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HOUSE BILL NO. 2136

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend and reenact § 54.1-3450 of the Code of Virginia, relating to adding methasterone and prostanazol to Schedule III.

Patron—Hodges

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

- 1. That § 54.1-3450 of the Code of Virginia is amended and reenacted as follows:
§ 54.1-3450. Schedule III.**

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

1. Unless specifically exempted or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

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

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

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

Chlorhexadol;

Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 355);

Embutramide;

Ketamine, its salts, isomers, and salts of isomers (some other names: [+]-2-[2-chlorophenyl]-2-[methylamino]-cyclohexanone);

Lysergic acid;

Lysergic acid amide;

Methypylon;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

Tiletamine - zolazepam combination product or any salt thereof.

2. Nalorphine.

3. Unless specifically excepted or unless listed in another schedule:

a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts thereof:

Buprenorphine.

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

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

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

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

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

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

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59 therapeutic amounts;

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

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

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

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

72 Benzphetamine;

73 Chlorphentermine;

74 Clortermine;

75 Phendimetrazine.

76 5. The Board may except by regulation any compound, mixture, or preparation containing any
77 stimulation or depressant substance listed in subsection A from the application of all or any part of this
78 chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not
79 having a stimulant or depressant effect on the central nervous system, and if the admixtures are included
80 therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
81 substances which have a stimulant or depressant effect on the central nervous system.

82 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
83 or preparation containing any quantity of the following substances, including its salts, isomers, and salts
84 of isomers whenever the existence of such salts of isomers is possible within the specific chemical
85 designation:

86 Anabolic steroids, including, but not limited to:

87 3beta,17-dihydroxy-5a-androstane;

88 3alpha,17beta-dihydroxy-5a-androstane;

89 5alpha-androstan-3,17-dione;

90 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);

91 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);

92 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);

93 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);

94 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);

95 4-androstenedione (androst-4-en-3,17-dione);

96 5-androstenedione (androst-5-en-3,17-dione);

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

98 Boldenone (Dehydrotestosterone) (17beta-hydroxyandrost-1,4,-diene-3-one);

99 Boldione (androsta-1, 4-diene-3, 17-dione);

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

101 Clostebol (4-Chlorotestosterone) (Chlorotestosterone) (4-chloro-17beta-hydroxyandrost-4-en-3-one);

102 Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);

103 Delta1-dihydrotestosterone (1-testosterone) (17beta-hydroxy-5alpha-androst-1-en-3-one);

104 Desoxymethyltestosterone (madol) (17alpha-methyl-5alpha-androst-2-en-17beta-ol);

105 Dromostanolone (Drostanolone) (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

106 Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

107 Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);

108 Formyldienolone (Formebolone)

109 (2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-dien-3-one);

110 Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);

111 13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;

112 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

113 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

114 Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);

115 Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

116 Methandriol (methylandrostenediol) (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);

117 Methandrostenolone (Methandienone) (Dehydromethyltestosterone)

118 (17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);

119 Methasterone (2alpha,17alpha-dimethyl-5alpha-androstan-17beta-ol-3-one);

120 Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);
 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);
 17-Methyltestosterone (Methyltestosterone) (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)
 (17-alpha-methyl-1-testosterone);
 Nandrolone (19-Nortestosterone) (17beta-hydroxyestr-4-en-3-one);
 19-nor-4, 9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);
 19-nor-4-androstenedione (estr-4-en-3,17-dione);
 19-nor-5-androstenedione (estr-5-en-3,17-dione);
 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androst-3-one);
 Oxymesterone (Oxymestron) (17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);
 Oxymetholone (Anasterone)
 (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androst-3-one);
 Prostanazol (17beta-hydroxy-5alpha-androstano[3,2-c]pyrazole);
 Stanolone (4-Dihydrotestosterone) (Dihydrotestosterone) (17beta-hydroxy-androst-3-one);
 Stanozolol (Androstanoazole) (17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);
 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);
 Testolactone (1-Dehydrotestololactone) (13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid
 lactone);
 Testosterone (17beta-hydroxyandrost-4-en-3-one);
 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
 Trenbolone (Trienbolone) (Trienolone) (17beta-hydroxyestr-4,9,11-trien-3-one); and
 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such
 term does not include an anabolic steroid which is expressly intended for administration through
 implants to cattle or other nonhuman species and which has been approved by the United States
 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or
 distributes any such steroid for human use, such person shall be considered to have prescribed,
 dispensed, or distributed an anabolic steroid within the meaning of this subsection.
 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product
 approved by the U.S. Food and Drug Administration.
 2. That the provisions of this act may result in a net increase in periods of imprisonment or
 commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot
 be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter
 3 of the Acts of Assembly of 2012, Special Session I, requires the Virginia Criminal Sentencing
 Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated
 amount of the necessary appropriation cannot be determined for periods of commitment to the
 custody of the Department of Juvenile Justice.