

AMENDMENTS TO LB1126

Introduced by Judiciary.

1 1. Insert the following new sections:

2 Sec. 2. Section 28-405, Revised Statutes Supplement, 2023, is
3 amended to read:

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

9 Schedule I

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

14 (1) Acetylmethadol;

15 (2) Allylprodine;

16 (3) Alphacetylmethadol, except levo-alphacetylmethadol which is also
17 known as levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;

18 (4) Alphameprodine;

19 (5) Alphamethadol;

20 (6) Benzethidine;

21 (7) Betacetylmethadol;

22 (8) Betameprodine;

23 (9) Betamethadol;

24 (10) Betaprodine;

25 (11) Clonitazene;

26 (12) Dextromoramide;

27 (13) Difenoquin;

- 1 (14) Diampromide;
- 2 (15) Diethylthiambutene;
- 3 (16) Dimenoxadol;
- 4 (17) Dimepheptanol;
- 5 (18) Dimethylthiambutene;
- 6 (19) Dioxaphetyl butyrate;
- 7 (20) Dipipanone;
- 8 (21) Ethylmethylthiambutene;
- 9 (22) Etonitazene;
- 10 (23) Etoxeridine;
- 11 (24) Furethidine;
- 12 (25) Hydroxypethidine;
- 13 (26) Ketobemidone;
- 14 (27) Levomoramide;
- 15 (28) Levophenacylmorphan;
- 16 (29) Morpheridine;
- 17 (30) Noracymethadol;
- 18 (31) Norlevorphanol;
- 19 (32) Normethadone;
- 20 (33) Norpipanone;
- 21 (34) Phenadoxone;
- 22 (35) Phenampromide;
- 23 (36) Phenomorphan;
- 24 (37) Phenoperidine;
- 25 (38) Piritramide;
- 26 (39) Proheptazine;
- 27 (40) Properidine;
- 28 (41) Propiram;
- 29 (42) Racemoramide;
- 30 (43) Trimeperidine;
- 31 (44) Alpha-methylfentanyl, N-(1-(alpha-methyl-beta-phenyl)ethyl)-4-

- 1 piperidyl) propionanilide, 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
2 piperidine;
3 (45) Tilidine;
4 (46) 3-Methylfentanyl, N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-
5 phenylpropanamide, its optical and geometric isomers, salts, and salts of
6 isomers;
7 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical
8 isomers, salts, and salts of isomers;
9 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine, its
10 optical isomers, salts, and salts of isomers;
11 (49) Acetyl-alpha-methylfentanyl, N-(1-(1-methyl-2-phenethyl)-4-
12 piperidinyl)-N-phenylacetamide, its optical isomers, salts, and salts of
13 isomers;
14 (50) Alpha-methylthiofentanyl, N-(1-methyl-2-(2-thienyl)ethyl-4-
15 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
16 of isomers;
17 (51) Benzylfentanyl, N-(1-benzyl-4-piperidyl)-N-phenylpropanamide,
18 its optical isomers, salts, and salts of isomers;
19 (52) Beta-hydroxyfentanyl, N-(1-(2-hydroxy-2-phenethyl)-4-
20 piperidinyl)-N-phenylpropanamide, its optical isomers, salts, and salts
21 of isomers;
22 (53) Beta-hydroxy-3-methylfentanyl, (other name: N-(1-(2-hydroxy-2-
23 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide), its optical and
24 geometric isomers, salts, and salts of isomers;
25 (54) 3-methylthiofentanyl, N-(3-methyl-1-(2-thienyl)ethyl-4-
26 piperidinyl)-N-phenylpropanamide, its optical and geometric isomers,
27 salts, and salts of isomers;
28 (55) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
29 (thenylfentanyl), its optical isomers, salts, and salts of isomers;
30 (56) Thiofentanyl, N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-
31 propanamide, its optical isomers, salts, and salts of isomers;

- 1 (57) Para-fluorofentanyl, N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-
- 2 piperidinyl)propanamide, its optical isomers, salts, and salts of
- 3 isomers;
- 4 (58) U-47700, 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
- 5 methylbenzamide;
- 6 (59) 4-Fluoroisobutyryl Fentanyl;
- 7 (60) Acetyl Fentanyl;
- 8 (61) Acyrloylfentanyl;
- 9 (62) AH-7921; 3, 4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]
- 10 benzamide;
- 11 (63) Butyryl fentanyl;
- 12 (64) Cyclopentyl fentanyl;
- 13 (65) Cyclopropyl fentanyl;
- 14 (66) Furanyl fentanyl;
- 15 (67) Isobutyryl fentanyl;
- 16 (68) Isotonitazene;
- 17 (69) Methoxyacetyl fentanyl;
- 18 (70) MT-45; 1-cyclohexyl-4-(1,2-diphenylethyl) piperazine;
- 19 (71) Tetrahydrofuranyl fentanyl;
- 20 (72) 2-fluorofentanyl; N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-
- 21 yl) propionamide;
- 22 (73) Ocfentanil;
- 23 (74) Ortho-Fluorofentanyl;
- 24 (75) Para-chloroisobutyryl fentanyl;
- 25 (76) Para-Fluorobutyryl Fentanyl;
- 26 (77) Valeryl fentanyl;
- 27 (78) Phenyl Fentanyl;
- 28 (79) Para-Methylfentanyl;
- 29 (80) Thiofuranyl Fentanyl;
- 30 (81) Beta-methyl Fentanyl;
- 31 (82) Beta'-Phenyl Fentanyl;

- 1 (83) Crotonyl Fentanyl;
- 2 (84) 2'-Fluoro Ortho-Fluorofentanyl;
- 3 (85) 4'-Methyl Acetyl Fentanyl;
- 4 (86) Ortho-Fluorobutyryl Fentanyl;
- 5 (87) Ortho-Methyl Acetylfentanyl;
- 6 (88) Ortho-Methyl Methoxyacetyl Fentanyl;
- 7 (89) Ortho-Fluoroacryl Fentanyl;
- 8 (90) Fentanyl Carbamate;
- 9 (91) Ortho-Fluoroisobutyryl Fentanyl;
- 10 (92) Para-Fluoro Furanyl Fentanyl;
- 11 (93) Para-Methoxybutyryl Fentanyl;
- 12 (94) Brorphine (other name: 1-(1-(1-(4-bromophenyl) ethyl)
- 13 piperidin-4-yl-1,3-dihydro-2H-benzo[D]imidazole-2-one);~~and~~
- 14 (95) Fentanyl-related substances, their isomers, esters, ethers,
- 15 salts and salts of isomers, esters, and ethers. Unless specifically
- 16 excepted, listed in another schedule, or specifically named in this
- 17 schedule, this includes any substance that is structurally related to
- 18 fentanyl by one or more of the following modifications:
- 19 (A) Replacement of the phenyl portion of the phenethyl group by any
- 20 monocycle, whether or not further substituted in or on the monocycle;
- 21 (B) Substitution in or on the phenethyl group with alkyl, alkenyl,
- 22 alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;
- 23 (C) Substitution in or on the piperidine ring with alkyl, alkenyl,
- 24 alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;
- 25 (D) Replacement of the aniline ring with any aromatic monocycle
- 26 whether or not further substituted in or on the aromatic monocycle; or
- 27 (E) Replacement of the N-propionyl group by another acyl group;
- 28 and -
- 29 (96) Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-
- 30 benzimidazol-1-yl)ethan-1-amine).
- 31 (b) Any of the following opium derivatives, their salts, isomers,

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

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

27 (c) Any material, compound, mixture, or preparation which contains
28 any quantity of the following hallucinogenic substances, their salts,
29 isomers, and salts of isomers, unless specifically excepted, whenever the
30 existence of such salts, isomers, and salts of isomers is possible within
31 the specific chemical designation, and, for purposes of this subdivision

1 only, isomer shall include the optical, position, and geometric isomers:

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

6 (2) 4-bromo-2,5-dimethoxyamphetamine. Trade and other names shall
7 include, but are not limited to: 4-bromo-2,5-dimethoxy-alpha-
8 methylphenethylamine; and 4-bromo-2,5-DMA;

9 (3) 4-methoxyamphetamine. Trade and other names shall include, but
10 are not limited to: 4-methoxy-alpha-methylphenethylamine; and
11 paramethoxyamphetamine, PMA;

12 (4) 4-methyl-2,5-dimethoxyamphetamine. Trade and other names shall
13 include, but are not limited to: 4-methyl-2,5-dimethoxy-alpha-
14 methylphenethylamine; DOM; and STP;

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

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

22 (7) Lysergic acid diethylamide;

23 (8) Marijuana;

24 (9) Mescaline;

25 (10) Methoxetamine (MXE);

26 (11) Peyote. Peyote shall mean all parts of the plant presently
27 classified botanically as *Lophophora williamsii* Lemaire, whether growing
28 or not, the seeds thereof, any extract from any part of such plant, and
29 every compound, manufacture, salts, derivative, mixture, or preparation
30 of such plant or its seeds or extracts;

31 (12) Psilocybin;

1 (13) Psilocyn;

2 (14) Tetrahydrocannabinols, including, but not limited to, synthetic
3 equivalents of the substances contained in the plant or in the resinous
4 extractives of cannabis, sp. or synthetic substances, derivatives, and
5 their isomers with similar chemical structure and pharmacological
6 activity such as the following: Delta 1 cis or trans tetrahydrocannabinol
7 and their optical isomers, excluding dronabinol in a drug product
8 approved by the federal Food and Drug Administration; Delta 6 cis or
9 trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis
10 or trans tetrahydrocannabinol and its optical isomers. Since nomenclature
11 of these substances is not internationally standardized, compounds of
12 these structures shall be included regardless of the numerical
13 designation of atomic positions covered. Tetrahydrocannabinols does not
14 include cannabidiol contained in a drug product approved by the federal
15 Food and Drug Administration;

16 (15) N-ethyl-3-piperidyl benzilate;

17 (16) N-methyl-3-piperidyl benzilate;

18 (17) Thiophene analog of phencyclidine. Trade and other names shall
19 include, but are not limited to: 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
20 2-thienyl analog of phencyclidine; TCP; and TCP;

21 (18) Hashish or concentrated cannabis;

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

25 (20) Ethylamine analog of phencyclidine. Trade and other names shall
26 include, but are not limited to: N-ethyl-1-phenylcyclohexylamine; (1-
27 phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;
28 cyclohexamine; and PCE;

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

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

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

5 (24) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

6 (25) Alpha-methyltryptamine, which is also known as AMT;

7 (26) Salvia divinorum or Salvinorin A. Salvia divinorum or
8 Salvinorin A includes all parts of the plant presently classified
9 botanically as Salvia divinorum, whether growing or not, the seeds
10 thereof, any extract from any part of such plant, and every compound,
11 manufacture, derivative, mixture, or preparation of such plant, its
12 seeds, or its extracts, including salts, isomers, and salts of isomers
13 whenever the existence of such salts, isomers, and salts of isomers is
14 possible within the specific chemical designation;

15 (27) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (other
16 names: eutylone or bk-EBDB);

17 (28) ~~(27)~~ Any material, compound, mixture, or preparation containing
18 any quantity of synthetically produced cannabinoids as listed in
19 subdivisions (A) through (L) of this subdivision, including their salts,
20 isomers, salts of isomers, and nitrogen, oxygen, or sulfur-heterocyclic
21 analogs, unless specifically excepted elsewhere in this section. Since
22 nomenclature of these synthetically produced cannabinoids is not
23 internationally standardized and may continually evolve, these structures
24 or compounds of these structures shall be included under this
25 subdivision, regardless of their specific numerical designation of atomic
26 positions covered, so long as it can be determined through a recognized
27 method of scientific testing or analysis that the substance contains
28 properties that fit within one or more of the following categories:

29 (A) Tetrahydrocannabinols: Meaning tetrahydrocannabinols naturally
30 contained in a plant of the genus cannabis (cannabis plant), as well as
31 synthetic equivalents of the substances contained in the plant, or in the

1 resinous extractives of cannabis, sp. and/or synthetic substances,
2 derivatives, and their isomers with similar chemical structure and
3 pharmacological activity such as the following: Delta 1 cis or trans
4 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans
5 tetrahydrocannabinol, and their optical isomers; Delta 3,4 cis or trans
6 tetrahydrocannabinol, and its optical isomers. This subdivision does not
7 include cannabidiol contained in a drug product approved by the federal
8 Food and Drug Administration;

9 (B) Naphthoylindoles: Any compound containing a 3-(1-
10 naphthoyl)indole structure with substitution at the nitrogen atom of the
11 indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
12 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
13 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
14 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
15 tetrahydropyranylmethyl group, whether or not further substituted in or
16 on any of the listed ring systems to any extent;

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

25 (D) Naphthoylpyrroles: Any compound containing a 3-(1-
26 naphthoyl)pyrrole structure with substitution at the nitrogen atom of the
27 pyrrole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
28 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
29 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
30 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
31 tetrahydropyranylmethyl group, whether or not further substituted in or

1 on any of the listed ring systems to any extent;

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

10 (F) Phenylacetylindoles: Any compound containing a 3-
11 phenylacetylindole structure with substitution at the nitrogen atom of
12 the indole ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
13 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
14 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
15 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
16 tetrahydropyranylmethyl group, whether or not further substituted in or
17 on any of the listed ring systems to any extent;

18 (G) Cyclohexylphenols: Any compound containing a 2-(3-
19 hydroxycyclohexyl)phenol structure with substitution at the 5-position of
20 the phenolic ring by an alkyl, haloalkyl, alkenyl, halobenzyl, benzyl,
21 cycloalkylmethyl, cycloalkylethyl, 2-(4-morpholinyl)ethyl group,
22 cyanoalkyl, 1-(N-methyl-2-piperidinyl)methyl, 1-(N-methyl-2-
23 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
24 tetrahydropyranylmethyl group, whether or not substituted in or on any of
25 the listed ring systems to any extent;

26 (H) Benzoylindoles: Any compound containing a 3-(benzoyl)indole
27 structure with substitution at the nitrogen atom of the indole ring by an
28 alkyl, haloalkyl, alkenyl, halobenzyl, benzyl, cycloalkylmethyl,
29 cycloalkylethyl, 2-(4-morpholinyl)ethyl group, cyanoalkyl, 1-(N-methyl-2-
30 piperidinyl)methyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
31 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not

1 further substituted in or on any of the listed ring systems to any
2 extent;

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

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

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

31 (L) Indole carboxylates: Any compound containing a 1-indole-3-

1 carboxylate structure with substitution at the nitrogen atom of the
2 indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, halobenzyl,
3 benzyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
4 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-
5 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
6 tetrahydropyranylmethyl group, substitution at the carboxylate group by
7 an alkyl, methoxy, benzyl, propionaldehyde, adamantyl, 1-naphthyl,
8 phenyl, aminoalkyl group, or quinolinyl group, whether or not further
9 substituted in or on any of the listed ring systems to any extent or to
10 the adamantyl, 1-naphthyl, phenyl, aminoalkyl, benzyl, or
11 propionaldehyde groups to any extent; and

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

17 (29) (28) Zipeprol 1-methoxy-3-[4-(2-methoxy-2-
18 phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol, including its isomers,
19 esters, ethers, salts, and salts of isomers, esters, and ethers, whenever
20 the existence of such isomers, esters, ethers, and salts is possible
21 within the specific chemical designation;

22 (30) (29) Any material, compound, mixture, or preparation containing
23 any quantity of a substituted phenethylamine as listed in subdivisions
24 (A) through (C) of this subdivision, unless specifically excepted, listed
25 in another schedule, or specifically named in this schedule, that is
26 structurally derived from phenylethan-2-amine by substitution on the
27 phenyl ring with a fused methylenedioxy ring, fused furan ring, or a
28 fused tetrahydrofuran ring; by substitution with two alkoxy groups; by
29 substitution with one alkoxy and either one fused furan, tetrahydrofuran,
30 or tetrahydropyran ring system; or by substitution with two fused ring
31 systems from any combination of the furan, tetrahydrofuran, or

1 tetrahydropyran ring systems, whether or not the compound is further
2 modified in any of the following ways:

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

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

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

12 (iii) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine, which is also known
13 as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine;

14 (iv) 2-(2,5-Dimethoxyphenyl)ethanamine, which is also known as 2C-H
15 or 2,5-Dimethoxyphenethylamine;

16 (v) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine, which is also known as
17 2C-I or 2,5-Dimethoxy-4-iodophenethylamine;

18 (vi) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine, which is also known
19 as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine;

20 (vii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine, which is also
21 known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine;

22 (viii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine, which is
23 also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine;

24 (ix) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine, which is
25 also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine;

26 (x) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine, which is also known
27 as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine;

28 (xi) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine, which is also
29 known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine;

30 (xii) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine, which is also
31 known as DOI or 2,5-Dimethoxy-4-iodoamphetamine;

- 1 (xiii) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane, which is also
2 known as DOB or 2,5-Dimethoxy-4-bromoamphetamine;
- 3 (xiv) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine, which is also
4 known as DOC or 2,5-Dimethoxy-4-chloroamphetamine;
- 5 (xv) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
6 methoxyphenyl)methyl]ethanamine, which is also known as 2C-B-NBOMe; 25B-
7 NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine;
- 8 (xvi) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-
9 methoxyphenyl)methyl]ethanamine, which is also known as 2C-I-NBOMe; 25I-
10 NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- 11 (xvii) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine,
12 which is also known as Mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
13 methoxybenzyl)phenethylamine;
- 14 (xviii) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
15 methoxyphenyl)methyl]ethanamine, which is also known as 2C-C-NBOMe; or
16 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- 17 (xix) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine,
18 which is also known as 2CB-5-hemiFLY;
- 19 (xx) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
20 yl)ethanamine, which is also known as 2C-B-FLY;
- 21 (xxi) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
22 yl)ethanamine, which is also known as 2C-B-butterFLY;
- 23 (xxii) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7- tetrahydrobenzo[1,2-
24 b:4,5-b']difuran-4-yl)-2-aminoethane, which is also known as 2C-B-FLY-
25 NBOMe;
- 26 (xxiii) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine,
27 which is also known as bromo-benzodifuranylisopropylamine or bromo-
28 dragonFLY;
- 29 (xxiv) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine, which
30 is also known as 2C-INBOH or 25I-NBOH;
- 31 (xxv) 5-(2-Aminopropyl)benzofuran, which is also known as 5-APB;

1 (xxvi) 6-(2-Aminopropyl)benzofuran, which is also known as 6-APB;
2 (xxvii) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also known
3 as 5-APDB;
4 (xxviii) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran, which is also
5 known as 6-APDB;
6 (xxix) 2,5-dimethoxy-amphetamine, which is also known as 2, 5-
7 dimethoxy-a-methylphenethylamine; 2, 5-DMA;
8 (xxx) 2,5-dimethoxy-4-ethylamphetamine, which is also known as DOET;
9 (xxxi) 2,5-dimethoxy-4-(n)-propylthiophenethylamine, which is also
10 known as 2C-T-7;
11 (xxxii) 5-methoxy-3,4-methylenedioxy-amphetamine;
12 (xxxiii) 4-methyl-2,5-dimethoxy-amphetamine, which is also known as
13 4-methyl-2,5-dimethoxy-amethylphenethylamine; DOM and STP;
14 (xxxiv) 3,4-methylenedioxy amphetamine, which is also known as MDA;
15 (xxxv) 3,4-methylenedioxymethamphetamine, which is also known as
16 MDMA;
17 (xxxvi) 3,4-methylenedioxy-N-ethylamphetamine, which is also known
18 as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA;
19 (xxxvii) 3,4,5-trimethoxy amphetamine; and
20 (xxxviii) n-hydroxy-3, 4-Methylenedioxy-N-Hydroxyamphetamine, which
21 is also known as N-hydroxyMDA;
22 (31) ~~(30)~~ Any material, compound, mixture, or preparation containing
23 any quantity of a substituted tryptamine unless specifically excepted,
24 listed in another schedule, or specifically named in this schedule, that
25 is structurally derived from 2-(1H-indol-3-yl)ethanamine, which is also
26 known as tryptamine, by mono- or di-substitution of the amine nitrogen
27 with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom
28 in a cyclic structure whether or not the compound is further substituted
29 at the alpha position with an alkyl group or whether or not further
30 substituted on the indole ring to any extent with any alkyl, alkoxy,
31 halo, hydroxyl, or acetoxy groups, and including, but not limited to:

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

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

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

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

9 (E) 5-methoxy-N-methyl-N-isopropyltryptamine, which is also known as
10 5-MeOMiPT;

11 (F) 5-Methoxy-N,N-Dimethyltryptamine, which is also known as 5-MeO-
12 DMT;

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

15 (H) Diethyltryptamine, which is also known as N,N-Diethyltryptamine,
16 DET; and

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

18 (32)(A) ~~(31)(A)~~ Any substance containing any quantity of the
19 following materials, compounds, mixtures, or structures:

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

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

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

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

24 (v) Fluoromethcathinone, or FMC;

25 (vi) Naphthylpyrovalerone, or naphyrone; or

26 (vii) Beta-keto-N-methylbenzodioxolylpropylamine or bk-MBDB or
27 butylone; or

28 (B) Unless listed in another schedule, any substance which contains
29 any quantity of any material, compound, mixture, or structure, other than
30 bupropion, that is structurally derived by any means from 2-
31 aminopropan-1-one by substitution at the 1-position with either phenyl,

1 naphthyl, or thiophene ring systems, whether or not the compound is
2 further modified in any of the following ways:

3 (i) Substitution in the ring system to any extent with alkyl,
4 alkoxy, alkylendioxy, haloalkyl, hydroxyl, or halide substituents,
5 whether or not further substituted in the ring system by one or more
6 other univalent substituents;

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

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

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

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

21 (2) Mecloqualone;

22 (3) Methaqualone; and

23 (4) Gamma-Hydroxybutyric Acid. Some other names include: GHB; Gamma-
24 hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic Acid; Sodium
25 Oxybate; and Sodium Oxybutyrate.

26 (e) Unless specifically excepted or unless listed in another
27 schedule, any material, compound, mixture, or preparation which contains
28 any quantity of the following substances having a stimulant effect on the
29 central nervous system, including its salts, isomers, and salts of
30 isomers:

31 (1) Fenethylamine;

1 (2) N-ethylamphetamine;

2 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-
3 dihydro-5-phenyl-2-oxazolamine;

4 (4) Cathinone; 2-amino-1-phenyl-1-propanone; alpha-
5 aminopropiophenone; 2-aminopropiophenone; and norephedrone;

6 (5) Methcathinone, its salts, optical isomers, and salts of optical
7 isomers. Some other names: 2-(methylamino)-propiophenone; alpha-
8 (methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-
9 N-methylaminopropiophenone; methylcathinone; monomethylpropion;
10 ephedrone; N-methylcathinone; AL-464; AL-422; AL-463; UR1432; and 4-MEC;

11 (6) (+/-)cis-4-methylaminorex; and (+/-)cis-4,5-dihydro-4-methyl-5-
12 phenyl-2-oxazolamine;

13 (7) N,N-dimethylamphetamine; N,N-alpha-trimethyl-benzeneethanamine;
14 and N,N-alpha-trimethylphenethylamine;

15 (8) Benzylpiperazine, 1-benzylpiperazine;

16 (9) 4,4'-dimethylaminorex (other names: 4,4'-DMAR, 4,5-dihydro-4-
17 methyl-5-(4-methylphenyl)-2-oxazolamine); ~~and~~

18 (10) N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-
19 ium-5-yl)carbamimidate), including its salts, isomers, and salts of
20 isomers; ~~and~~

21 (11) Mesocarb (N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-
22 oxadiazol-3-ium-5-yl)carbamimidate); and

23 (12) Methiopropamine (N-methyl-1-(thiophen-2-yl)propan-2-amine).

24 (f) Any controlled substance analogue to the extent intended for
25 human consumption.

26 Schedule II

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

1 (1) Opium and opiate, and any salt, compound, derivative, or
2 preparation of opium or opiate, excluding apomorphine, buprenorphine,
3 thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeferne,
4 naloxone, and naltrexone and their salts, but including the following:

- 5 (A) Raw opium;
- 6 (B) Opium extracts;
- 7 (C) Opium fluid;
- 8 (D) Powdered opium;
- 9 (E) Granulated opium;
- 10 (F) Tincture of opium;
- 11 (G) Codeine;
- 12 (H) Ethylmorphine;
- 13 (I) Etorphine hydrochloride;
- 14 (J) Hydrocodone;
- 15 (K) Hydromorphone;
- 16 (L) Metopon;
- 17 (M) Morphine;
- 18 (N) Oxycodone;
- 19 (O) Oxymorphone;
- 20 (P) Oripavine;
- 21 (Q) Thebaine; and
- 22 (R) Dihydroetorphine;

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

27 (3) Opium poppy and poppy straw;

28 (4) Coca leaves and any salt, compound, derivative, or preparation
29 of coca leaves, and any salt, compound, derivative, or preparation
30 thereof which is chemically equivalent to or identical with any of these
31 substances, including cocaine or ecgonine and its salts, optical isomers,

1 and salts of optical isomers, except that the substances shall not
2 include decocainized coca leaves or extractions which do not contain
3 cocaine or ecgonine; and

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

7 (b) Unless specifically excepted or unless in another schedule any
8 of the following opiates, including their isomers, esters, ethers, salts,
9 and salts of their isomers, esters, and ethers whenever the existence of
10 such isomers, esters, ethers, and salts is possible within the specific
11 chemical designation, dextrorphan excepted:

12 (1) Alphaprodine;

13 (2) Anileridine;

14 (3) Bezitramide;

15 (4) Diphenoxylate;

16 (5) Fentanyl;

17 (6) Isomethadone;

18 (7) Levomethorphan;

19 (8) Levorphanol;

20 (9) Metazocine;

21 (10) Methadone;

22 (11) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl
23 butane;

24 (12) Moramide-intermediate, 2-methyl-3-morpholino-1,1-
25 diphenylpropane-carboxylic acid;

26 (13) Norfentanyl (N-phenyl-N-piperidin-4-yl) propionamide;

27 (14) Oliceridine;

28 (15) Pethidine or meperidine;

29 (16) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

30 (17) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
31 carboxylate;

- 1 (18) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
2 carboxylic acid;
- 3 (19) Phenazocine;
- 4 (20) Piminodine;
- 5 (21) Racemethorphan;
- 6 (22) Racemorphan;
- 7 (23) Dihydrocodeine;
- 8 (24) Bulk Propoxyphene in nondosage forms;
- 9 (25) Sufentanil;
- 10 (26) Alfentanil;
- 11 (27) Levo-alphaacetylmethadol which is also known as levo-alpha-
12 acetylmethadol, levomethadyl acetate, and LAAM;
- 13 (28) Carfentanil;
- 14 (29) Remifentanil;
- 15 (30) Tapentadol; and
- 16 (31) Thiafentanil.
- 17 (c) Any material, compound, mixture, or preparation which contains
18 any quantity of the following substances having a potential for abuse
19 associated with a stimulant effect on the central nervous system:
- 20 (1) Amphetamine, its salts, optical isomers, and salts of its
21 optical isomers;
- 22 (2) Phenmetrazine and its salts;
- 23 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
- 24 (4) Methylphenidate; and
- 25 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.
- 26 (d) Any material, compound, mixture, or preparation which contains
27 any quantity of the following substances having a potential for abuse
28 associated with a depressant effect on the central nervous system,
29 including their salts, isomers, and salts of isomers whenever the
30 existence of such salts, isomers, and salts of isomers is possible within
31 the specific chemical designations:

- 1 (1) Amobarbital;
- 2 (2) Secobarbital;
- 3 (3) Pentobarbital;
- 4 (4) Phencyclidine; and
- 5 (5) Glutethimide.

6 (e) Hallucinogenic substances known as:

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

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

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

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

19 (2) Immediate precursors to phencyclidine, PCP:

20 (A) 1-phenylcyclohexylamine; or

21 (B) 1-piperidinocyclohexanecarbonitrile, PCC; or

22 (3) Immediate precursor to fentanyl; 4-anilino-N-phenethylpiperidine
23 (ANPP).

24 Schedule III

25 (a) Any material, compound, mixture, or preparation which contains
26 any quantity of the following substances having a potential for abuse
27 associated with a stimulant effect on the central nervous system,
28 including their salts, isomers, whether optical, position, or geometric,
29 and salts of such isomers whenever the existence of such salts, isomers,
30 and salts of isomers is possible within the specific chemical
31 designation:

- 1 (1) Benzphetamine;
- 2 (2) Chlorphentermine;
- 3 (3) Clortermine; and
- 4 (4) Phendimetrazine.

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

8 (1) Any substance which contains any quantity of a derivative of
9 barbituric acid or any salt of a derivative of barbituric acid, except
10 those substances which are specifically listed in other schedules of this
11 section;

- 12 (2) Aprobarbital;
- 13 (3) Butabarbital;
- 14 (4) Butalbital;
- 15 (5) Butethal;
- 16 (6) Butobarbital;
- 17 (7) Chlorhexadol;
- 18 (8) Embutramide;
- 19 (9) Lysergic acid;
- 20 (10) Lysergic acid amide;
- 21 (11) Methyprylon;
- 22 (12) Perampanel;
- 23 (13) Secbutabarbital;
- 24 (14) Sulfondiethylmethane;
- 25 (15) Sulfonethylmethane;
- 26 (16) Sulfonmethane;
- 27 (17) Nalorphine;
- 28 (18) Talbutal;
- 29 (19) Thiamylal;
- 30 (20) Thiopental;
- 31 (21) Vinbarbital;

1 (22) Any compound, mixture, or preparation containing amobarbital,
2 secobarbital, pentobarbital, or any salt thereof and one or more other
3 active medicinal ingredients which are not listed in any schedule;

4 (23) Any suppository dosage form containing amobarbital,
5 secobarbital, pentobarbital, or any salt of any of these drugs and
6 approved by the federal Food and Drug Administration for marketing only
7 as a suppository;

8 (24) Any drug product containing gamma-hydroxybutyric acid,
9 including its salts, isomers, and salts of isomers, for which an
10 application is approved under section 505 of the Federal Food, Drug, and
11 Cosmetic Act, 21 U.S.C. 355, as such section existed on January 1, 2014;

12 (25) Ketamine, its salts, isomers, and salts of isomers. Some other
13 names for ketamine: (+/-)-2-(2-chlorophenyl)-2-(methylamino)-
14 cyclohexanone; ~~and~~

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

23 (27)(A) Xylazine or any of the substances listed below, including
24 their salts, isomers, and salts of isomers whenever the existence of such
25 salts, isomers, and salts of isomers is possible within the specific
26 chemical designation:

27 (i) Xylazine-M (2,6-dimethylaniline);

28 (ii) Xylazine-M (N-thiourea-2,6-dimethylaniline);

29 (iii) Xylazine-M (sulfone-HO-) isomer 2;

30 (iv) Xylazine-M (HO-2,6-dimethylaniline isomer 1);

31 (v) Xylazine-M (HO-2,6-dimethylaniline isomer 2);

- 1 (vi) Xylazine M (oxo-);
- 2 (vii) Xylazine-M (HO-) isomer 1;
- 3 (viii) Xylazine-M (HO-) isomer 1 glucuronide;
- 4 (ix) Xylazine-M (HO-) isomer 2;
- 5 (x) Xylazine-M (HO-) isomer 2 glucuronide;
- 6 (xi) Xylazine-M (HO-oxo-) isomer 1;
- 7 (xii) Xylazine-M (HO-oxo-) isomer 1 glucuronide;
- 8 (xiii) Xylazine-M (HO-oxo-) isomer 2;
- 9 (xiv) Xylazine-M (HO-oxo-) isomer 2 glucuronide;
- 10 (xv) Xylazine-M (sulfone); and
- 11 (xvi) Xylazine-M (sulfone-HO-) isomer 1.

12 (B) This subdivision (27) shall not include xylazine when it is used
13 in any of the following manners:

14 (i) Dispensing or prescribing for, or administering to, a nonhuman
15 species a drug containing xylazine that has been approved by the United
16 States Secretary of Health and Human Services under section 512 of the
17 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b, as such act existed
18 on January 1, 2024;

19 (ii) Dispensing or prescribing for, or administering to, a nonhuman
20 species that is permissible under section 512(a)(4) of the Federal Food,
21 Drug, and Cosmetic Act, 21 U.S.C. 360b(a)(4), as such act existed on
22 January 1, 2024;

23 (iii) The manufacturing, distribution, or use of xylazine as an
24 active pharmaceutical ingredient for manufacturing an animal drug that
25 has been approved under section 512 of the Federal Food, Drug, and
26 Cosmetic Act, 21 U.S.C. 360b, or that has been issued an investigational
27 use exemption under section 512(j) of the act, 21 U.S.C. 360b(j), as such
28 act existed on January 1, 2024;

29 (iv) The manufacturing, distribution, or use of a xylazine bulk
30 chemical for pharmaceutical compounding by licensed pharmacists or
31 veterinarians for a nonhuman species in accordance with subdivision (B)

1 (i) or (ii) of this subdivision (27); or
2 (v) Any other use approved or permissible under the Federal Food,
3 Drug, and Cosmetic Act, when dispensed or prescribed for, or administered
4 to, a nonhuman species in accordance with subdivision (B)(i) or (ii) of
5 this subdivision (27).

6 (c) Unless specifically excepted or unless listed in another
7 schedule:

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

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

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

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

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

27 (E) Not more than five hundred milligrams of opium per one hundred
28 milliliters or per one hundred grams, or not more than twenty-five
29 milligrams per dosage unit, with one or more active, nonnarcotic
30 ingredients in recognized therapeutic amounts; and

31 (F) Not more than fifty milligrams of morphine per one hundred

1 milliliters or per one hundred grams with one or more active, nonnarcotic
2 ingredients in recognized therapeutic amounts; and

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

5 (A) Buprenorphine.

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

13 (1) 3-beta,17-dihydroxy-5a-androstane;

14 (2) 3-alpha,17-beta-dihydroxy-5a-androstane;

15 (3) 5-alpha-androstan-3,17-dione;

16 (4) 1-androstenediol (3-beta,17-beta-dihydroxy-5-alpha-androst-1-
17 ene);

18 (5) 1-androstenediol (3-alpha,17-beta-dihydroxy-5-alpha-androst-1-
19 ene);

20 (6) 4-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

21 (7) 5-androstenediol (3-beta,17-beta-dihydroxy-androst-5-ene);

22 (8) 1-androstenedione ([5-alpha]-androst-1-en-3,17-dione);

23 (9) 4-androstenedione (androst-4-en-3,17-dione);

24 (10) 5-androstenedione (androst-5-en-3,17-dione);

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

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

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

29 (14) Calusterone (7-beta,17-alpha-dimethyl-17-beta-hydroxyandrost-4-
30 en-3-one);

31 (15) Clostebol (4-chloro-17-beta-hydroxyandrost-4-en-3-one);

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

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

- 1 (54) Normethandrolone (17-alpha-methyl-17-beta-hydroxyestr-4-en-3-
2 one);
- 3 (55) Oxandrolone (17-alpha-methyl-17-beta-hydroxy-2-oxa-[5-alpha]-
4 androstan-3-one);
- 5 (56) Oxymesterone (17-alpha-methyl-4,17-beta-dihydroxyandrost-4-
6 en-3-one);
- 7 (57) Oxymetholone (17-alpha-methyl-2-hydroxymethylene-17-beta-
8 hydroxy-[5-alpha]-androstan-3-one);
- 9 (58) Prostanazol (17-beta-hydroxy-5-alpha-androstano[3,2-
10 c]pyrazole);
- 11 (59) Stanozolol (17-alpha-methyl-17-beta-hydroxy-[5-alpha]-
12 androst-2-eno[3,2-c]-pyrazole);
- 13 (60) Stenbolone (17-beta-hydroxy-2-methyl-[5-alpha]-androst-1-en-3-
14 one);
- 15 (61) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-
16 oic acid lactone);
- 17 (62) Testosterone (17-beta-hydroxyandrost-4-en-3-one);
- 18 (63) Tetrahydrogestrinone (13-beta, 17-alpha-diethyl-17-beta-
19 hydroxygon-4,9,11-trien-3-one);
- 20 (64) Trenbolone (17-beta-hydroxyestr-4,9,11-trien-3-one);
- 21 (65) [3,2-c]-furazan-5 alpha-androstane-17 beta-ol;
- 22 (66) [3,2-c]pyrazole-androst-4-en-17 beta-ol;
- 23 (67) 17 alpha-methyl-androst-ene-3,17 beta-diol;
- 24 (68) 17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 25 (69) 17 alpha-methyl-androstan-3-hydroxyimine-17 beta-ol;
- 26 (70) 17 beta-hydroxy-androstano[2,3-d]isoxazole;
- 27 (71) 17 beta-hydroxy-androstano[3,2-c]isoxazole;
- 28 (72) 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;
- 29 (73) 2 alpha, 3 alpha-epithio-17 alpha-methyl-5 alpha-androstan-17
30 beta-ol;
- 31 (74) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3-one;

- 1 (75) 4-chloro-17 alpha-methyl-17 beta-hydroxy-androst-4-en-3,11-
2 dione;
- 3 (76) 4-chloro-17 alpha-methyl-androst-4-ene-3 beta,17 beta-diol;
- 4 (77) 4-chloro-17 alpha-methyl-androsta-1,4-diene-3,17 beta-diol;
- 5 (78) 4-hydroxy-androst-4-ene-3,17-dione;
- 6 (79) 5 alpha-Androstan-3,6,17-trione;
- 7 (80) 6-bromo-androst-1,4-diene-3,17-dione;
- 8 (81) 6-bromo-androstan-3,17-dione;
- 9 (82) 6 alpha-methyl-androst-4-ene-3,17-dione;
- 10 (83) Delta 1-dihydrotestosterone;
- 11 (84) Estra-4,9,11-triene-3,17-dione; and
- 12 (85) Any salt, ester, or ether of a drug or substance described or
13 listed in this subdivision if the salt, ester, or ether promotes muscle
14 growth.

15 (e) Hallucinogenic substances known as:

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

21 Schedule IV

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

26 (1) Barbital;

27 (2) Chloral betaine;

28 (3) Chloral hydrate;

29 (4) Chlordiazepoxide, but not including librax (chlordiazepoxide
30 hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and
31 water soluble esterified estrogens);

- 1 (5) Clonazepam;
- 2 (6) Clorazepate;
- 3 (7) Daridorexant;
- 4 (8) Diazepam;
- 5 (9) Ethchlorvynol;
- 6 (10) Ethinamate;
- 7 (11) Flurazepam;
- 8 (12) Mebutamate;
- 9 (13) Meprobamate;
- 10 (14) Methohexital;
- 11 (15) Methylphenobarbital;
- 12 (16) Oxazepam;
- 13 (17) Paraldehyde;
- 14 (18) Petrichloral;
- 15 (19) Phenobarbital;
- 16 (20) Prazepam;
- 17 (21) Alprazolam;
- 18 (22) Bromazepam;
- 19 (23) Camazepam;
- 20 (24) Clobazam;
- 21 (25) Clotiazepam;
- 22 (26) Cloxazolam;
- 23 (27) Delorazepam;
- 24 (28) Estazolam;
- 25 (29) Ethyl loflazepate;
- 26 (30) Fludiazepam;
- 27 (31) Flunitrazepam;
- 28 (32) Halazepam;
- 29 (33) Haloxazolam;
- 30 (34) Ketazolam;
- 31 (35) Loprazolam;

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

1 **(b)** ~~(c)~~ 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 stimulant effect on the
4 central nervous system, including their salts, isomers, whether optical,
5 position, or geometric, and salts of such isomers whenever the existence
6 of such salts, isomers, and salts of isomers is possible within the
7 specific chemical designation:

- 8 (1) Diethylpropion;
- 9 (2) Phentermine;
- 10 (3) Pemoline, including organometallic complexes and chelates
11 thereof;
- 12 (4) Mazindol;
- 13 (5) Pipradrol;
- 14 (6) SPA, ((-)-1-dimethylamino-1,2-diphenylethane);
- 15 (7) Cathine. Another name for cathine is ((+)-norpseudoephedrine);
- 16 (8) Fencamfamin;
- 17 (9) Fenproporex;
- 18 (10) Mefenorex;
- 19 (11) Modafinil; and
- 20 (12) Sibutramine.

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

- 26 (1) Propoxyphene in manufactured dosage forms;
- 27 (2) Not more than one milligram of difenoxin and not less than
28 twenty-five micrograms of atropine sulfate per dosage unit; and
- 29 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its
30 salts, optical and geometric isomers, and salts of these isomers to
31 include: Tramadol.

1 ~~(d)~~ ~~(e)~~ 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~~ substance, including ~~their~~ its
4 salts:

5 (1) Pentazocine; and

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

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

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

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

1 use in a manner that reduces or eliminates the likelihood of abuse; and
2 (E) are not marketed, advertised, or represented in any manner for the
3 indication of stimulation, mental alertness, euphoria, ecstasy, a buzz or
4 high, heightened sexual performance, or increased muscle mass:

- 5 (i) Primatene Tablets; and
- 6 (ii) Bronkaid Dual Action Caplets.

7 Schedule V

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

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

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

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

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

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

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

27 (b) Unless specifically exempted or excluded or unless listed in
28 another schedule, any material, compound, mixture, or preparation which
29 contains any quantity of the following substances having a stimulant
30 effect on the central nervous system, including its salts, isomers, and
31 salts of isomers: Pyrovalerone.

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

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

8 (2) Ganaxolone;

9 (3) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide);

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

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

14 (6) Cenobamate; and

15 (7) Lasmiditan.

16 Sec. 3. Section 28-416, Revised Statutes Supplement, 2023, is
17 amended to read:

18 28-416 (1) Except as authorized by the Uniform Controlled Substances
19 Act, it shall be unlawful for any person knowingly or intentionally: (a)
20 To manufacture, distribute, deliver, dispense, or possess with intent to
21 manufacture, distribute, deliver, or dispense a controlled substance; or
22 (b) to create, distribute, or possess with intent to distribute a
23 counterfeit controlled substance.

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

1 guilty of a Class IIIA felony.

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

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

30 (b) For purposes of this subsection:

31 (i) Playground means any outdoor facility, including any parking lot

1 appurtenant to the facility, intended for recreation, open to the public,
2 and with any portion containing three or more apparatus intended for the
3 recreation of children, including sliding boards, swingsets, and
4 teeterboards;

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

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

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

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

28 (c) Any person who violates subdivision (a) or (b) of this
29 subsection shall be punished by the next higher penalty classification
30 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of
31 this section, depending upon the controlled substance involved, for the

1 first violation and for a second or subsequent violation shall be
2 punished by the next higher penalty classification than that prescribed
3 for a first violation of this subsection, but in no event shall such
4 person be punished by a penalty greater than a Class IB felony.

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

8 (7) Any person who violates subsection (1) of this section with
9 respect to cocaine or any mixture or substance containing a detectable
10 amount of cocaine 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 (8) Any person who violates subsection (1) of this section with
18 respect to base cocaine (crack) or any mixture or substance containing a
19 detectable amount of base cocaine in a quantity of:

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

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

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

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

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

31 (b) At least twenty-eight grams but less than one hundred forty

1 grams shall be guilty of a Class IC felony; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (18) In addition to the existing penalties available for a violation
22 of subsection (1) of this section, including any criminal attempt or
23 conspiracy to violate subsection (1) of this section, a sentencing court
24 may order that any money, securities, negotiable instruments, firearms,
25 conveyances, or electronic communication devices as defined in section
26 28-833 or any equipment, components, peripherals, software, hardware, or
27 accessories related to electronic communication devices be forfeited as a
28 part of the sentence imposed if it finds by clear and convincing evidence
29 adduced at a separate hearing in the same prosecution, following
30 conviction for a violation of subsection (1) of this section, and
31 conducted pursuant to section 28-1601, that any or all such property was

1 derived from, used, or intended to be used to facilitate a violation of
2 subsection (1) of this section.

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

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

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

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

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

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

25 (i) For the first offense, the court may, as part of the judgment of
26 conviction or adjudication, (A) prohibit such person from obtaining any
27 permit or any license pursuant to the act for which such person would
28 otherwise be eligible until thirty days after the date of such order and
29 (B) require such person to attend a drug education class;

30 (ii) For a second offense, the court may, as part of the judgment of
31 conviction or adjudication, (A) prohibit such person from obtaining any

1 permit or any license pursuant to the act for which such person would
2 otherwise be eligible until ninety days after the date of such order and
3 (B) require such person to complete no fewer than twenty hours and no
4 more than forty hours of community service and to attend a drug education
5 class; and

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

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

18 Sec. 4. Section 28-470, Revised Statutes Supplement, 2023, is
19 amended to read:

20 28-470 (1) A health professional who is authorized to prescribe or
21 dispense an opioid antagonist naloxone, if acting with reasonable care,
22 may prescribe, administer, or dispense an opioid antagonist naloxone to
23 any of the following persons without being subject to administrative
24 action or criminal prosecution:

25 (a) A person who is apparently experiencing or who is likely to
26 experience an opioid-related overdose; or

27 (b) A family member, friend, or other person in a position to assist
28 a person who is apparently experiencing or who is likely to experience an
29 opioid-related overdose.

30 (2) A family member, friend, or other person, including school
31 personnel, who is in a position to assist a person who is apparently

1 experiencing or who is likely to experience an opioid-related overdose,
2 other than an emergency responder or peace officer, is not subject to
3 actions under the Uniform Credentialing Act, administrative action, or
4 criminal prosecution if the person, acting in good faith, obtains an
5 opioid antagonist naloxone from a health professional or a prescription
6 for an opioid antagonist naloxone from a health professional and
7 administers the opioid antagonist naloxone obtained from the health
8 professional or acquired pursuant to the prescription to a person who is
9 apparently experiencing an opioid-related overdose.

10 (3) An emergency responder who, acting in good faith, obtains an
11 opioid antagonist naloxone from the emergency responder's emergency
12 medical service organization and administers the opioid antagonist
13 naloxone to a person who is apparently experiencing an opioid-related
14 overdose shall not be:

15 (a) Subject to administrative action or criminal prosecution; or

16 (b) Personally liable in any civil action to respond in damages as a
17 result of his or her acts of commission or omission arising out of and in
18 the course of his or her rendering such care or services or arising out
19 of his or her failure to act to provide or arrange for further medical
20 treatment or care for the person who is apparently experiencing an
21 opioid-related overdose, unless the emergency responder caused damage or
22 injury by his or her willful, wanton, or grossly negligent act of
23 commission or omission. This subdivision shall not affect the liability
24 of such emergency medical service organization for the emergency
25 responder's acts of commission or omission.

26 (4) A peace officer or law enforcement employee who, acting in good
27 faith, obtains an opioid antagonist naloxone from the peace officer's or
28 employee's law enforcement agency and administers the opioid antagonist
29 naloxone to a person who is apparently experiencing an opioid-related
30 overdose shall not be:

31 (a) Subject to administrative action or criminal prosecution; or

1 (b) Personally liable in any civil action to respond in damages as a
2 result of his or her acts of commission or omission arising out of and in
3 the course of his or her rendering such care or services or arising out
4 of his or her failure to act to provide or arrange for further medical
5 treatment or care for the person who is apparently experiencing an
6 opioid-related overdose, unless the peace officer or employee caused
7 damage or injury by his or her willful, wanton, or grossly negligent act
8 of commission or omission. This subdivision shall not affect the
9 liability of such law enforcement agency for the peace officer's or
10 employee's acts of commission or omission.

11 (5) For purposes of this section:

12 (a) Administer has the same meaning as in section 38-2806;

13 (b) Dispense has the same meaning as in section 38-2817;

14 (c) Emergency responder means an emergency medical responder, an
15 emergency medical technician, an advanced emergency medical technician,
16 or a paramedic licensed under the Emergency Medical Services Practice Act
17 or practicing pursuant to the EMS Personnel Licensure Interstate Compact;

18 (d) Health professional means a physician, physician assistant,
19 nurse practitioner, or pharmacist licensed under the Uniform
20 Credentialing Act;

21 (e) Law enforcement agency means a police department, a town
22 marshal, the office of sheriff, or the Nebraska State Patrol;

23 (f) Law enforcement employee means an employee of a law enforcement
24 agency, a contractor of a law enforcement agency, or an employee of such
25 contractor who regularly, as part of his or her duties, handles,
26 processes, or is likely to come into contact with any evidence or
27 property which may include or contain opioids;

28 (g) Opioid antagonist means naloxone hydrochloride or any other
29 opioid antagonist that is approved by the United States Food and Drug
30 Administration for emergency reversal of known or suspected opioid
31 overdose ~~Naloxone means naloxone hydrochloride; and~~

- 1 (h) Peace officer has the same meaning as in section 49-801.
- 2 Sec. 5. Original sections 28-405, 28-416, and 28-470, Revised
- 3 Statutes Supplement, 2023, are repealed.