

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

[H 1292]

Approved

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~~ *Nimetazepam*;

Nitrazepam;

Nordiazepam;

Oxazepam;

Oxazolam;

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

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

73 Fenfluramine;
 74 Lorcaserin.

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

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

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

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

98 2-[(dimethylamino) methyl]-1-(3-methoxyphenyl) cyclohexanol, its salts, optical and geometric
 99 isomers, and salts of such isomers, including tramadol.

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

102 Butorphanol (including its optical isomers);
 103 *Eluxadoline (including its optical isomers and its salts, isomers, and salts of isomers);*
 104 Pentazocine.

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

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