

2015 RECONVENED SESSION

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SB1380ER2

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 54.1-3446 of the Code of Virginia, relating to Schedule I drugs.

[S 1380]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3446 of the Code of Virginia is 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;

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;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacymorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphane;

Phenoperidine;

Piritramide;

Proheptazine;

Propenidine;

Propiram;

Racemoramide;

Tilidine;

Trimeperidine.

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

60 Acetorphine;
 61 Acetyldihydrocodeine;
 62 Benzylmorphine;
 63 Codeine methylbromide;
 64 Codeine-N-Oxide;
 65 Cyprenorphine;
 66 Desomorphine;
 67 Dihydromorphine;
 68 Drotebanol;
 69 Etorphine;
 70 Heroin;
 71 Hydromorphanol;
 72 Methyldesorphine;
 73 Methyldihydromorphine;
 74 Morphine methylbromide;
 75 Morphine methylsulfonate;
 76 Morphine-N-Oxide;
 77 Myrophine;
 78 Nicocodeine;
 79 Nicomorphine;
 80 Normorphine;
 81 Pholcodine;
 82 Thebacon.

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

88 Alpha-ethyltryptamine (some trade or other names: Monase;a-ethyl-1H-indole-3-ethanamine;
 89 3-2-aminobutyl] indole; a-ET; AET);
 90 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
 91 2-4-bromo-2,5-dimethoxyphenyl]-1-aminoethane;alpha-desmethyl DOB; 2C-B; Nexus);
 92 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
 93 2-4-bromo-2,5-dimethoxyphenyl]-1-aminoethane;alpha-desmethyl DOB; 2C-B; Nexus);
 94 3,4-methylenedioxy amphetamine;
 95 5-methoxy-3,4-methylenedioxy amphetamine;
 96 3,4,5-trimethoxy amphetamine;
 97 Alpha-methyltryptamine (other name: AMT);
 98 Bufotenine;
 99 Diethyltryptamine;
 100 Dimethyltryptamine;
 101 4-methyl-2,5-dimethoxyamphetamine;
 102 2,5-dimethoxy-4-ethylamphetamine (DOET);
 103 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);
 104 Ibogaine;
 105 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);
 106 Lysergic acid diethylamide;
 107 Mescaline;
 108 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,
 109 9-trimethyl-6H-dibenzo -b,d] pyran; Synhexyl);
 110 Peyote;
 111 N-ethyl-3-piperidyl benzilate;
 112 N-methyl-3-piperidyl benzilate;
 113 Psilocybin;
 114 Psilocyn;
 115 Salvinorin A;
 116 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
 117 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;

- 118 Hashish oil (some trade or other names: hash oil; liquid marijuana; liquid hashish);
- 119 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
- 120 2,5-DMA);
- 121 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
- 122 and salts of isomers;
- 123 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4
- 124 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- 125 N-hydroxy-3,4-methylenedioxyamphetamine (some other names:
- 126 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA);
- 127 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
- 128 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
- 129 4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine;
- 130 paramethoxyamphetamine; PMA);
- 131 Ethylamine analog of phencyclidine (some other names: N-ethyl-1-phenylcyclohexylamine,
- 132 (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);
- 133 Pyrrolidine analog of phencyclidine (some other names: 1-(1-phenylcyclohexyl) -pyrrolidine, PCPy,
- 134 PHP);
- 135 Thiophene analog of phencyclidine (some other names: 1-1-(2-thienyl) -cyclohexyl]-piperidine,
- 136 2-thienyl analog of phencyclidine, TCP, TCP);
- 137 1-1-(2-thienyl)cyclohexyl]pyrrolidine (other name: TCPy);
- 138 3,4-methylenedioxypyrovalerone (other name: MDPV);
- 139 4-methylmethcathinone (other names: mephedrone, 4-MMC);
- 140 3,4-methylenedioxymethcathinone (other name: methylone);
- 141 Naphthylpyrovalerone (other name: naphyrone);
- 142 4-fluoromethcathinone (other name: flephedrone, 4-FMC);
- 143 4-methoxymethcathinone (other names: methedrone; bk-PMMA);
- 144 Ethcathinone (other name: N-ethylcathinone);
- 145 3,4-methylenedioxyethcathinone (other name: ethylone);
- 146 Beta-keto-N-methyl-3,4-benzodioxolylbutanamine (other name: butylone);
- 147 N,N-dimethylcathinone (other name: metamfepramone);
- 148 Alpha-pyrrolidinopropiophenone (other name: alpha-PPP);
- 149 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP);
- 150 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP);
- 151 Alpha-pyrrolidinoveralphenone (other name: alpha-PVP);
- 152 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (other name: MDAI);
- 153 3-fluoromethcathinone (other name: 3-FMC);
- 154 4-Ethyl-2,5-dimethoxyphenethylamine (other name: 2C-E);
- 155 4-Iodo-2,5-dimethoxyphenethylamine (other name: 2C-I);
- 156 4-Methylethcathinone (other name: 4-MEC);
- 157 4-Ethylmethcathinone (other name: 4-EMC);
- 158 N,N-diallyl-5-methoxytryptamine (other name: 5-MeO-DALT);
- 159 Beta-keto-methylbenzodioxolylpentanamine (other name: Pentylone, bk-MBDP);
- 160 Alpha-methylamino-butyrophenone (other name: Buphedrone);
- 161 Alpha-methylamino-valerophenone (other name: Pentedrone);
- 162 3,4-Dimethylmethcathinone (other name: 3,4-DMMC);
- 163 4-methyl-alpha-pyrrolidinopropiophenone (other name: MPPP);
- 164 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names: 25-I,
- 165 25I-NBOMe);
- 166 Methoxetamine (other names: MXE, 3-MeO-2-Oxo-PCE);
- 167 4-Fluoromethamphetamine (other name: 4-FMA);
- 168 4-Fluoroamphetamine (other name: 4-FA);
- 169 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (other name: 2C-D);
- 170 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (other name: 2C-C);
- 171 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-2);
- 172 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-4);
- 173 2-(2,5-Dimethoxyphenyl)ethanamine (other name: 2C-H);
- 174 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (other name: 2C-N);
- 175 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (other name: 2C-P);
- 176 (2-aminopropyl)benzofuran (other name: APB);
- 177 (2-aminopropyl)-2,3-dihydrobenzofuran (other name: APDB);
- 178 4-chloro-2,5-dimethoxy-N- [2-methoxyphenyl] methyl] -benzeneethanamine (other names:

- 179 2C-C-NBOMe, 25C-NBOMe);
 180 4-bromo-2,5-dimethoxy-N- [2-methoxyphenyl] methyl] benzeneethanamine (other names:
 181 2C-B-NBOMe, 25B-NBOMe);
 182 Acetoxymethyltryptamine (other names: AcO-Psilocin, AcO-DMT, Psilacetin);
 183 Benocyclidine (other names: BCP, BTCP);
 184 Alpha-pyrrolidinobutylphenone (other name: alpha-PBP);
 185 3,4-methylenedioxy-N,N-dimethylcathinone (other names: Dimethylone, bk-MDDMA).
 186 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 187 or preparation which contains any quantity of the following substances having a depressant effect on the
 188 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
 189 salts, isomers and salts of isomers is possible within the specific chemical designation:
 190 Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate;
 191 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
 192 Mecloqualone;
 193 Methaqualone.
 194 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
 195 or preparation which contains any quantity of the following substances having a stimulant effect on the
 196 central nervous system, including its salts, isomers and salts of isomers:
 197 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
 198 5-dihydro-5-phenyl-2-oxazolamine);
 199 N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);
 200 Fenethylamine;
 201 Ethylamphetamine;
 202 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
 203 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;
 204 Methcathinone (some other names: 2-(methylamino)-propylphenone; ~~alpha-(methylamino)-~~
 205 ~~propylphenone~~ *alpha-(methylamino)-propylphenone*; 2-(methylamino)-1-phenylpropan-1-one;
 206 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone;
 207 methylcathinone; AL-464; AL-422; AL-463 and UR 1432);
 208 Cis-4-methylaminorex (other name: cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
 209 N,N-dimethylamphetamine (other names: N,N-alpha-trimethyl-benzeneethanamine,
 210 N,N-alpha-trimethylphenethylamine).
 211 6. Any material, compound, mixture or preparation containing any quantity of the following
 212 substances:
 213 N-3-methyl-1-(2-phenethyl)-4-piperidyl]-N-phenylpropanamide (other name: 3-methylfentanyl), its
 214 optical and geometric isomers, salts, and salts of isomers;
 215 1-methyl-4-phenyl-4-propionoxypiperidine (other name: MPPP), its optical isomers, salts and salts of
 216 isomers;
 217 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (other name: PEPAP), its optical isomers, salts and
 218 salts of isomers;
 219 N-1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide (other names:
 220 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine), alpha-methylfentanyl);
 221 N-1-(1-methyl-2-phenethyl)-4-piperidyl]-N-phenylacetamide (other name:
 222 acetyl-alpha-methylfentanyl), its optical isomers, salts and salts of isomers;
 223 N-1-(1-methyl-2-2-thienyl)ethyl-4 piperidyl]-N-phenylpropanamide (other name:
 224 alpha-methylthiofentanyl), its optical isomers, salts and salts of isomers;
 225 N-1-benzyl-4-piperidyl]N-phenylpropanamide (other name: benzylfentanyl), its optical isomers, salts
 226 and salts of isomers;
 227 N-1-(2-hydroxy-2-phenyl) ethyl-4-piperidyl]-N-phenylpropanamide (other name:
 228 beta-hydroxyfentanyl), its optical isomers, salts and salts of isomers;
 229 ~~N-3-methyl-1-(2-hydroxy-2-phenethyl)-4-piperidyl]N-phenylpropanamide~~
 230 *N-3-methyl-1-(2-hydroxy-2-phenethyl)-4-piperidyl]-N-phenylpropanamide* (other name:
 231 ~~beta-hydroxy-3-methylfentanyl~~ *beta-hydroxy-3-methylfentanyl*), its optical and geometric isomers, salts and
 232 salts of isomers;
 233 N-(3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide (other name:
 234 3-methylthiofentanyl), its optical and geometric isomers, salts and salts of isomers;
 235 N-1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (other name: ~~thienylfentanyl~~ *thienylfentanyl*),
 236 its optical isomers, salts and salts of isomers;
 237 N-phenyl-N-1-(2-thienyl)ethyl-4-piperidyl]-propanamide (other name: thiofentanyl), its optical
 238 isomers, salts and salts of isomers;
 239 ~~N-(4-fluorophenyl)-N-1-(2-phenethyl)-4-piperidyl]-propanamide~~

240 *N*-(4-fluorophenyl)-*N*-1-(2-phenethyl)-4-piperidinyl]-propanamide (other name: para-fluorofentanyl), its
 241 optical isomers, salts and salts of isomers.

242 7. Any substance that contains one or more cannabimimetic agents or that contains their salts,
 243 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is
 244 possible within the specific chemical designation, and any preparation, mixture, or substance containing,
 245 or mixed or infused with, any detectable amount of one or more cannabimimetic agents.

246 a. "Cannabimimetic agents" includes any substance that is within any of the following structural
 247 classes:

248 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or
 249 alkenyl, whether or not substituted on the cyclohexyl ring to any extent;

250 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane with substitution at the nitrogen atom of
 251 the indole ring, whether or not further substituted on the indole ring to any extent, whether or not
 252 substituted on the naphthoyl or naphthyl ring to any extent;

253 3-(1-naphthoyl)pyrrole with substitution at the nitrogen atom of the pyrrole ring, whether or not
 254 further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to
 255 any extent;

256 1-(1-naphthylmethyl)indene with substitution of the 3-position of the indene ring, whether or not
 257 further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to
 258 any extent;

259 3-phenylacetylindole or 3-benzoylindole with substitution at the nitrogen atom of the indole ring,
 260 whether or not further substituted in the indole ring to any extent, whether or not substituted on the
 261 phenyl ring to any extent;

262 3-cyclopropoylindole with substitution at the nitrogen atom of the indole ring, whether or not further
 263 substituted on the indole ring to any extent, whether or not substituted on the cyclopropyl ring to any
 264 extent;

265 3-adamantoylindole with substitution at the nitrogen atom of the indole ring, whether or not further
 266 substituted on the indole ring to any extent, whether or not substituted on the adamantyl ring to any
 267 extent;

268 *N*-(adamantyl)-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring,
 269 whether or not further substituted on the indole ring to any extent, whether or not substituted on the
 270 adamantyl ring to any extent; and

271 *N*-(adamantyl)-indazole-3-carboxamide with substitution at a nitrogen atom of the indazole ring,
 272 whether or not further substituted on the indazole ring to any extent, whether or not substituted on the
 273 adamantyl ring to any extent.

274 b. The term "cannabimimetic agents" includes:

275 5-(1,1-Dimethylheptyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497);

276 5-(1,1-Dimethylhexyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C6 homolog);

277 5-(1,1-Dimethyloctyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C8 homolog);

278 5-(1,1-Dimethylnonyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C9 homolog);

279 1-pentyl-3-(1-naphthoyl)indole (other names: JWH-018, AM-678);

280 1-butyl-3-(1-naphthoyl)indole (other name: JWH-073);

281 1-pentyl-3-(2-methoxyphenylacetyl)indole (other name: JWH-250);

282 1-hexyl-3-(naphthalen-1-oyl)indole (other name: JWH-019);

283 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (other name: JWH-200);

284 (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chr-
 285 omen-1-ol (other name: HU-210);

286 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (other name: JWH-081);

287 1-pentyl-3-(4-methyl-1-naphthoyl)indole (other name: JWH-122);

288 1-pentyl-3-(2-chlorophenylacetyl)indole (other name: JWH-203);

289 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (other name: JWH-210);

290 1-pentyl-3-(4-chloro-1-naphthoyl)indole (other name: JWH-398);

291 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (other name: AM-694);

292 1-((*N*-methylpiperidin-2-yl)methyl)-3-(1-naphthoyl)indole (other name: AM-1220);

293 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (other name: AM-2201);

294 1-[(*N*-methylpiperidin-2-yl)methyl]-3-(2-iodobenzoyl)indole (other name: AM-2233);

295 Pravadoline (4-methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (other
 296 name: WIN 48,098);

297 1-pentyl-3-(4-methoxybenzoyl)indole (other names: RCS-4, SR-19);

298 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (other names: RCS-8, SR-18);

299 1-pentyl-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: UR-144);

300 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: XLR-11);

301 N-adamantyl-1-fluoropentylindole-3-carboxamide (other name: STS-135);
 302 N-adamantyl-1-pentylindazole-3-carboxamide (other name: AKB48);
 303 1-pentyl-3-(1-adamantoyl)indole (other name: AB-001);
 304 (8-quinoliny)(1-pentylindol-3-yl)carboxylate (other name: PB-22);
 305 (8-quinoliny)(1-(5-fluoropentyl)indol-3-yl)carboxylate (other name: 5-fluoro-PB-22);
 306 (8-quinoliny)(1-cyclohexylmethyl-indol-3-yl)carboxylate (other name: BB-22);
 307 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name: AB-PINACA);
 308 N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide (other name:
 309 AB-FUBINACA);
 310 1-(5-fluoropentyl)-3-(1-naphthoyl)indazole (*other name: THJ-2201*);
 311 N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name:
 312 ADB-PINACA);
 313 *N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other name:*
 314 *AB-CHMINACA)*;
 315 *N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)indazole-3-carboxamide (other name:*
 316 *5-fluoro-AB-PINACA)*.
 317 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
 318 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0**
 319 **for periods of imprisonment in state adult correctional facilities and cannot be determined for**
 320 **periods of commitment to the custody of the Department of Juvenile Justice.**