

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 630
Committee Substitute Favorable 4/7/93

Short Title: Drug Schedule Additions.

(Public)

Sponsors:

Referred to:

March 29, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO UPDATE THE CONTROLLED SUBSTANCES SCHEDULES IN
3 ARTICLE 5 OF CHAPTER 90 OF THE GENERAL STATUTES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 90-89(c) reads as rewritten:

6 "(c) Any material, compound, mixture, or preparation which contains any quantity
7 of the following hallucinogenic substances, including their salts, isomers, and salts of
8 isomers, unless specifically excepted, or listed in another schedule, whenever the
9 existence of such salts, isomers, and salts of isomers is possible within the specific
10 chemical designation:

- 11 1. 3, 4-methylenedioxyamphetamine.
- 12 2. 5-methoxy-3, 4-methylenedioxyamphetamine.
- 13 2a. 3, 4-Methylenedioxyamphetamine (MDMA).
- 14 2b. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-
15 alpha-methyl-3,4-(methylenedioxy)phenethylamine, N-ethyl MDA,
16 MDE, and MDEA).
- 17 2c. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-
18 hydroxy-alpha-methyl-3,4-(methylenedioxy)phenethylamine, and N-
19 hydroxy MDA).
- 20 3. 3, 4, 5-trimethoxyamphetamine.
- 21 4. Bufotenine.
- 22 5. Diethyltryptamine.
- 23 6. Dimethyltryptamine.

- 1 7. 4-methyl-2, 5-dimethoxyamphetamine.
- 2 8. Ibogaine.
- 3 9. Lysergic acid diethylamide.
- 4 10. Mescaline.
- 5 11. Peyote, meaning all parts of the plant presently classified botanically
- 6 as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds
- 7 thereof; any extract from any part of such plant; and every compound,
- 8 manufacture, salt, derivative, mixture or preparation of such plant, its
- 9 seed or extracts.
- 10 12. N-ethyl-3-piperidyl benzilate.
- 11 13. N-methyl-3-piperidyl benzilate.
- 12 14. Psilocybin.
- 13 15. Psilocyn.
- 14 16. 2, 5-dimethoxyamphetamine.
- 15 16a. 2, 5-dimethoxy-4-ethylamphetamine. Some trade or other names:
- 16 DOET.
- 17 17. 4-bromo-2, 5-dimethoxyamphetamine.
- 18 18. 4-methoxyamphetamine.
- 19 19. Ethylamine analog of phencyclidine. Some trade or other names: N-
- 20 ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-
- 21 (1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.
- 22 20. Pyrrolidine analog of phencyclidine. Some trade or other names: 1-(1-
- 23 phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
- 24 21. Thiophene analog of phencyclidine. Some trade or other names: 1-[1-
- 25 (2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine,
- 26 TCP, TCP.
- 27 21a. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names: TCPy.
- 28 22. Parahexyl."
- 29 Sec. 2. G.S. 90-89(e) reads as rewritten:
- 30 "(e) Stimulants. – Unless specifically excepted or unless listed in another
- 31 schedule, any material, compound, mixture, or preparation that contains any quantity of
- 32 the following substances having as stimulant effect on the central nervous system,
- 33 including its salts, isomers, and salts of isomers:
- 34 01. Cathinone. Some trade or other names: 2-amino-1-phenyl-1-
- 35 propanone, alpha-aminopropiophenone, 2-aminopropiophenone, and
- 36 norephedrone.
- 37 1. Fenethylamine.
- 38 1a. (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-
- 39 oxazolamine] (also known as 2-amino-4-methyl-5-phenyl-2-
- 40 oxazoline).
- 41 1b. N,N-dimethylamphetamine [Some other names: N,N,alpha-
- 42 trimethylbenzeneethanamine;
- 43 N,N,alpha-trimethylphenethylamine].
- 44 2. N-ethylamphetamine."

1 Sec. 3. G.S. 90-90(a) reads as rewritten:

2 "(a) Any of the following substances whether produced directly or indirectly by
3 extraction from substances of vegetable origin, or independently by means of chemical
4 synthesis, or by a combination of extraction and chemical synthesis, unless specifically
5 excepted or unless listed in another schedule:

6 1. Opium and opiate, and any salt, compound, derivative, or preparation
7 of opium and opiate, excluding apomorphine, thebaine derived
8 butorphanol, nalbuphine, dextrorphan, naloxone, naltrexone and
9 nalmefene, and their respective salts, but including the following:

- 10 (i) Raw opium.
11 (ii) Opium extracts.
12 (iii) Opium fluid extracts.
13 (iv) Powdered opium.
14 (v) Granulated opium.
15 (vi) Tincture of opium.
16 (vii) Codeine.
17 (viii) Ethylmorphine.
18 (ix) Etorphine hydrochloride.
19 (x) Hydrocodone.
20 (xi) Hydromorphone.
21 (xii) Metopon.
22 (xiii) Morphine.
23 (xiv) Oxycodone.
24 (xv) Oxymorphone.
25 (xvi) Thebaine.

26 2. Any salt, compound, derivative, or preparation thereof which is
27 chemically equivalent or identical with any of the substances referred
28 to in paragraph 1 of this subdivision, except that these substances shall
29 not include the isoquinoline alkaloids of opium.

30 3. Opium poppy and poppy straw.

31 4. Cocaine and any salt, isomer, salts of isomers, compound, derivative,
32 or preparation thereof, or coca leaves and any salt, isomer, salts of
33 isomers, compound, derivative, or preparation of coca leaves, or any
34 salt, isomer, salts of isomers, compound, derivative, or preparation
35 thereof which is chemically equivalent or identical with any of these
36 substances, except that the substances shall not include decocanized
37 coca leaves or extraction of coca leaves, which extractions do not
38 contain cocaine or ecgonine.

39 5. Concentrate of poppy straw (the crude extract of poppy straw in either
40 liquid, solid or powder form which contains the phenanthrine alkaloids
41 of the opium poppy)."

42 Sec. 4. G.S. 90-90(d) reads as rewritten:

43 "(d) Any material, compound, mixture, or preparation which contains any quantity
44 of the following substances having a depressant effect on the central nervous system,

1 including its salts, isomers, and salts of isomers whenever the existence of such salts,
2 isomers, and salts of isomers is possible within the specific chemical designation, unless
3 specifically exempted by the Commission or listed in another schedule:

4 1. Amobarbital

5 1a. Glutethimide

6 2. Repealed by Session Laws 1983, c. 695, s. 2, effective October 1,
7 1983.

8 3. Pentobarbital

9 4. Phencyclidine

10 5. Phencyclidine immediate precursors:

11 a. 1-Phenylcyclohexylamine

12 b. 1-Piperidinocyclohexanecarbonitrile (PCC)

13 6. Secobarbital."

14 Sec. 5. G.S. 90-91(b) reads as rewritten:

15 "(b) Any material, compound, mixture, or preparation which contains any quantity
16 of the following substances having a depressant effect on the central nervous system
17 unless specifically exempted or listed in another schedule:

18 1. Any substance which contains any quantity of a derivative of
19 barbituric acid, or any salt of a derivative of barbituric acid.

20 2. Chlorhexadol.

21 ~~3. Glutethimide.~~

22 4. Lysergic acid.

23 5. Lysergic acid amide.

24 6. Methyprylon.

25 7. Sulfondiethylmethane.

26 8. Sulfonethylmethane.

27 9. Sulfonmethane.

28 9a. Tiletamine and zolazepam or any salt thereof. Some trade or other
29 names for tiletamine-zolazepam combination product: Telazol. Some
30 trade or other names for tiletamine:

31 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other
32 names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-
33 trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one. flupyrazapon.

34 10. Any compound, mixture or preparation containing

35 (i) Amobarbital.

36 (ii) Secobarbital.

37 (iii) Pentobarbital.

38 or any salt thereof and one or more active ingredients which are not
39 included in any other schedule.

40 11. Any suppository dosage form containing

41 (i) Amobarbital.

42 (ii) Secobarbital.

43 (iii) Pentobarbital.

1 or any salt of any of these drugs and approved by the federal Food and
2 Drug Administration for marketing as a suppository."

3 Sec. 6. G.S.90-92(a) reads as rewritten:

4 "(a) Depressants. – Unless specifically excepted or unless listed in another
5 schedule, any material, compound, mixture, or preparation which contains any quantity
6 of the following substances, including its salts, isomers, and salts of isomers whenever
7 the existence of such salts, isomers, and salts of isomers is possible within the specific
8 chemical designation:

- 9 1. Alprazolam.
- 10 2. Barbitol.
- 11 3. Bromazepam.
- 12 4. Camazepam.
- 13 5. Chloral betaine.
- 14 6. Chloral hydrate.
- 15 7. Chlordiazepoxide.
- 16 8. Clobazam.
- 17 9. Clonazepam.
- 18 10. Clorazepate.
- 19 11. Clotiazepam.
- 20 12. Cloxazolam.
- 21 13. Delorazepam.
- 22 14. Diazepam.
- 23 15. Estazolam.
- 24 16. Ethchlorvynol.
- 25 17. Ethinamate.
- 26 18. Ethyl loflazepate.
- 27 19. Fludiazepam.
- 28 20. Flunitrazepam.
- 29 21. Flurazepam.
- 30 22. Halazepam.
- 31 23. Haloxazolam.
- 32 24. Ketazolam.
- 33 25. Loprazolam.
- 34 26. Lorazepam.
- 35 27. Lormetazepam.
- 36 28. Mebutamate.
- 37 29. Medazepam.
- 38 30. Meprobamate.
- 39 31. Methohexital.
- 40 32. Methylphenobarbital (mephobarbital).
- 41 33. Midazolam.
- 42 34. Nimetazepam.
- 43 35. Nitrazepam.
- 44 36. Nordiazepam.

- 1 37. Oxazepam.
- 2 38. Oxazolam.
- 3 39. Paraldehyde.
- 4 40. Petrichloral.
- 5 41. Phenobarbital.
- 6 42. Pinazepam.
- 7 43. Prazepam.
- 8 44. Quazepam.
- 9 45. Temazepam.
- 10 46. Tetrazepam.
- 11 47. Triazolam.
- 12 48. Zolpidem."

13 Sec. 7. G.S. 90-93(a) reads as rewritten:

14 "(a) This schedule includes the controlled substances listed or to be listed by
15 whatever official name, common or usual name, chemical name, or trade name
16 designated. In determining that a substance comes within this schedule, the Commission
17 shall find: a low potential for abuse relative to the substances listed in Schedule IV of
18 this Article; currently accepted medical use in the United States; and limited physical or
19 psychological dependence relative to the substances listed in Schedule IV of this
20 Article. The following controlled substances are included in this schedule:

- 21 1. Any compound, mixture or preparation containing any of the
22 following limited quantities of narcotic drugs or salts thereof, which
23 shall include one or more nonnarcotic active medicinal ingredients in
24 sufficient proportion to confer upon the compound, mixture, or
25 preparation valuable medicinal qualities other than those possessed by
26 the narcotic alone:
 - 27 (i) Not more than 200 milligrams of codeine or any of its salts per
28 100 milliliters or per 100 grams.
 - 29 (ii) Not more than 100 milligrams of dihydrocodeine or any of its
30 salts per 100 milliliters or per 100 grams.
 - 31 (iii) Not more than 100 milligrams of ethylmorphine or any
32 of its salts per 100 milliliters or per 100 grams.
 - 33 (iv) Not more than 2.5 milligrams of diphenoxylate and not less
34 than 25 micrograms of atropine sulfate per dosage unit.
 - 35 (v) Not more than 100 milligrams of opium per 100 milliliters or
36 per 100 grams.
 - 37 (vi) Not more than 0.5 milligram of difenoxin and not less than 25
38 micrograms of atropine sulfate per dosage unit.
- 39 2. Repealed by Session Laws 1985, c. 172, s. 9, effective May 10, 1985.
- 40 3. Stimulants. - Unless specifically exempted or excluded or unless listed
41 in another schedule, any material, compound, mixture, or preparation
42 which contains any quantity of the following substances having a
43 stimulant effect on the central nervous system, including its salts,
44 isomers and salts of isomers:

1 a. ~~Propylhexedrine.~~

2 b. Pyrovalerone."

3 Sec. 8. Prosecutions for offenses committed under Article 5 of Chapter 90
4 before the effective date of this act are not abated or affected by this act, and the statutes
5 that would be applicable but for this act remain applicable to those prosecutions.

6 Sec. 9. This act is effective upon ratification.