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HOUSE BILL NO. 1926

Offered January 8, 1997

A *BILL to amend and reenact §§ 54.1-3446 and 54.1-3452 of the Code of Virginia, relating to reclassification of flunitrazepam.*

Patrons—Watts, Christian, Connally, Cooper, Crittenden, Crouch, Cunningham, Darner, Drake, Keating, Puller, Rhodes and Van Landingham; Senator: Whipple

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3446 and 54.1-3452 of the Code of Virginia are 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;
Alphamethylfentanyl;
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;
Flunitrazepam
Furethidine;
Hydroxypethidine;
Ketobemidone;
Levomoramide;
Levophenacymorphan;
Morpheridine;
Noracymethadol;
Norlevorphanol;
Normethadone;
Norpipanone;
Phenadoxone;
Phenampromide;
Phenomorphan;
Phenoperidine;
Piritramide;
Proheptazine;

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60 Properidine;
61 Propiram;
62 Racemoramide;
63 Trimeperidine.

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

67 Acetorphine;
68 Acetyldihydrocodeine;
69 Benzylmorphine;
70 Codeine methylbromide;
71 Codeine-N-Oxide;
72 Cyprenorphine;
73 Desomorphine;
74 Dihydromorphine;
75 Drotebanol;
76 Etorphine;
77 Heroin;
78 Hydromorphenol;
79 Methyl-desorphine;
80 Methyl-dihydromorphine;
81 Morphine methylbromide;
82 Morphine methylsulfonate;
83 Morphine-N-Oxide;
84 Myrophine;
85 Nicocodeine;
86 Nicomorphine;
87 Normorphine;
88 Phoclo-dine;
89 Thebacon.

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

95 Alpha-ethyltryptamine (some trade or other names: Monase; a-ethyl-1H-indole-3-ethanamine;
96 3-[2-aminobutyl] indole; a-ET; AET);

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 Bufotenine;

103 Diethyltryptamine;

104 Dimethyltryptamine;

105 4-methyl-2,5-dimethoxyamphetamine;

106 2,5-dimethoxy-4-ethylamphetamine (DOET);

107 Ibogaine;

108 Lysergic acid diethylamide;

109 Mescaline;

110 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,
111 9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl);

112 Peyote;

113 N-ethyl-3-piperidyl benzilate;

114 N-methyl-3-piperidyl benzilate;

115 Psilocybin;

116 Psilocyn;

117 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
118 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;

119 Hashish oil (some trade or other names: hash oil; liquid marijuana; liquid hashish);

120 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
121 2,5-DMA);

- 122 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
 123 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
 124 4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine;
 125 paramethoxyamphetamine; PMA);
 126 N-ethyl analog of phencyclidine;
 127 Pyrrolidine analog of phencyclidine;
 128 Thiophene analog of phencyclidine.
 129 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 130 or preparation which contains any quantity of the following substances having a depressant effect on the
 131 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
 132 salts, isomers and salts of isomers is possible within the specific chemical designation:
 133 Mecloqualone;
 134 Methaqualone.
 135 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 136 or preparation which contains any quantity of the following substances having a stimulant effect on the
 137 central nervous system, including its salts, isomers and salts of isomers:
 138 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
 139 5-dihydro-5-phenyl-2-oxazolamine);
 140 Fenethylline;
 141 Ethylamphetamine;
 142 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
 143 2-aminopropiophenone, and norephedrone);
 144 Methcathinone (some other names: 2-(methylamino)-propionophenone; alpha-(methylamino)
 145 propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone;
 146 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR
 147 1432).
 148 6. Any material, compound, mixture or preparation containing any quantity of the following
 149 substances:
 150 3-methylfentanyl-(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide), its optical and
 151 geometric isomers, salts, and salts of isomers;
 152 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
 153 and salts of isomers;
 154 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its optical isomers, salts and salts of isomers;
 155 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (PEPAP), its optical isomers, salts and salts of
 156 isomers;
 157 N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide (acetyl-alpha-methylfentanyl), its
 158 optical isomers, salts and salts of isomers;
 159 N-[1-(1-methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (alpha-methylthiofentanyl), its
 160 optical isomers, salts and salts of isomers;
 161 N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of
 162 isomers;
 163 N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (beta-hydroxyfentanyl), its optical
 164 isomers, salts and salts of isomers;
 165 N-[3-methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide
 166 (beta-hydroxy-3-methylfentanyl), its optical and geometric isomers, salts and salts of isomers;
 167 N-[3-methyl-1-(2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (3-methylthiofentanyl), its optical
 168 and geometric isomers, salts and salts of isomers;
 169 N-[1-(2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (phenylfentanyl), its optical isomers, salts
 170 and salts of isomers;
 171 N-[1-(2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (thiofentanyl), its optical isomers, salts and
 172 salts of isomers.
 173 § 54.1-3452. Schedule IV.
 174 The controlled substances listed in this section are included in Schedule IV unless specifically
 175 excepted or listed in another schedule:
 176 1. Any material, compound, mixture, or preparation which contains any quantity of the following
 177 substances having a potential for abuse associated with a depressant effect on the central nervous
 178 system:
 179 Alprazolam;
 180 Barbitol;
 181 Bromazepam;
 182 Camazepam;

- 183 Chloral betaine;
- 184 Chloral hydrate;
- 185 Chlordiazepoxide;
- 186 Clobazam;
- 187 Clonazepam;
- 188 Clorazepate;
- 189 Clotiazepam;
- 190 Cloxazolam;
- 191 Delorazepam;
- 192 Diazepam;
- 193 Estazolam;
- 194 Ethchlorvynol;
- 195 Ethinamate;
- 196 Ethyl loflazepate;
- 197 Fludiazepam;
- 198 Flunitrazepam;
- 199 Flurazepam;
- 200 Halazepam;
- 201 Haloxazolam;
- 202 Ketazolam;
- 203 Loprazolam;
- 204 Lorazepam;
- 205 Lormetazepam;
- 206 Mebutamate;
- 207 Medazepam;
- 208 Methohexital;
- 209 Meprobamate;
- 210 Methylphenobarbital;
- 211 Midazolam;
- 212 Nimetazepam;
- 213 Nitrazepam;
- 214 Nordiazepam;
- 215 Oxazepam;
- 216 Oxazolam;
- 217 Paraldehyde;
- 218 Pentazocine;
- 219 Petrichloral;
- 220 Phenobarbital;
- 221 Pinazepam;
- 222 Prazepam;
- 223 Quazepam;
- 224 Temazepam;
- 225 Tetrazepam;
- 226 Triazolam;
- 227 Zolpidem.
- 228 2. Any compound, mixture or preparation which contains any quantity of the following substances
- 229 including any salts or isomers thereof:
- 230 Fenfluramine.
- 231 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
- 232 or preparation which contains any quantity of the following substances having a stimulant effect on the
- 233 central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of
- 234 such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the
- 235 specific chemical designation:
- 236 Cathine (+)-norpseudoephedrine;
- 237 Diethylpropion;
- 238 Fencamfamin;
- 239 Fenproporex;
- 240 Mazindol;
- 241 Mefenorex;
- 242 Phentermine;
- 243 Pemoline (including organometallic complexes and chelates thereof);
- 244 Pipradrol;

SPA (-)-1-dimethylamino-1,2-diphenylethane.

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

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxy butane);

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

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

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$ 0.