

IN THE SENATE

SENATE BILL NO. 1246

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE I CONTROLLED SUBSTANCES; AMENDING SECTION 37-2707, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE II CONTROLLED SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE IV CONTROLLED SUBSTANCES; AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHEDULE V CONTROLLED SUBSTANCES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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;
- (6) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- (7) Alphameprodine;
- (8) Alphamethadol;
- (9) Alpha-methylfentanyl;
- (10) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (11) Benzethidine;
- (12) Betacetylmethadol;
- (13) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
- (14) Beta-hydroxythiofentanyl;
- (15) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
- (15~~6~~) Betameprodine;
- (16~~7~~) Betamethadol;

1 (18) Beta-methyl fentanyl;
 2 (19) Beta'-phenyl fentanyl;
 3 (1720) Betaprodine;
 4 (21) Brorphine (1-(1-(1-(4-Bromophenyl)ethyl)piperidin-4-yl)-1,3-
 5 dihydro-2H-benzo[D]imidazol-2-one);
 6 (1822) Clonitazene;
 7 (23) Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenyl-
 8 but-2-enamide);
 9 (1924) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyl-
 10 cyclopentanecarboxamide);
 11 (205) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyl-
 12 cyclopropanecarboxamide);
 13 (216) Dextromoramide;
 14 (227) Diampromide;
 15 (238) Diethylthiambutene;
 16 (249) Difenoxin;
 17 (2530) Dimenoxadol;
 18 (2631) Dimepheptanol;
 19 (2732) Dimethylthiambutene;
 20 (2833) Dioxaphetyl butyrate;
 21 (2934) Dipipanone;
 22 (305) Ethylmethylthiambutene;
 23 (316) Etonitazene;
 24 (327) Etoxeridine;
 25 (338) Fentanyl-related substances. "Fentanyl-related substances"
 26 means any substance not otherwise listed and for which no exemption or
 27 approval is in effect under section 505 of the federal food, drug, and
 28 cosmetic act, 21 U.S.C. 355, and that is structurally related to fen-
 29 tanyl by one (1) or more of the following modifications:
 30 i. Replacement of the phenyl portion of the phenethyl group by any
 31 monocycle, whether or not further substituted in or on the monocy-
 32 cle;
 33 ii. Substitution in or on the phenethyl group with alkyl, alkenyl,
 34 alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;
 35 iii. Substitution in or on the piperidine ring with alkyl,
 36 alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino,
 37 or nitro groups;
 38 iv. Replacement of the aniline ring with any aromatic monocycle,
 39 whether or not further substituted in or on the aromatic monocy-
 40 cle; and/or
 41 v. Replacement of the N-propionyl group by another acyl group;
 42 (39) Fentanyl carabamate;
 43 (340) 4-Fluoroisobutyl fentanyl (N-(4-fluorophenyl)-N-(1-
 44 phenethylpiperidin-4-yl)isobutyramide);
 45 (41) 2'-fluoro ortho-fluorofentanyl;
 46 (3542) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfu-
 47 ran-2-carboxamide);
 48 (436) Furethidine;
 49 (3744) Hydroxypethidine;

1 (~~38~~45) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
2 phenylisobutyramide);
3 (46) Isotonitazene (N,N-diethyl-2-(2-(4isopropoxybenzyl)-5-ni-
4 tro-1h-benzimidazol-1-yl)ethan-1-amine);
5 (~~39~~47) Ketobemidone;
6 (~~40~~8) Levomoramide;
7 (~~41~~9) Levophenacylmorphane;
8 (50) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-
9 yl)-N-phenylacetamide;
10 (51) 4'-methyl acetyl fentanyl;
11 (~~45~~2) 3-Methylfentanyl;
12 (~~45~~3) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
13 eridinyl]-N-phenylpropanamide);
14 (~~45~~4) Morpheridine;
15 (~~45~~5) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
16 (~~45~~6) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
17 (57) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl) Isobutyramide
18 (para-chloroisobutyryl fentanyl);
19 (~~47~~58) Noracymethadol;
20 (~~48~~59) Norlevorphanol;
21 (~~49~~60) Normethadone;
22 (~~50~~61) Norpipanone;
23 (~~51~~62) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-
24 phenethylpiperidin-4-yl) acetamide);
25 (63) Ortho-fluoroacetyl fentanyl;
26 (64) Ortho-fluorobutyryl fentanyl;
27 (65) Ortho-fluorofentanyl;
28 (66) Ortho-fluoroisobutyryl fentanyl;
29 (67) Ortho-methyl acetylfentanyl;
30 (68) Ortho-methyl methoxyacetyl fentanyl;
31 (~~52~~69) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-
32 phenethylpiperidin-4-yl) isobutyramide);
33 (~~53~~70) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-
34 phenethylpiperidin-4-yl) butyramide);
35 (~~54~~71) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phen-
36 ethyl)-4-piperidinyl] propanamide);
37 (72) Para-fluoro furanyl fentanyl;
38 (~~55~~73) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-
39 phenethylpiperidin-4-yl) butyramide);
40 (74) Para-methylfentanyl;
41 (~~75~~6) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
42 (~~57~~6) Phenadoxone;
43 (~~58~~77) Phenampromide;
44 (~~59~~78) Phenomorphan;
45 (~~60~~79) Phenoperidine;
46 (80) Phenyl fentanyl;
47 (~~68~~1) Piritramide;
48 (~~68~~2) Proheptazine;
49 (~~68~~3) Properidine;
50 (~~68~~4) Propiram;

- 1 (685) Racemoramide;
2 (686) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidine-4-yl)-N-
3 phenyltetrahydrofuran-2-carboxamide);
4 (687) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
5 propanamide);
6 (688) Tilidine;
7 (689) Trimeperidine;
8 (790) u-47700 (3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-
9 methylbenzamide);
10 (791) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpen-
11 tanamide).

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

- 16 (1) Acetorphine;
17 (2) Acetyldihydrocodeine;
18 (3) Benzylmorphine;
19 (4) Codeine methylbromide;
20 (5) Codeine-N-Oxide;
21 (6) Cyprenorphine;
22 (7) Desomorphine;
23 (8) Dihydromorphine;
24 (9) Drotebanol;
25 (10) Etorphine (except hydrochloride salt);
26 (11) Heroin;
27 (12) Hydromorphenol;
28 (13) Methyldesorphine;
29 (14) Methyldihydromorphine;
30 (15) Morphine methylbromide;
31 (16) Morphine methylsulfonate;
32 (17) Morphine-N-Oxide;
33 (18) Myrophine;
34 (19) Nicocodeine;
35 (20) Nicomorphine;
36 (21) Normorphine;
37 (22) Pholcodine;
38 (23) Thebacon.

39 (d) Hallucinogenic substances. Any material, compound, mixture or
40 preparation ~~which~~ that contains any quantity of the following hallucino-
41 genic substances, their salts, isomers and salts of isomers, unless specifi-
42 cally excepted, whenever the existence of these salts, isomers, and salts of
43 isomers is possible within the specific chemical designation (for purposes
44 of this paragraph only, the term "isomer" includes the optical, position and
45 geometric isomers):

- 46 (1) Dimethoxyphenethylamine, or any compound not specifically
47 excepted or listed in another schedule that can be formed from
48 dimethoxyphenethylamine by replacement of one (1) or more hydrogen
49 atoms with another atom(s), functional group(s) or substructure(s)

- 1 including, but not limited to, compounds such as DOB, DOC, 2C-B,
2 25B-NBOMe;
- 3 (2) Methoxyamphetamine or any compound not specifically excepted or
4 listed in another schedule that can be formed from methoxyamphetamine
5 by replacement of one (1) or more hydrogen atoms with another atom(s),
6 functional group(s) or substructure(s) including, but not limited to,
7 compounds such as PMA and DOM;
- 8 (3) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 9 (4) 5-methoxy-N,N-diisopropyltryptamine;
- 10 (5) Amphetamine or methamphetamine with a halogen substitution on the
11 benzyl ring, including compounds such as fluorinated amphetamine and
12 fluorinated methamphetamine;
- 13 (6) 3,4-methylenedioxy amphetamine;
- 14 (7) 3,4-methylenedioxymethamphetamine (MDMA);
- 15 (8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-et-
16 hyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-et-
17 hyl MDA, MDE, MDEA);
- 18 (9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hyd-
19 roxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hyd-
20 roxy MDA);
- 21 (10) 3,4,5-trimethoxy amphetamine;
- 22 (11) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-
23 (dimethylamino)ethyl]indole and 5-MeO-DMT);
- 24 (12) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-am-
25 inobutyl) indole);
- 26 (13) Alpha-methyltryptamine;
- 27 (14) Bufotenine;
- 28 (15) Diethyltryptamine (DET);
- 29 (16) Dimethyltryptamine (DMT);
- 30 (17) Ibogaine;
- 31 (18) Lysergic acid diethylamide;
- 32 (19) Marijuana;
- 33 (20) Mescaline;
- 34 (21) Parahexyl;
- 35 (22) Peyote;
- 36 (23) N-ethyl-3-piperidyl benzilate;
- 37 (24) N-methyl-3-piperidyl benzilate;
- 38 (25) Psilocybin;
- 39 (26) Psilocyn;
- 40 (27) Tetrahydrocannabinols or synthetic equivalents of the substances
41 contained in the plant, or in the resinous extractives of Cannabis, sp.
42 and/or synthetic substances, derivatives, and their isomers with simi-
43 lar chemical structure such as the following:
- 44 i. Tetrahydrocannabinols, except for the permitted amount of
45 tetrahydrocannabinol found in industrial hemp:
- 46 a. Δ^1 cis or trans tetrahydrocannabinol, and their opti-
47 cal isomers, excluding dronabinol in sesame oil and encapsu-
48 lated in either a soft gelatin capsule or in an oral solution
49 in a drug product approved by the U.S. Food and Drug Adminis-
50 tration.

- 1 b. Δ^6 cis or trans tetrahydrocannabinol, and their optical
2 isomers.
- 3 c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical
4 isomers. (Since nomenclature of these substances is not in-
5 ternationally standardized, compounds of these structures,
6 regardless of numerical designation of atomic positions are
7 covered.)
- 8 d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-
9 loctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-
10 1-ol)], also known as 6aR-trans-3-(1,1-dimethylhep-
11 tyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-
12 dibenzo[b,d]pyran-9-methanol (HU-210) and its geometric
13 isomers (HU211 or dexanabinol).
- 14 ii. The following synthetic drugs:
- 15 a. Any compound structurally derived from (1H-indole-3-
16 yl)(cycloalkyl, cycloalkenyl, aryl)methanone, or (1H-in-
17 dole-3-yl)(cycloalkyl, cycloalkenyl, aryl)methane, or
18 (1H-indole-3-yl)(cycloalkyl, cycloalkenyl, aryl), methyl
19 or dimethyl butanoate, amino-methyl (or dimethyl)-1-oxobu-
20 tan-2-yl) carboxamide by substitution at the nitrogen atoms
21 of the indole ring or carboxamide to any extent, whether or
22 not further substituted in or on the indole ring to any ex-
23 tent, whether or not substituted to any extent in or on the
24 cycloalkyl, cycloalkenyl, aryl ring(s) (substitution in the
25 ring may include, but is not limited to, heteroatoms such as
26 nitrogen, sulfur and oxygen).
- 27 b. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluo-
28 ropentyl)-1 H-indazole-3-carboxamide (5F-AB-PINACA).
- 29 c. 1-(1.3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one
30 (N-ethylpentylone, ephylone).
- 31 d. 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-inda-
32 zole-3-carboxamide (4-cn-cumyl-BUTINACA).
- 33 e. Ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3carbox-
34 amido)-3,3-dimethylbutanoate * (~~5f-cumyl-pinaca~~ 5f-edmb-pinaca
35 F-EDMB-
36 PINACA).
- 37 f. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3tetram-
38 ethylcyclopropyl)methanone (fub-144).
- 39 g. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-inda-
40 zole-3-carboxamide (5f-cumyl-pinaca; sgt25).
- 41 h. (1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
42 H-pyrrolo[2.3-B]pyridine-3-carboxamide (5fcumyl-P7AICA).
- 43 i. FUB-AMB, MMB- FUBINACA (Methyl 2-(1-(4-fluoroben-
44 zyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.
- 45 j. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxam-
46 ido)-3-methylbutanoate (MMB-CHMICA, AMB-CHMICA).
- 47 jk. Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxam-
48 ido)-3,3-dimethylbutanoate (MDMB-CHMICA).
- 49 kl. Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxam-
ido-3,3-dimethylbutanoate (MDMB-FUBINACA).

1 lm. Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxam-
 2 ido)-3,3-dimethylbutanoate (5F-MDMBPICA).
 3 mn. Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxam-
 4 ido)-3,3-dimethylbutanoate (5F-ADB, 5FMDMB-PINACA).
 5 no. Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxam-
 6 ido)-3-methylbutanoate (5FAMB).
 7 op. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluo-
 8 robenzyl)-1H-indazole-3-carboxamide (ADB-FUBINACA).
 9 pq. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-inda-
 10 zole-3-carboxamide (FUB-AKB48; FUB-APINACA).
 11 qr. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-inda-
 12 zole-3-carboxamide (5F-APINACA, 5F-AKB48).
 13 s. N-(1-amino-3-methyl-1-oxobutan-2-yl)1-(Cyclohexyl-
 14 methyl)-1H-indazole-3-carboxamide (AB-CHMINACA).
 15 tt. Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-car-
 16 boxylate (NM2201; CBL2201).
 17 su. Any compound structurally derived from 3-(1-naph-
 18 thoyl)pyrrole by substitution at the nitrogen atom of the
 19 pyrrole ring to any extent, whether or not further sub-
 20 stituted in the pyrrole ring to any extent, whether or not
 21 substituted in the naphthyl ring to any extent.
 22 tv. Any compound structurally derived from 1-(1-naphthyl-
 23 methyl)indene by substitution at the 3-position of the in-
 24 dene ring to any extent, whether or not further substituted
 25 in the indene ring to any extent, whether or not substituted
 26 in the naphthyl ring to any extent.
 27 uw. Any compound structurally derived from 3-phenyl-
 28 lacetylindole by substitution at the nitrogen atom of the
 29 indole ring to any extent, whether or not further substi-
 30 tuted in the indole ring to any extent, whether or not sub-
 31 stituted in the phenyl ring to any extent.
 32 vx. Any compound structurally derived from 2-(3-hydroxy-
 33 cyclohexyl)phenol by substitution at the 5-position of the
 34 phenolic ring to any extent, whether or not substituted in
 35 the cyclohexyl ring to any extent.
 36 wy. Any compound structurally derived from 3-(benzoyl)in-
 37 dole structure with substitution at the nitrogen atom of
 38 the indole ring to any extent, whether or not further sub-
 39 stituted in the indole ring to any extent and whether or not
 40 substituted in the phenyl ring to any extent.
 41 xz. [2,3-dihydro-5-methyl-3-(4-morpholinyl-
 42 methyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
 43 naphthalenylmethanone (WIN-55,212-2).
 44 yaa. 3-dimethylheptyl-11-hydroxyhexahydrocannabi-
 45 nol (HU-243).
 46 zbb. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-
 47 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-
 48 drophenanthridin-1-yl]acetate (CP 50,5561).

- 1 (28) Ethylamine analog of phencyclidine: N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
- 2
3
4 (29) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohexyl) -
- 5 pyrrolidine, PCPy, PHP;
- 6 (30) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cyclohexyl]-
- 7 piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP;
- 8 (31) Thiofuranyl fentanyl;
- 9 (32) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;
- 10 (32~~3~~) Spores or mycelium capable of producing mushrooms that contain
- 11 psilocybin or psilocin.
- 12 (e) Unless specifically excepted or unless listed in another schedule,
- 13 any material, compound, mixture or preparation which contains any quantity
- 14 of the following substances having a depressant effect on the central ner-
- 15 vous system, including its salts, isomers, and salts of isomers whenever the
- 16 existence of such salts, isomers, and salts of isomers is possible within the
- 17 specific chemical designation:
- 18 (1) Gamma hydroxybutyric acid (some other names include GHB; gam-
- 19 ma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sod-
- 20 ium oxybate; sodium oxybutyrate);
- 21 (2) Flunitrazepam (also known as "R2," "Rohypnol");
- 22 (3) Mecloqualone;
- 23 (4) Methaqualone.
- 24 (f) Stimulants. Unless specifically excepted or unless listed in an-
- 25 other schedule, any material, compound, mixture, or preparation which con-
- 26 tains any quantity of the following substances having a stimulant effect on
- 27 the central nervous system, including its salts, isomers, and salts of iso-
- 28 mers:
- 29 (1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-ox-
- 30 azoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);
- 31 (2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alp-
- 32 ha-aminopropiophenone, 2-aminopropiophenone and norephedrone);
- 33 (3) Substituted cathinones. Any compound, except bupropion or com-
- 34 pounds listed under a different schedule, structurally derived from
- 35 2-aminopropan-1-one by substitution at the 1-position with either
- 36 phenyl, naphthyl or thiophene ring systems, whether or not the compound
- 37 is further modified in any of the following ways:
- 38 i. By substitution in the ring system to any extent with alkyl,
- 39 alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide sub-
- 40 stituents, whether or not further substituted in the ring system
- 41 by one (1) or more other univalent substituents;
- 42 ii. By substitution at the 3-position with an acyclic alkyl sub-
- 43 stituent;
- 44 iii. By substitution at the 2-amino nitrogen atom with alkyl,
- 45 dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the
- 46 2-amino nitrogen atom in a cyclic structure.
- 47 (4) Alpha-pyrrolidinoheptaphenone* (PV8);
- 48 (5) Alpha-pyrrolidinohexanophenone* (a-php);
- 49 (6) 4-chloro-alpha-pyrrolidinovalerophenone* (4chloro-a-pvp);
- 50 (7) Fenethylamine;

- 1 (8) Methcathinone (some other names: 2-(methyl-amino)-propioph-
 2 enone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-
 3 464, AL-422, AL-463 and UR1423);
 4 (9) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-
 5 phenyl-2-oxazolamine];
 6 (10) 4-methyl-alpha-ethylaminopentiophenone* (~~4meap~~-MEAP);
 7 (11) 4'-methyl-alpha-pyrrolidinohexiophenone* (mphp);
 8 (12) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);
 9 (13) N-ethylamphetamine;
 10 (14) N-ethylhexedrone*;
 11 (15) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-
 12 benzeneethanamine).

13 SECTION 2. That Section 37-2707, Idaho Code, be, and the same is hereby
 14 amended to read as follows:

15 37-2707. SCHEDULE II. (a) Schedule II shall consist of the drugs and
 16 other substances, by whatever official name, common or usual name, chemical
 17 name, or brand name designated, listed in this section.

18 (b) Substances, vegetable origin or chemical synthesis. Unless
 19 specifically excepted or unless listed in another schedule, any of the fol-
 20 lowing substances whether produced directly or indirectly by extraction
 21 from substances of vegetable origin, or independently by means of chemical
 22 synthesis, or by a combination of extraction and chemical synthesis:

23 (1) Opium and opiate, and any salt, compound, derivative, or prepa-
 24 ration of opium or opiate, excluding apomorphine, dextrorphan, nal-
 25 buphine, nalmeffene, naloxone, naltrexone and their respective salts,
 26 but including the following:

- 27 1. Raw opium;
- 28 2. Opium extracts;
- 29 3. Opium fluid extracts;
- 30 4. Powdered opium;
- 31 5. Granulated opium;
- 32 6. Tincture of opium;
- 33 7. Codeine;
- 34 8. Dihydroetorphine;
- 35 9. Diprenorphine;
- 36 10. Ethylmorphine;
- 37 11. Etorphine hydrochloride;
- 38 12. Hydrocodone;
- 39 13. Hydromorphone;
- 40 14. Metopon;
- 41 15. Morphine;
- 42 16. Oripavine;
- 43 17. Oxycodone;
- 44 18. Oxymorphone;
- 45 19. Tapentadol;
- 46 20. Thebaine.

47 (2) Any salt, compound, derivative, or preparation thereof which is
 48 chemically equivalent or identical with any of the substances referred

1 to in paragraph (1) of this subsection, except that these substances
2 shall not include the isoquinoline alkaloids of opium.

3 (3) Opium poppy and poppy straw.

4 (4) Coca leaves and any salt, compound, derivative, or preparation
5 of coca leaves, and any salt, compound, derivative, or preparation
6 thereof which is chemically equivalent or identical with any of these
7 substances, but shall not include the following:

8 1. Decocainized coca leaves or extractions of coca leaves, which
9 extractions do not contain cocaine; or ecgonine; or

10 2. [¹²³I]ioflupane.

11 (5) Benzoylecgonine.

12 (6) Methylbenzoylecgonine (Cocaine - its salts, optical isomers, and
13 salts of optical isomers).

14 (7) Concentrate of poppy straw (the crude extract of poppy straw in liq-
15 uid, solid or powder form that contains the phenanthrine alkaloids of
16 the opium poppy).

17 (c) Any of the following opiates, including their isomers, esters,
18 ethers, salts, and salts of isomers, whenever the existence of these iso-
19 mers, esters, ethers and salts is possible within the specific chemical
20 designation, unless specifically excepted or unless listed in another
21 schedule:

22 (1) Alfentanil;

23 (2) Alphaprodine;

24 (3) Anileridine;

25 (4) Bezitramide;

26 (5) Bulk Dextropropoxyphene (nondosage forms);

27 (6) Carfentanil;

28 (7) Dihydrocodeine;

29 (8) Diphenoxylate;

30 (9) Fentanyl;

31 (10) Isomethadone;

32 (11) Levo-alpha-acetylmethadol (also known as levo-alpha-acetylmet-
33 hadol, levomethadyl acetate, LAAM);

34 (12) Levomethorphan;

35 (13) Levorphanol;

36 (14) Metazocine;

37 (15) Methadone;

38 (16) Methadone -- Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl
39 butane;

40 (17) Moramide -- Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl
41 propane-carboxylic acid;

42 (18) Norfentanyl (N-phenyl-N-(piperidin-4-yl) propionamide);

43 (19) Oliceridine;

44 (20) Pethidine (meperidine);

45 (201) Pethidine -- Intermediate -- A, 4-cyano-1-methyl-4-phenyl-
46 piperidine;

47 (212) Pethidine -- Intermediate -- B, ethyl-4-phenylpiperidine-4-
48 carboxylate;

49 (223) Pethidine -- Intermediate -- C, 1-methyl-4-phenylpiperid-
50 ine-4-carboxylic acid;

- 1 (234) Phenazocine;
2 (245) Piminodine;
3 (256) Racemethorphan;
4 (267) Racemorphan;
5 (278) Remifentanil;
6 (289) Sufentanil.

7 (d) Stimulants. Unless specifically excepted or unless listed in an-
8 other schedule, any material, compound, mixture, or preparation which con-
9 tains any quantity of the following substances having a stimulant effect on
10 the central nervous system:

- 11 (1) Amphetamine, its salts, optical isomers, and salts of its optical
12 isomers;
13 (2) Lisdexamfetamine;
14 (3) Methamphetamine, its salts, isomers, and salts of its isomers;
15 (4) Phenmetrazine and its salts;
16 (5) Methylphenidate.

17 (e) Depressants. Unless specifically excepted or unless listed in an-
18 other schedule, any material, compound, mixture, or preparation which con-
19 tains any quantity of the following substances having a depressant effect on
20 the central nervous system, including its salts, isomers, and salts of iso-
21 mers, whenever the existence of such salts, isomers, and salts of isomers is
22 possible within the specific chemical designation:

- 23 (1) Amobarbital;
24 (2) Glutethimide;
25 (3) Pentobarbital;
26 (4) Phencyclidine;
27 (5) Secobarbital.

28 (f) Hallucinogenic substances.

- 29 (1) Nabilone (another name for nabilone:
30 (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hy-
31 droxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one) (21 CFR 1308.12 (f)).

32 (g) Immediate precursors. Unless specifically excepted or unless
33 listed in another schedule, any material, compound, mixture, or preparation
34 which contains any quantity of the following substances:

- 35 (1) Immediate precursor to amphetamine and methamphetamine:
36 (a) Anthranilic acid;
37 (b) Ephedrine;
38 (c) Lead acetate;
39 (d) Methylamine;
40 (e) Methyl formamide;
41 (f) N-methylephedrine;
42 (g) Phenylacetic acid;
43 (h) Phenylacetone;
44 (i) Phenylpropanolamine;
45 (j) Pseudoephedrine.

46 Except that any combination or compound containing ephedrine, or any of
47 its salts and isomers, or phenylpropanolamine or its salts and isomers,
48 or pseudoephedrine, or any of its salts and isomers which is prepared
49 for dispensing or over-the-counter distribution is not a controlled
50 substance for the purpose of this section, unless such substance is pos-

1 sessed, delivered, or possessed with intent to deliver to another with
2 the intent to manufacture methamphetamine, amphetamine or any other
3 controlled substance in violation of section 37-2732, Idaho Code. For
4 purposes of this provision, the requirements of the uniform controlled
5 substances act shall not apply to a manufacturer, wholesaler or re-
6 tailer of over-the-counter products containing the listed substances
7 unless such person possesses, delivers, or possesses with intent to
8 deliver to another the over-the-counter product with intent to manufac-
9 ture a controlled substance.

10 (2) Immediate precursors to phencyclidine (PCP):

11 (a) 1-phenylcyclohexylamine;

12 (b) 1-piperidinocyclohexanecarbonitrile (PCC).

13 (3) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperi-
14 dine (ANPP).

15 SECTION 3. That Section 37-2711, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and
18 other substances, by whatever official name, common or usual name, chemical
19 name, or brand name designated, listed in this section.

20 (b) Narcotic drugs. Unless specifically excepted or unless listed in
21 another schedule, any material, compound, mixture, or preparation contain-
22 ing any of the following narcotic drugs, or their salts calculated as the
23 free anhydrous base or alkaloid, in limited quantities as set forth below:

24 (1) No more than 1 milligram of difenoxin and not less than 25 micro-
25 grams of atropine sulfate per dosage unit;

26 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-
27 3-methyl-2-propionoxybutane)-i;

28 (3) 2- [(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (in-
29 cluding tramadol), including its salts, optical and geometric isomers,
30 and salts of isomers.

31 (c) Depressants. Unless specifically excepted or unless listed in an-
32 other schedule, any material, compound, mixture, or preparation which con-
33 tains any quantity of the following substances, including its salts, iso-
34 mers, and salts of isomers whenever the existence of such salts, isomers, and
35 salts of isomers is possible within the specific chemical designation:

36 (1) Alfaxalone 5[alpha]-pregnan-3[alpha]-ol-11,20-dione;

37 (2) Alprazolam;

38 (3) Barbital;

39 (4) Bromazepam;

40 (5) Camazepam;

41 (6) Carisoprodol;

42 (7) Chloral betaine;

43 (8) Chloral hydrate;

44 (9) Chlordiazepoxide;

45 (10) Clobazam;

46 (11) Clonazepam;

47 (12) Clorazepate;

48 (13) Clotiazepam;

49 (14) Cloxazolam;

- 1 (15) Delorazepam;
2 (16) Diazepam;
3 (17) Dichloralphenazone;
4 (18) Estazolam;
5 (19) Ethchlorvynol;
6 (20) Ethinamate;
7 (21) Ethyl loflazepate;
8 (22) Fludiazepam;
9 (23) Flurazepam;
10 (24) Fospropofol;
11 (25) Halazepam;
12 (26) Haloxazolam;
13 (27) Ketazolam;
14 (28) Lemborexant;
15 (29) Loprazolam;
16 (~~29~~30) Lorazepam;
17 (301) Lormetazepam;
18 (312) Mebutamate;
19 (323) Medazepam;
20 (334) Meprobamate;
21 (345) Methohexital;
22 (356) Methylphenobarbital (mephobarbital);
23 (367) Midazolam;
24 (378) Nimetazepam;
25 (389) Nitrazepam;
26 (~~39~~40) Nordiazepam;
27 (401) Oxazepam;
28 (412) Oxazolam;
29 (423) Paraldehyde;
30 (434) Petrichloral;
31 (445) Phenobarbital;
32 (456) Pinazepam;
33 (467) Prazepam;
34 (478) Quazepam;
35 (49) Remimazolam;
36 (50) Serdexmethylpheniate;
37 (~~48~~51) Suvorexant;
38 (~~49~~52) Temazepam;
39 (503) Tetrazepam;
40 (514) Triazolam;
41 (525) Zaleplon;
42 (536) Zolpidem;
43 (547) Zopiclone.

44 (d) Fenfluramine -- Any material, compound, mixture, or preparation
45 which contains any quantity of the following substances, including its
46 salts, isomers (whether optical, position, or geometric), and salts of such
47 isomers, whenever the existence of such salts, isomers, and salts of isomers
48 is possible:

- 49 (1) Dexfenfluramine;
50 (2) Fenfluramine.

1 (e) Stimulants. Unless specifically excepted or unless listed in an-
 2 other schedule, any material, compound, mixture, or preparation which con-
 3 tains any quantity of the following substances having a stimulant effect on
 4 the central nervous system, including its salts, isomers (whether optical,
 5 position, or geometric), and salts of such isomers whenever the existence
 6 of such salts, isomers, and salts of isomers is possible within the specific
 7 chemical designation:

- 8 (1) Cathine ((+)-norpseudoephedrine);
- 9 (2) Diethylpropion;
- 10 (3) Fencamfamin;
- 11 (4) Fenproporex;
- 12 (5) Lorcaserin;
- 13 (6) Mazindol;
- 14 (7) Mefenorex;
- 15 (8) Modafinil;
- 16 (9) Pemoline (including organometallic complexes and chelates
 17 thereof);
- 18 (10) Phentermine;
- 19 (11) Pipradrol;
- 20 (12) Sibutramine;
- 21 (13) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 22 (14) Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol,
 23 beta-amino-, carbamate (ester)).

24 (f) Other substances. Unless specifically excepted, or unless listed
 25 in another schedule, any material, compound, mixture or preparation which
 26 contains any quantity of the following substances, including its salts:

- 27 (1) Pentazocine Brexanolone (3A-hydroxy-5A-pregnan-20-one), allo-
 28 pregnanolone;
- 29 (2) Butorphanol (including its optical isomers);
- 30 (3) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-
 31 dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-
 32 yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical
 33 isomers) and its salts, isomers, and salts of isomers;
- 34 (4) Pentazocine.

35 (g) The board may except, by rule, any compound, mixture, or prepara-
 36 tion containing any depressant substance listed in subsection (c) of this
 37 section from the application of all or any part of this act if the compound,
 38 mixture, or preparation contains one (1) or more active medicinal ingredi-
 39 ents not having a depressant effect on the central nervous system, and if the
 40 admixtures are included therein in combinations, quantity, proportion, or
 41 concentration that vitiate the potential for abuse of the substances which
 42 have a depressant effect on the central nervous system.

43 SECTION 4. That Section 37-2713, Idaho Code, be, and the same is hereby
 44 amended to read as follows:

45 37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and
 46 other substances, by whatever official name, common or usual name, chemical
 47 name, or brand name designated, listed in this section.

1 (b) Narcotic drugs. Unless specifically excepted or unless listed in
2 another schedule, any material, compound, mixture, or preparation contain-
3 ing any of the following narcotic drugs and their salts, as set forth below.

4 (c) Narcotic drugs containing nonnarcotic active medicinal ingredi-
5 ents. Any compound, mixture, or preparation containing any of the follow-
6 ing limited quantities of narcotic drugs or salts thereof, which shall in-
7 clude one (1) or more nonnarcotic active medicinal ingredients in sufficient
8 proportion to confer upon the compound, mixture, or preparation, valuable
9 medicinal qualities other than those possessed by the narcotic drug alone:

10 (1) Not more than 200 milligrams of codeine per 100 milliliters or per
11 100 grams;

12 (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters
13 or per 100 grams;

14 (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters
15 or per 100 grams;

16 (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25
17 micrograms of atropine sulfate per dosage unit;

18 (5) Not more than 100 milligrams of opium per 100 milliliters or per 100
19 grams;

20 (6) Not more than 0.5 milligrams difenoxin and not less than 25 micro-
21 grams of atropine sulfate per dosage unit.

22 (d) Other substances. Unless specifically excepted or unless listed
23 in another schedule, any material, compound, mixture or preparation which
24 contains any quantity of the following substances, including its salts:

25 (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]bu-
26 tanamide) (also referred to as BRV; UCB-34714; Briviact) (including its
27 salts);

28 (2) Cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl]car-
29 bamate;

30 (3) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic
31 acid ethyl ester]-2779;

32 (34) Lacosamide;

33 (45) Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-car-
34 bonyl)pyridine-2-yl)benzamide];

35 (56) Pregabalin;

36 (67) Pyrovalerone.

37 SECTION 5. An emergency existing therefor, which emergency is hereby
38 declared to exist, this act shall be in full force and effect on and after
39 July 1, 2022.