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HOUSE BILL NO. 858

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend and reenact § 54.1-3452 of the Code of Virginia, relating to addition of the drug tramadol to the list of Schedule IV controlled substances.*

Patron—Yost

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:

Alprazolam;
Barbital;
Bromazepam;
Camazepam;
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;
Oxazolam;
Paraldehyde;

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59 Petrichloral;
60 Phenobarbital;
61 Pinazepam;
62 Prazepam;
63 Quazepam;
64 Temazepam;
65 Tetrazepam;
66 Triazolam;
67 Zaleplon;
68 Zolpidem;
69 Zopiclone.

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

72 Fenfluramine.

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

78 Cathine (+)-norpseudoephedrine;

79 Diethylpropion;

80 Fencamfamin;

81 Fenproporex;

82 Mazindol;

83 Mefenorex;

84 Modafinil;

85 Phentermine;

86 Pemoline (including organometallic complexes and chelates thereof);

87 Pipradrol;

88 Sibutramine;

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

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

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

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

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

98 Butorphanol (including its optical isomers);

99 Pentazocine;

100 *Tramadol*.

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

107 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
108 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
109 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
110 **890 of the Acts of Assembly of 2011 requires the Virginia Criminal Sentencing Commission to**
111 **assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the**
112 **necessary appropriation cannot be determined for periods of commitment to the custody of the**
113 **Department of Juvenile Justice.**