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SENATE BILL NO. 614

Offered January 10, 2024

Prefiled January 10, 2024

A *BILL to amend and reenact § 54.1-3450 of the Code of Virginia, relating to Schedule III drugs; xylazine.*

Patrons—Pillion and Durant

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3450 of the Code of Virginia is amended and reenacted as follows:
§ 54.1-3450. Schedule III.

The controlled substances listed in this section are included in Schedule III:

1. Unless specifically exempted or listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

Any compound, mixture or preparation containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and one or more other active medicinal ingredients which are not listed in Schedules II through V;

Any suppository dosage form containing amobarbital, secobarbital, or pentobarbital or any salt of amobarbital, secobarbital, or pentobarbital and approved by the Food and Drug Administration for marketing only as a suppository;

Chlorhexadol;

Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 355);

Embutramide;

Ketamine, its salts, isomers, and salts of isomers (some other names: [+]-2-[2-chlorophenyl]-2-[methylamino]-cyclohexanone);

Lysergic acid;

Lysergic acid amide;

Methyprylon;

Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl) benzonitrile], including its salts, isomers, and salts of isomers;

Sulfondiethylmethane;

Sulfonethylmethane;

Sulfonmethane; and

Tiletamine-zolazepam combination product or any salt thereof; and

Xylazine.

2. Nalorphine.

3. Unless specifically excepted or unless listed in another schedule:

a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts thereof:

Buprenorphine.

b. Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

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59 Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25
60 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
61 amounts;

62 Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams
63 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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

69 Benzphetamine;
70 Chlorphentermine;
71 Clortermine;
72 Phendimetrazine.

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

79 6. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
80 or preparation containing any quantity of the following substances, including its salts, isomers, and salts
81 of isomers whenever the existence of such salts of isomers is possible within the specific chemical
82 designation:

83 Anabolic steroids, including, but not limited to:

84 3beta,17-dihydroxy-5a-androstane;
85 3alpha,17beta-dihydroxy-5a-androstane;
86 5alpha-androstan-3,17-dione;
87 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);
88 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
89 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);
90 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);
91 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);
92 4-androstenedione (androst-4-en-3,17-dione);
93 5-androstenedione (androst-5-en-3,17-dione);
94 Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
95 Boldenone (Dehydrotestosterone)(17beta-hydroxyandrost-1,4,-diene-3-one);
96 Boldione (androsta-1, 4-diene-3, 17-dione);
97 Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
98 Clostebol (4-Chlorotestosterone)(Chlorotestosterone)(4-chloro-17beta-hydroxyandrost-4-en-3-one);
99 Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);
100 Delta1-dihydrotestosterone (1-testosterone)(17beta-hydroxy-5alpha-androst-1-en-3-one);
101 Desoxymethyltestosterone (madol)(17alpha-methyl-5alpha-androst-2-en-17beta-ol);
102 Dromostanolone (Drostanolone)(17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);
103 Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);
104 Flouxymesterone (9-fluoro-17alpha-methyl-11beta,17beta-dihydroxyandrost-4-en-3-one);
105 Formyldienolone (Formebolone)(2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,4-di
106 en-3-one);
107 Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);
108 13-beta-ethyl-17alpha-hydroxygon-4-en-3-one;
109 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);
110 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);
111 Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
112 Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
113 Methandriol (methylandrostenediol)(17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);
114 M e t h a n d r o s t e n o l o n e
115 (Methandienone)(Dehydromethyltestosterone)(17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);
116 Methasterone (2alpha,17alpha-dimethyl-5alpha-androstan-17beta-ol-3-one);
117 Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
118 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
119 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
120 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene);

121 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
 122 Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
 123 Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9,11-trien-3-one);
 124 17-Methyltestosterone (Methyltestosterone)(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
 125 Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
 126 1 7 a l p h a - m e t h y l - d e l t a 1 - d i h y d r o t e s t o s t e r o n e
 127 (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one)(17-alpha-methyl-1-testosterone);
 128 Nandrolone (19-Nortestosterone)(17beta-hydroxyestr-4-en-3-one);
 129 19-nor-4,9(10)-androstadienedione(estra-4,9(10)-diene-3,17-dione);
 130 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
 131 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
 132 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
 133 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);
 134 19-nor-4-androstenedione (estr-4-en-3,17-dione);
 135 19-nor-5-androstenedione (estr-5-en-3,17-dione);
 136 Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
 137 Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
 138 Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
 139 Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
 140 Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
 141 Oxymesterone (Oxymestron)(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);
 142 O x y m e t h o l o n e
 143 (Anasterone)(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androstan-3-one);
 144 Prostanazol (17beta-hydroxy-5alpha-androstano[3,2-c]pyrazole);
 145 Stanolone (4-Dihydrotestosterone)(Dihydrotestosterone)(17beta-hydroxy-androstan-3-one);
 146 Stanazolol (Androstanazole)(17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);
 147 Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);
 148 Testolactone (1-Dehydrotestololactone)(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
 149 lactone);
 150 Testosterone (17beta-hydroxandrost-4-en-3-one);
 151 Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
 152 Trenbolone (Trienbolone)(Trienolone)(17beta-hydroxyestr-4,9,11-trien-3-one); and
 153 Any salt, ester, or ether of a drug or substance described or listed in this paragraph. However, such
 154 term does not include an anabolic steroid which is expressly intended for administration through
 155 implants to cattle or other nonhuman species and which has been approved by the United States
 156 Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or
 157 distributes any such steroid for human use, such person shall be considered to have prescribed,
 158 dispensed, or distributed an anabolic steroid within the meaning of this subsection.
 159 7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product
 160 approved by the U.S. Food and Drug Administration.
 161 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
 162 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the**
 163 **necessary appropriation cannot be determined for periods of imprisonment in state adult**
 164 **correctional facilities; therefore, Chapter 1 of the Acts of Assembly of 2023, Special Session I,**
 165 **requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of**
 166 **\$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
 167 **appropriation cannot be determined for periods of commitment to the custody of the Department**
 168 **of Juvenile Justice.**