

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 54.1-3446 of the Code of Virginia, relating to inclusion of salvia divinorum and salvinorin A as Schedule I hallucinogenic drugs; penalty.

[H 21]

Approved

Be it enacted by the General Assembly of Virginia:**1. That § 54.1-3446 of the Code of Virginia is amended and reenacted as follows:**

§ 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;

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;

Levophenacymorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphane;

Phenoperidine;

Piritramide;

Proheptazine;

Propidine;

Propiram;

Racemoramide;

Tilidine;

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

- 118 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy- α -methylphenethylamine;
 119 2,5-DMA);
- 120 3,4-methylenedioxy-methamphetamine (MDMA), its optical, positional and geometric isomers, salts
 121 and salts of isomers;
- 122 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl- α -methyl-3,4
 123 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- 124 N-hydroxy-3,4-methylenedioxyamphetamine (some other names:
 125 N-hydroxy- α -methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA);
- 126 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
 127 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA);
- 128 4-methoxyamphetamine (some trade or other names: 4-methoxy- α -methylphenethylamine;
 129 paramethoxyamphetamine; PMA);
- 130 Ethylamine analog of phencyclidine (some other names: N-ethyl-1-phenylcyclohexylamine,
 131 (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);
- 132 Pyrrolidine analog of phencyclidine (some other names: 1-(1-phenylcyclohexyl) -pyrrolidine, PCPy,
 133 PHP);
- 134 Thiophene analog of phencyclidine (some other names: 1—1-(2-thienyl) -cyclohexyl]-piperidine,
 135 2-thienyl analog of phencyclidine, TPCP, TCP);
- 136 1—1-(2-thienyl)cyclohexyl]pyrrolidine (other name: TCPy).
- 137 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 138 or preparation which contains any quantity of the following substances having a depressant effect on the
 139 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
 140 salts, isomers and salts of isomers is possible within the specific chemical designation:
- 141 Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate;
 142 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
- 143 Mecloqualone;
- 144 Methaqualone.
- 145 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 146 or preparation which contains any quantity of the following substances having a stimulant effect on the
 147 central nervous system, including its salts, isomers and salts of isomers:
- 148 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
 149 5-dihydro-5-phenyl-2-oxazolamine);
- 150 N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);
- 151 Fenethylamine;
- 152 Ethylamphetamine;
- 153 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, α -aminopropiophenone,
 154 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;
- 155 Methcathinone (some other names: 2-(methylamino)-propionophenone; α -methylamino)
 156 propionophenone; 2-(methylamino)-1-phenylpropan-1-one; α -N-methylaminopropiophenone;
 157 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR
 158 1432);
- 159 Cis-4-methylaminorex (other name: cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 160 N,N-dimethylamphetamine (other names: N,N- α -trimethyl-benzeneethanamine,
 161 N,N- α -trimethylphenethylamine).
- 162 6. Any material, compound, mixture or preparation containing any quantity of the following
 163 substances:
- 164 N—3-methyl-1-(2-phenethyl)-4-piperidyl]-N-phenylpropanamide (other name: 3-methylfentanyl), its
 165 optical and geometric isomers, salts, and salts of isomers;
- 166 1-methyl-4-phenyl-4-propionoxypiperidine (other name: MPPP), its optical isomers, salts and salts of
 167 isomers;
- 168 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (other name: PEPAP), its optical isomers, salts and
 169 salts of isomers;
- 170 N—1-(α -methyl- β -phenyl) ethyl-4-piperidyl] propionanilide (other names:
 171 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine), α -methylfentanyl);
- 172 N—1-(1-methyl-2-phenethyl)-4-piperidyl]-N-phenylacetamide (other name:
 173 acetyl- α -methylfentanyl), its optical isomers, salts and salts of isomers;
- 174 N—1-(1-methyl-2-2-thienyl)ethyl-4 piperidyl]-N-phenylpropanamide (other name:
 175 α -methylthiofentanyl), its optical isomers, salts and salts of isomers;
- 176 N—1-benzyl-4-piperidyl]N-phenylpropanamide (other name: benzylfentanyl), its optical isomers,
 177 salts and salts of isomers;
- 178 N—1-(2-hydroxy-2-phenyl) ethyl-4-piperidyl]-N-phenylpropanamide (other name:

179 beta-hydroxyfentanyl), its optical isomers, salts and salts of isomers;
180 N---3-methyl-1-(2-hydroxy-2-phenethyl)4-piperidyl]Nphenylpropanamide (other name:
181 betahydroxy3methylfentanyl), its optical and geometric isomers, salts and salts of isomers;
182 N---(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide (other name:
183 3-methylthiofentanyl), its optical and geometric isomers, salts and salts of isomers;
184 N---1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (other name: thenylfentanyl), its optical
185 isomers, salts and salts of isomers;
186 N-phenyl-N---1-(2-thienyl)ethyl-4-piperidinyl]-propanamide (other name: thiofentanyl), its optical
187 isomers, salts and salts of isomers;
188 N-(4-fluorophenyl)-N---1-(2-phenethyl)-4-piperidinyl] propanamide (other name: para-fluorofentanyl),
189 its optical isomers, salts and salts of isomers.
190 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
191 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
192 **be determined for periods of imprisonment in state adult correctional facilities and cannot be**
193 **determined for periods of commitment to the custody of the Department of Juvenile Justice.**