

005235946

HOUSE BILL NO. 280**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee for Courts of Justice
on March 5, 2000)

(Patron Prior to Substitute—Delegate Suit)

A BILL to amend and reenact §§ 54.1-3446 and 54.1-3450 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 18.2-251.3, relating to drug schedules; possession of a "date rape" drug; penalties.

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3446 and 54.1-3450 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 18.2-251.3 as follows:

§ 18.2-251.3. Possession and distribution of gamma-butyrolactone; 1, 4 - butanediol; ; enhanced penalty.

Any person who knowingly manufactures, sells, gives, distributes or possesses with the intent to distribute the substances gamma-butyrolactone; or 1, 4 - butanediol, when intended for human consumption shall be guilty of a Class 3 felony.

§ 54.1-3446. Schedule I.

The controlled substances listed in this section are included in Schedule I:

1. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

Acetylmethadol;

Allylprodine;

Alphamethylfentanyl;

Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

Alphameprodine;

Alphamethadol;

Benzethidine;

Betacetylmethadol;

Betameprodine;

Betamethadol;

Betaprodine;

Clonitazene;

Dextromoramide;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimepheptanol;

Dimethylthiambutene;

Dioxaphetylbutyrate;

Dipipanone;

Ethylmethylthiambutene;

Etonitazene;

Etoxidine;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacetylmorphan;

Morpheridine;

Noracetylmethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphan;

- 60 Phenoperidine;
61 Piritramide;
62 Proheptazine;
63 Properidine;
64 Propiram;
65 Racemoramide;
66 Trimeperidine.
67 2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless
68 specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible
69 within the specific chemical designation:
70 Acetorphine;
71 Acetyldihydrocodeine;
72 Benzylmorphine;
73 Codeine methylbromide;
74 Codeine-N-Oxide;
75 Cyprenorphine;
76 Desomorphine;
77 Dihydromorphine;
78 Drotebanol;
79 Etorphine;
80 Heroin;
81 Hydromorphenol;
82 Methyl-desorphine;
83 Methyl-dihydromorphine;
84 Morphine methylbromide;
85 Morphine methylsulfonate;
86 Morphine-N-Oxide;
87 Myrophine;
88 Nicocodeine;
89 Nicomorphine;
90 Normorphine;
91 Phoclodine;
92 Thebacon.
93 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
94 or preparation, which contains any quantity of the following hallucinogenic substances, or which
95 contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers,
96 and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision
97 only, the term "isomer" includes the optical, position, and geometric isomers):
98 Alpha-ethyltryptamine (some trade or other names: Monase; a-ethyl-1H-indole-3-ethanamine;
99 3-[2-aminobutyl] indole; a-ET; AET);
100 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
101 2-[4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B; Nexus);
102 3,4-methylenedioxy amphetamine;
103 5-methoxy-3,4-methylenedioxy amphetamine;
104 3,4,5-trimethoxy amphetamine;
105 Bufotenine;
106 Diethyltryptamine;
107 Dimethyltryptamine;
108 4-methyl-2,5-dimethoxyamphetamine;
109 2,5-dimethoxy-4-ethylamphetamine (DOET);
110 Ibogaine;
111 Lysergic acid diethylamide;
112 Mescaline;
113 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,
114 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl);
115 Peyote;
116 N-ethyl-3-piperidyl benzilate;
117 N-methyl-3-piperidyl benzilate;
118 Psilocybin;
119 Psilocyn;
120 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
121 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;

- 122 Hashish oil (some trade or other names: hash oil; liquid marijuana; liquid hashish);
 123 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
 124 2,5-DMA);
 125 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
 126 and salts of isomers;
 127 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4
 128 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
 129 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
 130 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
 131 4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine;
 132 paramethoxyamphetamine; PMA);
 133 N-ethyl analog of phencyclidine;
 134 Pyrrolidine analog of phencyclidine;
 135 Thiophene analog of phencyclidine.
 136 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 137 or preparation which contains any quantity of the following substances having a depressant effect on the
 138 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
 139 salts, isomers and salts of isomers is possible within the specific chemical designation:
 140 *gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate;*
 141 *4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate)*
 142 Mecloqualone;
 143 Methaqualone.
 144 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 145 or preparation which contains any quantity of the following substances having a stimulant effect on the
 146 central nervous system, including its salts, isomers and salts of isomers:
 147 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
 148 5-dihydro-5-phenyl-2-oxazolamine);
 149 Fenethylamine;
 150 Ethylamphetamine;
 151 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
 152 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;
 153 Methcathinone (some other names: 2-(methylamino)-propionophenone; alpha-(methylamino)
 154 propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone;
 155 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR
 156 1432).
 157 6. Any material, compound, mixture or preparation containing any quantity of the following
 158 substances:
 159 3-methylfentanyl-(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide), its optical and
 160 geometric isomers, salts, and salts of isomers;
 161 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts and salts of isomers;
 162 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP), its optical isomers, salts and salts of
 163 isomers;
 164 N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide (acetyl-alpha-methylfentanyl), its
 165 optical isomers, salts and salts of isomers;
 166 N-[1-(1-methyl-2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (alpha-methylthiofentanyl), its
 167 optical isomers, salts and salts of isomers;
 168 N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of
 169 isomers;
 170 N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (beta-hydroxyfentanyl), its optical
 171 isomers, salts and salts of isomers;
 172 N-[3-methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide
 173 (beta-hydroxy-3-methylfentanyl), its optical and geometric isomers, salts and salts of isomers;
 174 N-[3-methyl-1-(2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (3-methylthiofentanyl), its optical
 175 and geometric isomers, salts and salts of isomers;
 176 N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, salts
 177 and salts of isomers;
 178 N-[1-(2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (thiofentanyl), its optical isomers, salts and
 179 salts of isomers.
 180 § 54.1-3450. Schedule III.
 181 The controlled substances listed in this section are included in Schedule III:
 182 1. Unless specifically exempted or listed in another schedule, any material, compound, mixture, or

183 preparation which contains any quantity of the following substances having a depressant effect on the
184 central nervous system:

185 Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a
186 derivative of barbituric acid, except those substances which are specifically listed in other schedules;

187 Any compound, mixture or preparation containing amobarbital, secobarbital, or pentobarbital or any
188 salt of amobarbital, secobarbital, or pentobarbital and one or more other active medicinal ingredients
189 which are not listed in Schedules II through V;

190 Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of
191 amobarbital, secobarbital, or pentobarbital and approved by the Food and Drug Administration for
192 marketing only as a suppository;

193 Chlorhexadol;

194 *Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of*
195 *isomers, for which an application is approved under section 505 of the Federal Food, Drug, and*
196 *Cosmetic Act;*

197 Lysergic acid;

198 Lysergic acid amide;

199 Methypylon;

200 Sulfondiethylmethane;

201 Sulfonethylmethane;

202 Sulfonmethane;

203 Tiletamine - zolazepam or any salt thereof;

204 Nalorphine.

205 2. Any material, compound, mixture, or preparation containing limited quantities of any of the
206 following narcotic drugs, or any salts thereof:

207 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
208 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

209 Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90
210 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
211 amounts;

212 Not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not
213 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid
214 of opium;

215 Not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not
216 more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
217 therapeutic amounts;

218 Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than
219 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
220 therapeutic amounts;

221 Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more
222 than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

223 Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25
224 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
225 amounts;

226 Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams
227 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

228 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
229 or preparation which contains any quantity of the following substances having a stimulant effect on the
230 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
231 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
232 specific chemical designation:

233 Benzphetamine;

234 Chlorphentermine;

235 Clortermine;

236 Phendimetrazine.

237 4. The Board may except by regulation any compound, mixture, or preparation containing any
238 stimulation or depressant substance listed in subdivision 1 from the application of all or any part of this
239 chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not
240 having a stimulant or depressant effect on the central nervous system, and if the admixtures are included
241 therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
242 substances which have a stimulant or depressant effect on the central nervous system.

243 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
244 or preparation containing any quantity of the following substances, including its salts, isomers, and salts

245 of isomers whenever the existence of such salts of isomers is possible within the specific chemical
 246 designation:
 247 Anabolic steroids, including, but not limited to:
 248 Boldenone (Dehydrotestosterone);
 249 Clostebol (4-Chlorotestosterone) (Chlorotestosterone);
 250 Dromostanolone (Drostanolone);
 251 Ethylestrenol;
 252 Fluoxymesterone;
 253 Formyldienolone (Formebolone);
 254 Mesterolone;
 255 Methandriol (methylandrostenediol);
 256 Methandrostenolone (Methandienone) (Dehydromethyltestosterone);
 257 Methenolone;
 258 17-Methyltestosterone (Methyltestosterone);
 259 Mibolerone;
 260 Nandrolone (19-Nortestosterone);
 261 Norethandrolone;
 262 Oxandrolone;
 263 Oxymesterone (Oxymestron);
 264 Oxymetholone (Anasterone);
 265 Stanolone (4-Dihydrotestosterone) (Dihydrotestosterone);
 266 Stanozolol (Androstanazole);
 267 Testolactone (1-Dehydrotestololactone);
 268 Testosterone;
 269 Trenbolone (Trienbolone) (Trienolone); and
 270 Any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt,
 271 ester, or isomer promotes muscle growth. However, such term does not include an anabolic steroid
 272 which is expressly intended for administration through implants to cattle or other nonhuman species and
 273 which has been approved by the United States Secretary of Health and Human Services for such
 274 administration. If any person prescribes, dispenses, or distributes any such steroid for human use, such
 275 person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
 276 meaning of this subdivision.
 277 **2. That the provisions of this act may result in a net increase in periods of imprisonment in state**
 278 **correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation**
 279 **is \$0 in FY 2010.**