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HOUSE BILL NO. 1077

Offered January 13, 2016

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A *BILL to amend and reenact § 54.1-3446 of the Code of Virginia, relating to Drug Control Act; Schedule I drugs; addition of substances.*

Patron—Garrett

Referred to Committee on Health, Welfare and Institutions

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;

Levophenacetylmorphan;

Morpheridine;

Noracetylmethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphan;

Phenoperidine;

Piritramide;

Proheptazine;

Propenidine;

Propiram;

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59 Racemoramide;

60 Tilidine;

61 Trimeperidine.

62 2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless
63 specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible
64 within the specific chemical designation:

65 Acetorphine;

66 Acetyldihydrocodeine;

67 Benzylmorphine;

68 Codeine methylbromide;

69 Codeine-N-Oxide;

70 Cyprenorphine;

71 Desomorphine;

72 Dihydromorphine;

73 Drotebanol;

74 Etorphine;

75 Heroin;

76 Hydromorphenol;

77 Methyl-desorphine;

78 Methyl-dihydromorphine;

79 Morphine methylbromide;

80 Morphine methylsulfonate;

81 Morphine-N-Oxide;

82 Myrophine;

83 Nicocodeine;

84 Nicomorphine;

85 Normorphine;

86 Pholcodine;

87 Thebacon.

88 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
89 or preparation, which contains any quantity of the following hallucinogenic substances, or which
90 contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers,
91 and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision
92 only, the term "isomer" includes the optical, position, and geometric isomers):

93 Alpha-ethyltryptamine (some trade or other names: Monase; a-ethyl-1H-indole-3-ethanamine;
94 3-2-aminobutyl] indole; a-ET; AET);

95 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
96 2-4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B; Nexus);

97 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
98 2-4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B; Nexus);

99 3,4-methylenedioxy amphetamine;

100 5-methoxy-3,4-methylenedioxy amphetamine;

101 3,4,5-trimethoxy amphetamine;

102 Alpha-methyltryptamine (other name: AMT);

103 Bufotenine;

104 Diethyltryptamine;

105 Dimethyltryptamine;

106 4-methyl-2,5-dimethoxyamphetamine;

107 2,5-dimethoxy-4-ethylamphetamine (DOET);

108 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);

109 Ibogaine;

110 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);

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 Salvinorin A;

- 121 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
 122 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;
 123 Hashish oil (some trade or other names: hash oil; liquid marijuana; liquid hashish);
 124 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
 125 2,5-DMA);
 126 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
 127 and salts of isomers;
 128 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4
 129 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
 130 N-hydroxy-3,4-methylenedioxyamphetamine (some other names:
 131 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA);
 132 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
 133 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
 134 4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine;
 135 paramethoxyamphetamine; PMA);
 136 Ethylamine analog of phencyclidine (some other names: N-ethyl-1-phenylcyclohexylamine,
 137 (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);
 138 Pyrrolidine analog of phencyclidine (some other names: 1-(1-phenylcyclohexyl) -pyrrolidine, PCPy,
 139 PHP);
 140 Thiophene analog of phencyclidine (some other names: 1-1-(2-thienyl) -cyclohexyl]-piperidine,
 141 2-thienyl analog of phencyclidine, TPCP, TCP);
 142 1-1-(2-thienyl) Cyclohexyl]pyrrolidine (other name: TCPy);
 143 3,4-methylenedioxypyrovalerone (other name: MDPV);
 144 4-methylmethcathinone (other names: mephedrone, 4-MMC);
 145 3,4-methylenedioxymethcathinone (other name: methylone);
 146 Naphthylpyrovalerone (other name: naphyrone);
 147 4-fluoromethcathinone (other name: flephedrone, 4-FMC);
 148 4-methoxymethcathinone (other names: methedrone; bk-PMMA);
 149 Ethcathinone (other name: N-ethylcathinone);
 150 3,4-methylenedioxyethcathinone (other name: ethylone);
 151 Beta-keto-N-methyl-3,4-benzodioxolybutanamine (other name: butylone);
 152 N,N-dimethylcathinone (other name: metamfepramone);
 153 Alpha-pyrrolidinopropiophenone (other name: alpha-PPP);
 154 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP);
 155 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP);
 156 Alpha-pyrrolidinovalerophenone (other name: alpha-PVP);
 157 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (other name: MDAI);
 158 3-fluoromethcathinone (other name: 3-FMC);
 159 4-Ethyl-2,5-dimethoxyphenethylamine (other name: 2C-E);
 160 4-Iodo-2,5-dimethoxyphenethylamine (other name: 2C-I);
 161 4-Methylethcathinone (other name: 4-MEC);
 162 4-Ethylmethcathinone (other name: 4-EMC);
 163 N,N-diallyl-5-methoxytryptamine (other name: 5-MeO-DALT);
 164 Beta-keto-methylbenzodioxolylpentanamine (other name: Pentylone, bk-MBDP);
 165 Alpha-methylamino-butyrophenone (other name: Buphedrone);
 166 Alpha-methylamino-valerophenone (other name: Pentedrone);
 167 3,4-Dimethylmethcathinone (other name: 3,4-DMMC);
 168 4-methyl-alpha-pyrrolidinopropiophenone (other name: MPPP);
 169 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names: 25-I,
 170 25I-NBOME);
 171 Methoxetamine (other names: MXE, 3-MeO-2-Oxo-PCE);
 172 4-Fluoromethamphetamine (other name: 4-FMA);
 173 4-Fluoroamphetamine (other name: 4-FA);
 174 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (other name: 2C-D);
 175 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (other name: 2C-C);
 176 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-2);
 177 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-4);
 178 2-(2,5-Dimethoxyphenyl)ethanamine (other name: 2C-H);
 179 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (other name: 2C-N);
 180 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (other name: 2C-P);
 181 (2-aminopropyl)benzofuran (other name: APB);

- 182 (2-aminopropyl)-2,3-dihydrobenzofuran (other name: APDB);
183 4-chloro-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names:
184 2C-C-NBOMe, 25C-NBOMe);
185 4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names:
186 2C-B-NBOMe, 25B-NBOMe);
187 Acetoxymethyltryptamine (other names: AcO-Psilocin, AcO-DMT, Psilacetin);
188 Benocyclidine (other names: BCP, BTCP);
189 Alpha-pyrrolidinobutiophenone (other name: alpha-PBP);
190 3,4-methylenedioxy-N,N-dimethylcathinone (other names: Dimethylone, bk-MDDMA);
191 4-bromomethylcathinone (other name: 4-BMC);
192 4-chloromethylcathinone (other name: 4-CMC);
193 4-Iodo-2,5-dimethoxy-N-[(2-hydroxyphenyl)methyl]-benzeneethanamine (other name: 25I-NBOH);
194 Alpha-Pyrrolidinohexiophenone (other name: alpha-PHP);
195 Alpha-Pyrrolidinoheptiophenone (other name: PV8).
196 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
197 or preparation which contains any quantity of the following substances having a depressant effect on the
198 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
199 salts, isomers and salts of isomers is possible within the specific chemical designation:
200 Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate;
201 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
202 Mecloqualone;
203 Methaqualone;
204 Etizolam.
205 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
206 or preparation which contains any quantity of the following substances having a stimulant effect on the
207 central nervous system, including its salts, isomers and salts of isomers:
208 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
209 5-dihydro-5-phenyl-2-oxazolamine);
210 N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);
211 Fenethylamine;
212 Ethylamphetamine;
213 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
214 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;
215 Methcathinone (some other names: 2-(methylamino)-propionophenone;
216 alpha-(methylamino)-propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
217 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone;
218 methylcathinone; AL-464; AL-422; AL-463 and UR 1432);
219 Cis-4-methylaminorex (other name: cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
220 N,N-dimethylamphetamine (other names: N,N-alpha-trimethyl-benzeneethanamine,
221 N,N-alpha-trimethylphenethylamine).
222 6. Any material, compound, mixture or preparation containing any quantity of the following
223 substances:
224 N-3-methyl-1-(2-phenethyl)-4-piperidyl]-N-phenylpropanamide (other name: 3-methylfentanyl), its
225 optical and geometric isomers, salts, and salts of isomers;
226 1-methyl-4-phenyl-4-propionoxypiperidine (other name: MPPP), its optical isomers, salts and salts of
227 isomers;
228 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (other name: PEPAP), its optical isomers, salts and
229 salts of isomers;
230 N-1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide (other names:
231 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine), alpha-methylfentanyl);
232 N-1-(1-methyl-2-phenethyl)-4-piperidyl]-N-phenylacetamide (other name:
233 acetyl-alpha-methylfentanyl), its optical isomers, salts and salts of isomers;
234 N-1-(1-methyl-2-2-thienyl)ethyl-4 piperidyl]-N-phenylpropanamide (other name:
235 alpha-methylthiofentanyl), its optical isomers, salts and salts of isomers;
236 N-1-benzyl-4-piperidyl]N-phenylpropanamide (other name: benzylfentanyl), its optical isomers, salts
237 and salts of isomers;
238 N-1-(2-hydroxy-2-phenyl) ethyl-4-piperidyl]-N-phenylpropanamide (other name:
239 beta-hydroxyfentanyl), its optical isomers, salts and salts of isomers;
240 N-3-methyl-1-(2-hydroxy-2-phenethyl)4-piperidyl]-N-phenylpropanamide (other name:
241 beta-hydroxy-3-methylfentanyl), its optical and geometric isomers, salts and salts of isomers;
242 N-(3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (other name:
243 3-methylthiofentanyl), its optical and geometric isomers, salts and salts of isomers;

244 N-1-(2-thienyl) Methyl-4-piperidyl]-N-phenylpropanamide (other name: thienylfentanyl), its optical
 245 isomers, salts and salts of isomers;
 246 N-phenyl-N-1-(2-thienyl)ethyl-4-piperidiny]-propanamide (other name: thiofentanyl), its optical
 247 isomers, salts and salts of isomers;
 248 N-(4-fluorophenyl)-N-1-(2-phenethyl)-4-piperidiny]-propanamide (other name: para-fluorofentanyl),
 249 its optical isomers, salts and salts of isomers;
 250 *Acetyl fentanyl (other name: desmethyl fentanyl).*
 251 7. Any substance that contains one or more cannabimimetic agents or that contains their salts,
 252 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is
 253 possible within the specific chemical designation, and any preparation, mixture, or substance containing,
 254 or mixed or infused with, any detectable amount of one or more cannabimimetic agents.
 255 a. "Cannabimimetic agents" includes any substance that is within any of the following structural
 256 classes:
 257 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or
 258 alkenyl, whether or not substituted on the cyclohexyl ring to any extent;
 259 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl) Methane with substitution at the nitrogen atom of
 260 the indole ring, whether or not further substituted on the indole ring to any extent, whether or not
 261 substituted on the naphthoyl or naphthyl ring to any extent;
 262 3-(1-naphthoyl)pyrrole with substitution at the nitrogen atom of the pyrrole ring, whether or not
 263 further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to
 264 any extent;
 265 1-(1-naphthylmethyl)indene with substitution of the 3-position of the indene ring, whether or not
 266 further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to
 267 any extent;
 268 3-phenylacetylindole or 3-benzoylindole with substitution at the nitrogen atom of the indole ring,
 269 whether or not further substituted in the indole ring to any extent, whether or not substituted on the
 270 phenyl ring to any extent;
 271 3-cyclopropylindole with substitution at the nitrogen atom of the indole ring, whether or not further
 272 substituted on the indole ring to any extent, whether or not substituted on the cyclopropyl ring to any
 273 extent;
 274 3-adamantoylindole with substitution at the nitrogen atom of the indole ring, whether or not further
 275 substituted on the indole ring to any extent, whether or not substituted on the adamantyl ring to any
 276 extent;
 277 N-(adamantyl)-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring,
 278 whether or not further substituted on the indole ring to any extent, whether or not substituted on the
 279 adamantyl ring to any extent; and
 280 N-(adamantyl)-indazole-3-carboxamide with substitution at a nitrogen atom of the indazole ring,
 281 whether or not further substituted on the indazole ring to any extent, whether or not substituted on the
 282 adamantyl ring to any extent.
 283 b. The term "cannabimimetic agents" includes:
 284 5-(1,1-Dimethylheptyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497);
 285 5-(1,1-Dimethylhexyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C6 homolog);
 286 5-(1,1-Dimethyloctyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C8 homolog);
 287 5-(1,1-Dimethylnonyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C9 homolog);
 288 1-pentyl-3-(1-naphthoyl)indole (other names: JWH-018, AM-678);
 289 1-butyl-3-(1-naphthoyl)indole (other name: JWH-073);
 290 1-pentyl-3-(2-methoxyphenylacetyl)indole (other name: JWH-250);
 291 1-hexyl-3-(naphthalen-1-oyl)indole (other name: JWH-019);
 292 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (other name: JWH-200);
 293 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chr-
 294 omen-1-ol (other name: HU-210);
 295 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (other name: JWH-081);
 296 1-pentyl-3-(4-methyl-1-naphthoyl)indole (other name: JWH-122);
 297 1-pentyl-3-(2-chlorophenylacetyl)indole (other name: JWH-203);
 298 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (other name: JWH-210);
 299 1-pentyl-3-(4-chloro-1-naphthoyl)indole (other name: JWH-398);
 300 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (other name: AM-694);
 301 1-((N-methylpiperidin-2-yl) Methyl)-3-(1-naphthoyl)indole (other name: AM-1220);
 302 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (other name: AM-2201);
 303 1-[(N-methylpiperidin-2-yl) Methyl]-3-(2-iodobenzoyl)indole (other name: AM-2233);
 304 Pravadoline (4-methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (other

305 name: WIN 48,098);
306 1-pentyl-3-(4-methoxybenzoyl)indole (other names: RCS-4, SR-19);
307 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (other names: RCS-8, SR-18);
308 1-pentyl-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: UR-144);
309 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: XLR-11);
310 N-adamantyl-1-fluoropentylindole-3-carboxamide (other name: STS-135);
311 N-adamantyl-1-pentylindazole-3-carboxamide (other name: AKB48);
312 1-pentyl-3-(1-adamantoyl)indole (other name: AB-001);
313 (8-quinoliny)(1-pentylindol-3-yl)carboxylate (other name: PB-22);
314 (8-quinoliny)(1-(5-fluoropentyl) Indol-3-yl)carboxylate (other name: 5-fluoro-PB-22);
315 (8-quinoliny)(1-cyclohexylmethyl-indol-3-yl)carboxylate (other name: BB-22);
316 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name: AB-PINACA);
317 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide (other name:
318 AB-FUBINACA);
319 1-(5-fluoropentyl)-3-(1-naphthoyl)indazole (other name: THJ-2201);
320 N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name:
321 ADB-PINACA);
322 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other name:
323 AB-CHMINACA);
324 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)indazole-3-carboxamide (other name:
325 5-fluoro-AB-PINACA);
326 *N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other names:*
327 *ADB-CHMINACA, MAB-CHMINACA);*
328 *Methyl-2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (other name:*
329 *5-fluoro-AMB);*
330 *1-naphthalenyl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (other name: NM-2201);*
331 *1-(4-fluorobenzyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: FUB-144);*
332 *1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole (other name MAM-2201).*
333 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
334 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0**
335 **for periods of imprisonment in state adult correctional facilities and cannot be determined for**
336 **periods of commitment to the custody of the Department of Juvenile Justice.**