LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature Second Regular Session - 2020

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 315

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

(b) 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:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide;

(5) Allylprodine;

(~~5~~6) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);

(~~6~~7) Alphameprodine;

(~~7~~8) Alphamethadol;

(~~8~~9) Alpha-methylfentanyl;

(~~9~~10) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(1~~0~~1) Benzethidine;

(1~~1~~2) Betacetylmethadol;

(1~~2~~3) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(1~~3~~4) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3methyl-4-piperidinyl)-N-phenylpropanamide);

(1~~4~~5) Betameprodine;

(1~~5~~6) Betamethadol;

(1~~6~~7) Betaprodine;

(1~~7~~8) Clonitazene;

(1~~8~~9) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);

(~~19~~20) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);

(2~~0~~1) Dextromoramide;

(2~~1~~2) Diampromide;
(2~~2~~3) Diethylthiambutene;
(2~~3~~4) Difenoxin;
(2~~4~~5) Dimenoxadol;
(2~~5~~6) Dimepheptanol;
(2~~6~~7) Dimethylthiambutene;
(2~~7~~8) Dioxaphetyl butyrate;
(2~~8~~9) Dipipanone;
(~~29~~30) Ethylmethylthiambutene;
(3~~0~~1) Etonitazene;
(3~~1~~2) Etoxeridine;
(3~~2~~3) Fentanyl-related substances. "Fentanyl-related substances" means any substance not otherwise listed and for which no exemption or approval is in effect under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. 355, and that is structurally related to fentanyl by one (1) or more of the following modifications:
i. Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
ii. Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;
iii. Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;
iv. Replacement of the aniline ring with any aromatic monocycle, whether or not further substituted in or on the aromatic monocycle; and/or
v. Replacement of the N-propionyl group by another acyl group;
(34) 4-Fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
(35) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide);
(3~~3~~6) Furethidine;
(3~~4~~7) Hydroxypethidine;
(3~~5~~8) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide);
(3~~6~~9) Ketobemidone;
(~~37~~40) Levomoramide;
(~~38~~41) Levophenacylmorphan;
(~~39~~42) 3-Methylfentanyl;
(4~~0~~3) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
(4~~1~~4) Morpheridine;
(4~~2~~5) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
(4~~3~~6) MT-45 (1-cyclohexyl-4- (1,2-diphenylethyl)piperazine);
(4~~4~~7) Noracymethadol;
(4~~5~~8) Norlevorphanol;
(4~~6~~9) Normethadone;
(~~47~~50) Norpipanone;

(~~48~~51) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide);
(~~49~~52) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide);
(5~~0~~3) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) butyramide);
(5~~1~~4) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);
(5~~2~~5) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl) butyramide);
(5~~3~~6) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
(5~~4~~7) Phenadoxone;
(5~~5~~8) Phenampromide;
(5~~6~~9) Phenomorphan;
(~~57~~60) Phenoperidine;
(~~58~~61) Piritramide;
(~~59~~62) Proheptazine;
(6~~0~~3) Properidine;
(6~~1~~4) Propiram;
(6~~2~~5) Racemoramide;
(66) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidine-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
(6~~3~~7) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
(6~~4~~8) Tilidine;
(6~~5~~9) Trimeperidine;
(~~66~~70) u-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide);
(~~67~~71) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;
(2) Acetyldihydrocodeine;
(3) Benzylmorphine;
(4) Codeine methylbromide;
(5) Codeine-N-Oxide;
(6) Cyprenorphine;
(7) Desomorphine;
(8) Dihydromorphine;
(9) Drotebanol;
(10) Etorphine (except hydrochloride salt);
(11) Heroin;
(12) Hydromorphinol;
(13) Methyldesorphine;
(14) Methyldihydromorphine;
(15) Morphine methylbromide;
(16) Morphine methylsulfonate;

(17) Morphine-N-Oxide;
(18) Myrophine;
(19) Nicocodeine;
(20) Nicomorphine;
(21) Normorphine;
(22) Pholcodine;
(23) Thebacon.

(d) Hallucinogenic substances. Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

(1) Dimethoxyphenethylamine, or any compound not specifically excepted or listed in another schedule that can be formed from dimethoxyphenethylamine by replacement of one (1) or more hydrogen atoms with another atom(s), functional group(s) or substructure(s) including, but not limited to, compounds such as DOB, DOC, 2C-B, 25B-NBOMe;

(2) Methoxyamphetamine or any compound not specifically excepted or listed in another schedule that can be formed from methoxyamphetamine by replacement of one (1) or more hydrogen atoms with another atom(s), functional group(s) or substructure(s) including, but not limited to, compounds such as PMA and DOM;

(3) 5-methoxy-3,4-methylenedioxy-amphetamine;

(4) 5-methoxy-N,N-diisopropyltryptamine;

(5) Amphetamine or methamphetamine with a halogen substitution on the benzyl ring, including compounds such as fluorinated amphetamine and fluorinated methamphetamine;

(6) 3,4-methylenedioxy amphetamine;

(7) 3,4-methylenedioxymethamphetamine (MDMA);

(8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-ethyl MDA, MDE, MDEA);

(9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, and N-hydroxy MDA);

(10) 3,4,5-trimethoxy amphetamine;

(11) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-(dimethylamino)ethyl]indole and 5-MeO-DMT);

(12) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-aminobutyl) indole);

(13) Alpha-methyltryptamine;

(14) Bufotenine;

(15) Diethyltryptamine (DET);

(16) Dimethyltryptamine (DMT);

(17) Ibogaine;

(18) Lysergic acid diethylamide;

(19) Marihuana;

(20) Mescaline;
(21) Parahexyl;
(22) Peyote;
(23) N-ethyl-3-piperidyl benzilate;
(24) N-methyl-3-piperidyl benzilate;
(25) Psilocybin;
(26) Psilocyn;
(27) Tetrahydrocannabinols or synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure such as the following:
i. Tetrahydrocannabinols:
a. Δ^{1} cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in either a soft gelatin capsule or in an oral solution in a drug product approved by the U.S. Food and Drug Administration.
b. Δ^{6} cis or trans tetrahydrocannabinol, and their optical isomers.
c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.)
d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-o1)], also known as 6aR-trans-3-(1,1-dimethylheptyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric isomers (HU211 or dexanabinol).
ii. The following synthetic drugs:
a. Any compound structurally derived from (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane, or (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl), methyl or dimethyl butanoate, amino-methyl (or dimethyl)-1-oxobutan-2-yl) carboxamide by substitution at the nitrogen atoms of the indole ring or carboxamide to any extent, whether or not further substituted in or on the indole ring to any extent, whether or not substituted to any extent in or on the cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in the ring may include, but is not limited to, heteroatoms such as nitrogen, sulfur and oxygen).
b. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1 H-indazole-3-carboxamide (5F-AB-PINACA).
c. 1-(1.3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone).
d. 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-indazole-3-carboxamide (4-cn-cumyl-BUTINACA).

e. Ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3carboxamido)-3,3-dimethylbutanoate * (5f-edmbpinaca).
f. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3tetramethylcyclopropyl)methanone (fub-144).
g. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (5f-cumyl-pinaca; sgt25).
h. (1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2.3-B]pyridine-3-carboxamide(5fcumyl-P7AICA).
i. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate (MMB-CHMICA, AMB-CHMICA).
j. Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (5f-mdmbpica).
k. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole3-carboxamide (fub-akb48; fub-apinaca).
l. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (NM2201; CBL2201).
m. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring to any extent, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent.
~~e~~n. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring to any extent, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent.
~~d~~o. Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring to any extent, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent.
~~e~~p. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring to any extent, whether or not substituted in the cyclohexyl ring to any extent.
~~f~~q. Any compound structurally derived from 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring to any extent, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.
~~g~~r. [2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone (WIN-55,212-2).
~~h~~s. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-243).
~~i~~t. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl]acetate (CP 50,5561).

(28) Ethylamine analog of phencyclidine:N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
(29) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) - pyrrolidine, PCPy, PHP;
(30) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;
(31) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;
(32) Spores or mycelium capable of producing mushrooms that contain psilocybin or psilocin.

(e) Unless specifically excepted or unless 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, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Gamma hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate, 4-hydroxybutyrate; 4-hyroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
(2) Flunitrazepam (also known as "R2," "Rohypnol");
(3) Mecloqualone;
(4) Methaqualone.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
(2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone);
(3) Substituted cathinones. Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl or thiophene ring systems, whether or not the compound is further modified in any of the following ways:
i. By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide substituents, whether or not further substituted in the ring system by one (1) or more other univalent substituents;
ii. By substitution at the 3-position with an acyclic alkyl substituent;
iii. By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.
(4) Alpha-pyrrolidinoheptaphenone* (PV8);
(5) Alpha-pyrrolidinohexanophenone* (a-php);
(6) 4-chloro-alpha-pyrrolidinovalerophenone* (4chloro-a-pvp);
(7) Fenethylline;

(~~5~~8) Methcathinone (some other names: 2-(methyl-amino)-propiophenone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-464, AL-422, AL-463 and UR1423);
(~~6~~9) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine];
(10) 4-methyl-alpha-ethylaminopentiophenone* (4meap);
(11) 4'-methyl-alpha-pyrrolidinohexiophenone* (mphp);
(~~7~~12) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
(~~8~~13) N-ethylamphetamine;
(14) N-ethylhexedrone*;
(~~9~~15) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-benzeneethanamine).