a person alleged
21 to be incapacitated has no guardian and an emergency exists, the court in
22 a covered county may, pending notice and hearing, enter an ex parte order
23 appointing a temporary guardian for the limited purpose of assisting the
24 person in applying for, validating, and facilitating eligibility for
25 benefits.

26 (iii) The limited temporary guardian may access personal and
27 financial records of such person as necessary to apply for, validate, and
28 facilitate eligibility for benefits. The order and letters of limited
29 temporary guardianship shall limit the powers and duties to those
30 necessary to carry out this subdivision (a)(2).

31 (iv) Third parties, including, but not limited to, financial

1 institutions, in possession of such person's financial and personal
2 records related to eligibility for benefits shall provide the limited
3 temporary guardian access to such records. Records to which a limited
4 temporary guardian may be entitled include, but are not limited to,
5 records relating to: Checking, savings, or other bank accounts; household
6 expenses; health, life, or other insurance; wages; pensions; annuities;
7 real property; trusts; burial plans; retirement accounts; stocks and
8 bonds; farm and business equipment; motor vehicles, boats, and motor
9 homes; immigration status; land contracts; promissory notes and loans;
10 social security benefits; credit cards; taxes; or any other asset.

11 (b) When the court takes action to exercise the powers of a guardian
12 or to appoint a temporary guardian under subsection (a) of this section,
13 an expedited hearing shall be held if requested by the person alleged to
14 be incapacitated, or by any interested person, if the request is filed
15 more than ten business days prior to the date set for the hearing on the
16 petition for appointment of the guardian. If an expedited hearing is to
17 be held, the hearing shall be held within ten business days after the
18 request is received. At the hearing on the temporary appointment, the
19 petitioner shall have the burden of showing by a preponderance of the
20 evidence that temporary guardianship continues to be necessary to address
21 the emergency situation. Unless the person alleged to be incapacitated
22 has counsel of his or her own choice, the court may appoint an attorney
23 to represent the person alleged to be incapacitated at the hearing as
24 provided in section 30-2619.

25 (c) If an expedited hearing is requested, notice shall be served as
26 provided in section 30-2625. The notice shall specify that a temporary
27 guardian has been appointed and shall be given at least twenty-four hours
28 prior to the expedited hearing.

29 (d) At the expedited hearing, the court may render a judgment
30 authorizing the temporary guardianship to continue beyond the original
31 ten-day period. The judgment shall prescribe the specific powers and

1 duties of the temporary guardian in the letters of temporary guardianship
2 and shall be effective for a single ninety-day period. For good cause
3 shown, the court may extend the temporary guardianship for successive
4 ninety-day periods.

5 ~~(e)(1) (e)~~ The temporary guardianship shall terminate at the end of
6 the ninety-day period in which the temporary guardianship is valid or at
7 any time prior thereto if the court deems the circumstances leading to
8 the order for temporary guardianship no longer exist or if an order has
9 been entered as a result of a hearing pursuant to section 30-2619 which
10 has been held during the ninety-day period.

11 (2) When the duties of a limited temporary guardian appointed
12 pursuant to subdivision (a)(2) of this section have not been completed
13 within ninety days, the court shall accept notification by such guardian
14 as good cause for extending the limited temporary guardianship for an
15 additional ninety days.

16 (f) If the court denies the request for the ex parte order, the
17 court may, in its discretion, enter an order for an expedited hearing
18 pursuant to subsections (b) through (e) of this section.

19 (g) If the petitioner requests the entry of an order of temporary
20 guardianship pursuant to subsection (a) of this section without
21 requesting an ex parte order, the court may hold an expedited hearing
22 pursuant to subsections (b) through (e) of this section.

23 (h) If an appointed guardian is not effectively performing his or
24 her duties and the court further finds that the welfare of the
25 incapacitated person requires immediate action, it may, pending notice
26 and hearing in accordance with section 30-2220, appoint a temporary
27 guardian for the incapacitated person for a specified period not to
28 exceed ninety days. For good cause shown, the court may extend the
29 temporary guardianship for successive ninety-day periods. A temporary
30 guardian appointed pursuant to this subsection has only the powers and
31 duties specified in the previously appointed guardian's letters of

1 guardianship, and the authority of any permanent guardian previously
2 appointed by the court is suspended so long as a temporary guardian has
3 authority.

4 (i) A temporary guardian may be removed at any time. A temporary
5 guardian shall make any report the court requires, except that a
6 temporary guardian shall not be required to provide the check or report
7 under section 30-2602.02. In other respects the provisions of the
8 Nebraska Probate Code concerning guardians apply to temporary guardians.

9 (j) The court may appoint the Public Guardian as the temporary
10 guardian pursuant to the Public Guardianship Act.

11 (k)(1) If the Public Guardian is unable to accept appointment as a
12 limited temporary guardian for the purposes described in subdivision (a)
13 (2) of this section because the Public Guardian has exceeded the average
14 ratio described in subsection (2) of section 30-4115, the court shall
15 appoint an individual to serve as a limited temporary guardian.
16 Appointments of such limited temporary guardians shall be subject to the
17 availability of funds appropriated as described in section 6 of this act.
18 When such funds have been exhausted in a fiscal year, no further
19 appointments shall be made.

20 (2) An individual appointed as a limited temporary guardian pursuant
21 to subdivision (a)(2) of this section shall apply to the court for
22 expenses and fees for services performed. The court, upon hearing the
23 application, shall fix reasonable expenses and fees, and the county board
24 shall pay such guardian in the full amount determined by the court. The
25 court shall set such expenses and fees at levels that: (i) Are similar to
26 expenses and fees paid to guardians and guardians ad litem for comparable
27 work in other legal proceedings in the county; and (ii) are intended to
28 incentivize qualified individuals to provide high-quality services as
29 limited temporary guardians.

30 (3) A county that has paid expenses and fees as provided in
31 subdivision (k)(2) of this section may apply under section 6 of this act

1 for reimbursement.

2 Sec. 6. (1) For purposes of this section:

3 (a) Covered county means a county containing a city of the
4 metropolitan class or a city of the primary class; and

5 (b) Department means the Department of Health and Human Services.

6 (2) There is created a separate and distinct budgetary program
7 within the department to be known as the Limited Temporary Guardian Aid
8 Program. Funds appropriated to the program shall be used to provide state
9 aid to counties in the form of reimbursement to covered counties as
10 provided in this section.

11 (3) A covered county that has paid expenses and fees for limited
12 temporary guardians as provided in subdivision (k)(2) of section 30-2626
13 may apply to the department for reimbursement for such amounts and for
14 reasonable administrative fees incurred by the county in paying such
15 amounts and applying for reimbursement. The application shall be in a
16 form and manner prescribed by the department and shall be submitted on a
17 quarterly basis.

18 (4) It is the intent of the Legislature to appropriate the following
19 amounts to the department to carry out the Limited Temporary Guardian Aid
20 Program:

21 (a) For fiscal year 2024-25:

22 (i) One hundred sixty thousand dollars for state aid under the
23 program to covered counties containing a city of the metropolitan class;
24 and

25 (ii) Ninety thousand dollars for state aid under the program to
26 covered counties containing a city of the primary class; and

27 (b) For fiscal year 2025-26:

28 (i) One hundred sixty thousand dollars for state aid under the
29 program to covered counties containing a city of the metropolitan class;
30 and

31 (ii) Ninety thousand dollars for state aid under the program to

1 covered counties containing a city of the primary class.

2 (5) The department may adopt and promulgate rules and regulations as
3 necessary to carry out this section.

4 Sec. 7. Section 81-1821, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 81-1821 (1) Except as provided in subsections (3) and (4) ~~subsection~~
7 ~~(2)~~ of this section, no order for the payment of compensation shall be
8 entered under the Nebraska Crime Victim's Reparations Act unless:

9 (a) The ~~the~~ application has been submitted to the committee within
10 the deadline provided in subsection (2) of this section; and

11 (b) ~~The within two years after the date of the personal injury or~~
12 ~~death and the personal injury or death was the result of an incident or~~
13 ~~offense which had been reported to the police within five ~~three~~ days of~~
14 ~~its occurrence or, if the incident or offense could not reasonably have~~
15 ~~been reported within that period, within five ~~three~~ days of the time when~~
16 ~~a report could reasonably have been made.~~

17 (2) An application shall be submitted to the committee:

18 (a) For a victim who was nineteen years of age or older at the time
19 of the personal injury or death, within two years after the date of the
20 personal injury or death;

21 (b) For a victim who was under nineteen years of age at the time of
22 death, within three years after the date of death; and

23 (c) For a victim who was under nineteen years of age at the time of
24 the personal injury, on or before the victim's twenty-second birthday.

25 (3) The committee may evaluate applications submitted beyond the
26 deadline established in this section if the committee finds that good
27 cause existed for missing such deadline.

28 (4) ~~(2)~~ An application submitted by or for a victim of sexual
29 assault, domestic assault, child abuse, or sex trafficking is not subject
30 to the five-day ~~three-day~~ reporting requirement in subsection (1) of this
31 section if, prior to submitting the application the:

- 1 (a) Applicant or victim has reported such crime to the police;
- 2 (b) Applicant or victim has obtained a protection order related to
- 3 such incident or offense; or
- 4 (c) Victim has presented for a forensic medical exam.

5 Sec. 8. Section 83-4,114, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 83-4,114 (1) There shall be no corporal punishment or disciplinary
8 restrictions on diet.

9 (2) Disciplinary restrictions on clothing, bedding, mail,
10 visitations, use of toilets, washbowls, or scheduled showers shall be
11 imposed only for abuse of such privilege or facility and only as
12 authorized by written directives, guidance documents, and operational
13 manuals.

14 (3) No person shall be placed in solitary confinement.

15 (4) The director shall issue an annual report on or before September
16 15 to the Governor and the Clerk of the Legislature. The report to the
17 Clerk of the Legislature shall be issued electronically. For all inmates
18 who were held in restrictive housing during the prior year, the report
19 shall contain the race, gender, age, and length of time each inmate has
20 continuously been held in restrictive housing. ~~Prior to releasing the~~
21 ~~report, the director shall meet with the long-term restrictive housing~~
22 ~~work group to share the contents of the report.~~ The report shall also
23 contain:

24 (a) The number of inmates held in restrictive housing;

25 (b) The reason or reasons each inmate was held in restrictive
26 housing;

27 (c) The number of inmates held in restrictive housing who have been
28 diagnosed with a mental illness or behavioral disorder and the type of
29 mental illness or behavioral disorder by inmate;

30 (d) The number of inmates who were released from restrictive housing
31 directly to parole or into the general public and the reason for such

1 release;

2 (e) The number of inmates who were placed in restrictive housing for
3 his or her own safety and the underlying circumstances for each
4 placement;

5 (f) To the extent reasonably ascertainable, comparable statistics
6 for the nation and each of the states that border Nebraska pertaining to
7 subdivisions (4)(a) through (e) of this section;~~and~~

8 (g) The mean and median length of time for all inmates held in
9 restrictive housing; and -

10 (h) A description of all inmate housing areas that hold inmates in a
11 setting that is neither general population nor restrictive housing,
12 including the purpose of each setting, data on how many inmates were held
13 in such settings, the average length of stay in such settings,
14 information on programs provided in each setting, data on program
15 completions in each setting, staffing levels and types of staff in each
16 setting, and any other information or data relevant to the operation of
17 such settings. For the purposes of this subdivision, general population
18 means an inmate housing area that allows out-of-cell movement without the
19 use of restraints, a minimum of six hours per day of out-of-cell time,
20 regular access to programming areas outside the living unit, and access
21 to services available to the broader population.

22 ~~(5)(a) There is hereby established within the department a long-term~~
23 ~~restrictive housing work group. The work group shall consist of one~~
24 ~~member of the Judiciary Committee of the Legislature appointed by the~~
25 ~~Executive Board of the Legislative Council who shall be a nonvoting, ex~~
26 ~~officio member and the following voting members:~~

27 ~~(i) The director and all deputy directors who have oversight over~~
28 ~~inmate health services or correctional facilities. The director or his or~~
29 ~~her designee shall serve as the chairperson of the work group;~~

30 ~~(ii) The behavioral health administrator within the department;~~

31 ~~(iii) Two employees of the department who currently work with~~

1 inmates held in restrictive housing as designated by the director;
2 (iv) ~~Additional department staff as designated by the director; and~~
3 (v) ~~Six members appointed by the Governor who have demonstrated an~~
4 ~~interest in correctional issues. Of these members at least one shall be~~
5 ~~an individual who was previously incarcerated in Nebraska's correctional~~
6 ~~system. The remaining members shall consist of individuals who are mental~~
7 ~~health professionals, have been employed in a restrictive housing unit in~~
8 ~~a correctional facility, have advocated for the rights of incarcerated~~
9 ~~individuals, or have otherwise been engaged in activities related to~~
10 ~~Nebraska's correctional system.~~

11 (b) ~~The work group shall advise the department on policies and~~
12 ~~procedures related to the proper treatment and care of offenders in long-~~
13 ~~term restrictive housing.~~

14 (c) ~~The director shall convene the work group's first meeting no~~
15 ~~later than September 15, 2015, and the work group shall meet at least~~
16 ~~semiannually thereafter. The chairperson shall schedule and convene the~~
17 ~~work group's meetings.~~

18 (d) ~~The director shall provide the work group with quarterly updates~~
19 ~~on the department's policies related to the work group's subject matter~~
20 ~~and with any other information related to long-term restrictive housing~~
21 ~~that is requested by members of the work group.~~

22 (e) ~~The work group shall terminate on December 31, 2021.~~

23 Sec. 9. Section 83-918, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 83-918 (1) For each ~~the biennium ending June 30, 2019, and the~~
26 ~~biennium ending June 30, 2021,~~ the Department of Correctional Services
27 shall, as part of the appropriations request process pursuant to
28 subsection (1) of section 81-132, include a strategic plan that
29 identifies the main purpose or purposes of each program, verifiable and
30 auditable key goals that the department believes are fair measures of its
31 progress in meeting each program's main purpose or purposes, and

1 benchmarks for improving performance on the key goals. The department
2 shall also report whether the benchmarks are being met and, if not, the
3 expected timeframes for meeting them.

4 (2) On or before ~~Not later than~~ September 15 of each year ~~in 2017,~~
5 ~~2018, 2019, 2020, and 2021,~~ the Department of Correctional Services shall
6 report electronically to the Judiciary Committee of the Legislature and
7 the Appropriations Committee of the Legislature on the progress towards
8 the key goals identified pursuant to this section that occurred in the
9 previous twelve months. Upon request ~~In calendar years 2017, 2018, 2019,~~
10 ~~2020, and 2021,~~ the department shall appear at a joint hearing of the
11 Judiciary Committee and Appropriations Committee and present the report.

12 Sec. 10. Sections 1, 2, 3, 5, 6, 7, 8, 9, 12, and 13 of this act
13 become operative three calendar months after the adjournment of this
14 legislative session. The other sections of this act become operative on
15 their effective date.

16 Sec. 11. Original section 30-24,125, Revised Statutes Cumulative
17 Supplement, 2022, is repealed.

18 Sec. 12. Original section 30-2626, Reissue Revised Statutes of
19 Nebraska, and sections 28-405, 28-416, 81-1821, 83-4,114, and 83-918,
20 Revised Statutes Cumulative Supplement, 2022, are repealed.

21 Sec. 13. The following section is outright repealed: Section
22 83-173.02, Revised Statutes Cumulative Supplement, 2022.

23 Sec. 14. Since an emergency exists, this act takes effect when
24 passed and approved according to law.