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HOUSE BILL NO. 1292

Offered January 21, 2016

A *BILL to amend and reenact § 54.1-3452 of the Code of Virginia, relating to Schedule IV drugs; eluxadoline.*

Patron—Pillion

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That § 54.1-3452 of the Code of Virginia is amended and reenacted as follows:****§ 54.1-3452. Schedule IV.**

The controlled substances listed in this section are included in Schedule IV unless specifically excepted or listed in another schedule:

1. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

Alfaxalone (5[alpha]-pregnan-3[alpha]-ol-11,20-dione), previously spelled "alphaxalone," including its salts, isomers, and salts of isomers;

Alprazolam;

Barbital;

Bromazepam;

Camazepam;

Carisoprodol;

Chloral betaine;

Chloral hydrate;

Chlordiazepoxide;

Clobazam;

Clonazepam;

Clorazepate;

Clotiazepam;

Cloxazolam;

Delorazepam;

Diazepam;

Dichloralphenazone;

Estazolam;

Ethchlorvynol;

Ethinamate;

Ethyl loflazepate;

Fludiazepam;

Flunitrazepam;

Flurazepam;

Fospropofol;

Halazepam;

Haloxazolam;

Ketazolam;

Loprazolam;

Lorazepam;

Lormetazepam;

Mebutamate;

Medazepam;

Methohexital;

Meprobamate;

Methylphenobarbital;

Midazolam;

Nimetazepam;

Nitrazepam;

Nordiazepam;

Oxazepam;

INTRODUCED

HB1292

59 Oxazolam;
60 Paraldehyde;
61 Petrichloral;
62 Phenobarbital;
63 Pinazepam;
64 Prazepam;
65 Quazepam;
66 Suvorexant ([(7R)-4-(5-chloro-1,3-benzoxazol-2-yl)-7-methyl-1,4-diazepan-1 -yl][5-methyl-2-
67 (2H-1,2,3-triazol-2-yl) phenyl]methanone), including its salts, isomers, and salts of isomers;
68 Temazepam;
69 Tetrazepam;
70 Triazolam;
71 Zaleplon;
72 Zolpidem;
73 Zopiclone.

74 2. Any compound, mixture or preparation which contains any quantity of the following substances
75 including any salts or isomers thereof:

76 Fenfluramine;
77 Lorcaserin.

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

83 Cathine (+)-norpseudoephedrine;
84 Diethylpropion;
85 Fencamfamin;
86 Fenproporex;
87 Mazindol;
88 Mefenorex;
89 Modafinil;
90 Phentermine;
91 Pemoline (including organometallic complexes and chelates thereof);
92 Pipradrol;
93 Sibutramine;
94 SPA (-)-1-dimethylamino-1, 2-diphenylethane.

95 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
96 or preparation containing any of the following narcotic drugs, or their salts calculated as the free
97 anhydrous base or alkaloid, in limited quantities as set forth below:

98 Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionyloxy butane);
99 Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per
100 dosage unit;

101 2-[(dimethylamino) methyl]-1-(3-methoxyphenyl) cyclohexanol, its salts, optical and geometric
102 isomers, and salts of such isomers, including tramadol.

103 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
104 or preparation which contains any quantity of the following substances, including their salts:

105 Butorphanol (including its optical isomers);
106 *Eluxadoline (including its optical isomers)*;
107 Pentazocine.

108 6. The Board may except by regulation any compound, mixture, or preparation containing any
109 depressant substance listed in subdivision 1 from the application of all or any part of this chapter if the
110 compound, mixture, or preparation contains one or more active medicinal ingredients not having a
111 depressant effect on the central nervous system, and if the admixtures are included therein in
112 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances
113 which have a depressant effect on the central nervous system.

114 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
115 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
116 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
117 **665 of the Acts of Assembly of 2015 requires the Virginia Criminal Sentencing Commission to**
118 **assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the**
119 **necessary appropriation cannot be determined for periods of commitment to the custody of the**
120 **Department of Juvenile Justice.**