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HOUSE BILL NO. 1926

House Amendments in [] — January 27, 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;

Etoxadine;

[*Flunitrazepam*]

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacymorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphan;

Phenoperidine;

Piritramide;

Proheptazine;

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HB1926E

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

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

245 Pipradrol;
 246 SPA (-)-1-dimethylamino-1,2-diphenylethane.
 247 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
 248 or preparation containing any of the following narcotic drugs, or their salts calculated as the free
 249 anhydrous base or alkaloid, in limited quantities as set forth below:
 250 Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxy butane);
 251 Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per
 252 dosage unit.
 253 5. The Board may except by regulation any compound, mixture, or preparation containing any
 254 depressant substance listed in subdivision 1 from the application of all or any part of this chapter if the
 255 compound, mixture, or preparation contains one or more active medicinal ingredients not having a
 256 depressant effect on the central nervous system, and if the admixtures are included therein in
 257 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances
 258 which have a depressant effect on the central nervous system.
 259 **2. That the provisions of this act may result in a net increase in periods of imprisonment in state**
 260 **correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation**
 261 **is \$ 0.**

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HB1926E