

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 920

Short Title: Update Cont. Substance Schedules.

(Public)

Sponsors: Senator Forrester.

Referred to: Judiciary II.

April 14, 1999

A BILL TO BE ENTITLED

1 AN ACT TO UPDATE THE NORTH CAROLINA CONTROLLED SUBSTANCES
2 ACT TO ACCURATELY REFLECT THE CURRENT SCHEDULING OF
3 CONTROLLED SUBSTANCES, AS SCHEDULED BY THE DRUG
4 ENFORCEMENT ADMINISTRATION.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 90-89 reads as rewritten:

8 **"§ 90-89. Schedule I controlled substances.**

9 This schedule includes the controlled substances listed or to be listed by whatever
10 official name, common or usual name, chemical name, or trade name designated. In
11 determining that a substance comes within this schedule, the Commission shall find: a
12 high potential for abuse, no currently accepted medical use in the United States, or a lack
13 of accepted safety for use in treatment under medical supervision. The following
14 controlled substances are included in this schedule:

- 15 (1) Any of the following opiates, including the isomers, esters, ethers, salts
16 and salts of isomers, esters, and ethers, unless specifically excepted, or
17 listed in another schedule, whenever the existence of such isomers,
18 esters, ethers, and salts is possible within the specific chemical
19 designation:

- 1 a. Acetyl-alpha-methylfentanyl (N[1-(1-methyl-2-phenethyl)-4-
- 2 piperidinyl]-N-phenylacetamide).
- 3 b. Acetylmethadol.
- 4 c. Repealed by Session Laws 1987, c. 412, s. 2.
- 5 d. Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
- 6 piperidinyl]-N-phenylpropanamide).
- 7 e. Allylprodine.
- 8 f. Alphacetylmethadol.
- 9 g. Alphameprodine.
- 10 h. Alphamethadol.
- 11 i. Alpha-methylfentanyl (N-(1-(alpha-methyl-beta-phenyl) ethyl-4-
- 12 piperidyl) propionalilide; 1(1-methyl-2-phenyl-ethyl)-4-(N-
- 13 propanilido) piperidine).
- 14 j. Benzethidine.
- 15 k. Betacetylmethadol.
- 16 l. Beta-hydroxfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
- 17 piperidinyl]-N-phenylpropanamide).
- 18 m. Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-
- 19 3-methyl-4-piperidinyl]-N-phenylpropanamide).
- 20 n. Betameprodine.
- 21 o. Betamethadol.
- 22 p. Betaprodine.
- 23 q. Clonitazene.
- 24 r. Dextromoramide.
- 25 s. Diampromide.
- 26 t. Diethylthiambutene.
- 27 u. Difenoxin.
- 28 v. Dimenoxadol.
- 29 w. Dimepheptanol.
- 30 x. Dimethylthiambutene.
- 31 y. Dioxaphetyl butyrate.
- 32 z. Dipipanone.
- 33 aa. Ethylmethylthiambutene.
- 34 bb. Etonitazene.
- 35 cc. Etoxidine.
- 36 dd. Furethidine.
- 37 ee. Hydroxypethidine.
- 38 ff. Ketobemidone.
- 39 gg. Levomoramide.
- 40 hh. Levophenacymorphan.
- 41 ii. 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
- 42 jj. 3-Methylfentanyl (N-[3-methyl-1-(2-Phenylethyl)-4-Pi- peridyl]-
- 43 N-Phenylpropanamide).

- 1 kk. 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)-ethyl-4-
2 piperidinyl]-N-phenylpropanamide).
3 ll. Morpheridine.
4 mm. Noracymethadol.
5 nn. Norlevorphanol.
6 oo. Normethadone.
7 pp. Norpipanone.
8 qq. Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
9 piperidinyl]-propanamide.
10 rr. Phenadoxone.
11 ss. Phenampromide.
12 tt. 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
13 uu. Phenomorphan.
14 vv. Phenoperidine.
15 ww. Piritramide.
16 xx. Proheptazine.
17 yy. Properidine.
18 zz. Propiram.
19 aaa. Racemoramide.
20 bbb. Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-
21 propanamide.
22 ccc. Tilidine.
23 ddd. Trimeperidine.
24 (2) Any of the following opium derivatives, including their salts, isomers,
25 and salts of isomers, unless specifically excepted, or listed in another
26 schedule, whenever the existence of such salts, isomers, and salts of
27 isomers is possible within the specific chemical designation:
28 a. Acetorphine.
29 b. Acetyldihydrocodeine.
30 c. Benzylmorphine.
31 d. Codeine methylbromide.
32 e. Codeine-N-Oxide.
33 f. Cyprenorphine.
34 g. Desomorphine.
35 h. Dihydromorphine.
36 i. Etorphine (except hydrochloride salt).
37 j. Heroin.
38 k. Hydromorphanol.
39 l. Methyldesorphine.
40 m. Methyldihydromorphine.
41 n. Morphine methylbromide.
42 o. Morphine methylsulfonate.
43 p. Morphine-N-Oxide.

- 1 q. Myrophine.
2 r. Nicocodeine.
3 s. Nicomorphine.
4 t. Normorphine.
5 u. Pholcodine.
6 v. Thebacon.
7 w. Drotebanol.
- 8 (3) Any material, compound, mixture, or preparation which contains any
9 quantity of the following hallucinogenic substances, including their
10 salts, isomers, and salts of isomers, unless specifically excepted, or
11 listed in another schedule, whenever the existence of such salts, isomers,
12 and salts of isomers is possible within the specific chemical designation:
- 13 a. 3, 4-methylenedioxyamphetamine.
14 b. 5-methoxy-3, 4-methylenedioxyamphetamine.
15 c. 3, 4-Methylenedioxymethamphetamine (MDMA).
16 d. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-
17 ethyl-alpha-methyl-3,4-(methylenedioxy)phenethylamine, N-
18 ethyl MDA, MDE, and MDEA).
19 e. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-
20 hydroxy-alpha-methyl-3,4-(methylenedioxy)phenethylamine, and
21 N-hydroxy MDA).
22 f. 3, 4, 5-trimethoxyamphetamine.
23 g. Alpha-ethyltryptamine. Some trade or other names: etryptamine,
24 Monase, alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl)
25 indole, alpha-ET, and AET.
26 h. Bufotenine.
27 i. Diethyltryptamine.
28 j. Dimethyltryptamine.
29 k. 4-methyl-2, 5-dimethoxyamphetamine.
30 l. Ibogaine.
31 m. Lysergic acid diethylamide.
32 n. Mescaline.
33 o. Peyote, meaning all parts of the plant presently classified
34 botanically as *Lophophora Williamsii* Lemaire, whether growing
35 or not; the seeds thereof; any extract from any part of such plant;
36 and every compound, manufacture, salt, derivative, mixture or
37 preparation of such plant, its seed or extracts.
38 p. N-ethyl-3-piperidyl benzilate.
39 q. N-methyl-3-piperidyl benzilate.
40 r. Psilocybin.
41 s. Psilocin.
42 t. 2, 5-dimethoxyamphetamine.

- 1 u. 2, 5-dimethoxy-4-ethylamphetamine. Some trade or other names:
2 DOET.
- 3 v. 4-bromo-2, 5-dimethoxyamphetamine.
- 4 w. 4-methoxyamphetamine.
- 5 x. Ethylamine analog of phencyclidine. Some trade or other names:
6 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)
7 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine,
8 PCE.
- 9 y. Pyrrolidine analog of phencyclidine. Some trade or other names:
10 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
- 11 z. Thiophene analog of phencyclidine. Some trade or other names:
12 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of
13 phencyclidine, TPCP, TCP.
- 14 aa. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names:
15 TCPy.
- 16 bb. Parahexyl.
- 17 cc. 4-Bromo-2, 5-Dimethoxyphenethylamine.
- 18 (4) Any material compound, mixture, or preparation which contains any
19 quantity of the following substances having a depressant effect on the
20 central nervous system, including its salts, isomers, and salts of isomers
21 whenever the existence of such salts, isomers, and salts of isomers is
22 possible within the specific chemical designation, unless specifically
23 excepted or unless listed in another schedule:
- 24 a. Mecloqualone.
- 25 b. Methaqualone.
- 26 (5) Stimulants. – Unless specifically excepted or unless listed in another
27 schedule, any material, compound, mixture, or preparation that contains
28 any quantity of the following substances having a stimulant effect on the
29 central nervous system, including its salts, isomers, and salts of isomers:
- 30 a. Aminorex. Some trade or other names: aminoxaphen; 2-amino-5-
31 phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine.
- 32 b. Cathinone. Some trade or other names: 2-amino-1-phenyl-1-
33 propanone, alpha-aminopropiophenone, 2-aminopropiophenone,
34 and norephedrone.
- 35 c. Fenethylamine.
- 36 d. Methcathinone. Some trade or other names: 2- (methylamino)-
37 propiophenone, alpha- (methylamino)propiophenone, 2-
38 (methylamino)-1- phenylpropan-1-one, alpha-N-
39 methylaminopropiophenone, monomethylpropion, ephedrone,
40 N-methylcathinone, methylcathinone, AL-464, AL-422, AL-463,
41 and UR1432.

- 1 e. (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-
2 phenyl-2-oxazolamine] (also known as 2-amino-4-methyl-5-
3 phenyl-2-oxazoline).
4 f. N,N-dimethylamphetamine. Some other names: N,N,alpha-
5 trimethylbenzeneethanamine; N,N,alpha-
6 trimethylphenethylamine.
7 g. N-ethylamphetamine."

8 Section 2. G.S. 90-90 reads as rewritten:

9 **"§ 90-90. Schedule II controlled substances.**

10 This schedule includes the controlled substances listed or to be listed by whatever
11 official name, common or usual name, chemical name, or trade name designated. In
12 determining that a substance comes within this schedule, the Commission shall find: a
13 high potential for abuse; currently accepted medical use in the United States, or currently
14 accepted medical use with severe restrictions; and the abuse of the substance may lead to
15 severe psychic or physical dependence. The following controlled substances are included
16 in this schedule:

17 (1) Any of the following substances whether produced directly or indirectly
18 by extraction from substances of vegetable origin, or independently by
19 means of chemical synthesis, or by a combination of extraction and
20 chemical synthesis, unless specifically excepted or unless listed in
21 another schedule:

22 a. Opium and opiate, and any salt, compound, derivative, or
23 preparation of opium and opiate, excluding apomorphine,
24 ~~thebaine derived butorphanol,~~ nalbuphine, dextrorphan, naloxone,
25 naltrexone and nalmefene, and their respective salts, but
26 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. Ethylmorphine.
- 35 9. Etorphine hydrochloride.
- 36 10. Hydrocodone.
- 37 11. Hydromorphone.
- 38 12. Metopon.
- 39 13. Morphine.
- 40 14. Oxycodone.
- 41 15. Oxymorphone.
- 42 16. Thebaine.

- 1 b. Any salt, compound, derivative, or preparation thereof which is
2 chemically equivalent or identical with any of the substances
3 referred to in paragraph 1 of this subdivision, except that these
4 substances shall not include the isoquinoline alkaloids of opium.
5 c. Opium poppy and poppy straw.
6 d. Cocaine and any salt, isomer, salts of isomers, compound,
7 derivative, or preparation thereof, or coca leaves and any salt,
8 isomer, salts of isomers, compound, derivative, or preparation of
9 coca leaves, or any salt, isomer, salts of isomers, compound,
10 derivative, or preparation thereof which is chemically equivalent
11 or identical with any of these substances, except that the
12 substances shall not include decocanized coca leaves or
13 extraction of coca leaves, which extractions do not contain
14 cocaine or ecgonine.
15 e. Concentrate of poppy straw (the crude extract of poppy straw in
16 either liquid, solid or powder form which contains the
17 phenanthrine alkaloids of the opium poppy).
18 (2) Any of the following opiates, including their isomers, esters, ethers,
19 salts, and salts of isomers, whenever the existence of such isomers,
20 esters, ethers, and salts is possible within the specific chemical
21 designation unless specifically exempted or listed in other schedules:
22 a. Alfentanil.
23 b. Alphaprodine.
24 c. Anileridine.
25 d. Bezitramide.
26 e. Carfentanil.
27 f. Dihydrocodeine.
28 g. Diphenoxylate.
29 h. Fentanyl.
30 i. Isomethadone.
31 j. Levo-alpha-acetylmethadol. Some trade or other names: levo-
32 alpha-acetylmethadol, levomethadyl acetate, or LAAM.
33 k. Levomethorphan.
34 l. Levorphanol.
35 m. Metazocine.
36 n. Methadone.
37 o. Methadone – Intermediate, 4-cyano-2-dimethylamino-4, 4-
38 diphenyl butane.
39 p. Moramide – Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-
40 propane-carboxylic acid.
41 q. Pethidine.
42 r. Pethidine – Intermediate – A, 4-cyano-1-methyl-4-
43 phenylpiperidine.

- 1 s. Pethidine – Intermediate – B, ethyl-4-phenylpiperidine-4-
2 carboxylate.
- 3 t Pethidine – Intermediate – C, 1-methyl-4-phenylpiperidine-4-
4 carboxylic acid.
- 5 u Phenazocine.
- 6 v. Piminodine.
- 7 w. Racemethorphan.
- 8 x. Racemorphan.
- 9 y. Remifentanil.
- 10 z. Sufentanil.
- 11 (3) Any material, compound, mixture, or preparation which contains any
12 quantity of the following substances having a potential for abuse
13 associated with a stimulant effect on the central nervous system unless
14 specifically exempted or listed in another schedule:
- 15 a. Amphetamine, its salts, optical isomers, and salts of its optical
16 isomers.
- 17 b. Phenmetrazine and its salts.
- 18 c. Methamphetamine, including its salts, isomers, and salts of
19 isomers.
- 20 d. Methylphenidate.
- 21 e. Phenylacetone. Some trade or other names: Phenyl-2-propanone;
22 P2P; benzyl methyl ketone; methyl benzyl ketone.
- 23 (4) Any material, compound, mixture, or preparation which contains any
24 quantity of the following substances having a depressant effect on the
25 central nervous system, including its salts, isomers, and salts of isomers
26 whenever the existence of such salts, isomers, and salts of isomers is
27 possible within the specific chemical designation, unless specifically
28 exempted by the Commission or listed in another schedule:
- 29 a. Amobarbital
- 30 b. Glutethimide
- 31 c. Repealed by Session Laws 1983, c. 695, s. 2.
- 32 d. Pentobarbital
- 33 e. Phencyclidine
- 34 f. Phencyclidine immediate precursors:
- 35 a. 1-Phenylcyclohexylamine
- 36 b. 1-Piperidinocyclohexanecarbonitrile (PCC)
- 37 g. Secobarbital.
- 38 (5) Any material, compound, mixture, or preparation which contains any
39 quantity of the following hallucinogenic substances, including their
40 salts, isomers, and salts of isomers, unless specifically excepted, or
41 listed in another schedule, whenever the existence of such salts, isomers,
42 and salts of isomers is possible within the specific chemical designation:

- 1 a. Dronabinol (synthetic) in sesame oil and encapsulated in a soft
2 gelatin capsule in a U.S. Food and Drug Administration approved
3 drug product. [Some other names:(6aR-trans)-6a,7,8,10a-
4 tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d] pyra n-1-ol,
5 or (-)-delta-9-(trans)-tetrahydrocannabinol].
- 6 b. Nabilone [Another name for nabilone: (+/-)-trans-3-(1,1-
7 dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-
8 dimethyl-9H-dibenzo[b,d]pyran-9-one]."

9 Section 3. G.S. 90-92(a) reads as rewritten:

10 "(a) This schedule includes the controlled substances listed or to be listed by
11 whatever official name, common or usual name, chemical name, or trade name
12 designated. In determining that a substance comes within this schedule, the Commission
13 shall find: a low potential for abuse relative to the substances listed in Schedule III of this
14 Article; currently accepted medical use in the United States; and limited physical or
15 psychological dependence relative to the substances listed in Schedule III of this Article.
16 The following controlled substances are included in this schedule:

17 (1) Depressants. – Unless specifically excepted or unless listed in another
18 schedule, any material, compound, mixture, or preparation which
19 contains any quantity of the following substances, including its salts,
20 isomers, and salts of isomers whenever the existence of such salts,
21 isomers, and salts of isomers is possible within the specific chemical
22 designation:

- 23 a. Alprazolam.
- 24 b. Barbital.
- 25 c. Bromazepam.
- 26 d. Camazepam.
- 27 e. Chloral betaine.
- 28 f. Chloral hydrate.
- 29 g. Chlordiazepoxide.
- 30 h. Clobazam.
- 31 i. Clonazepam.
- 32 j. Clorazepate.
- 33 k. Clotiazepam.
- 34 l. Cloxazolam.
- 35 m. Delorazepam.
- 36 n. Diazepam.
- 37 o. Estazolam.
- 38 p. Ethchlorvynol.
- 39 q. Ethinamate.
- 40 r. Ethyl loflazepate.
- 41 s. Fludiazepam.
- 42 t. Flunitrazepam.
- 43 u. Flurazepam.

- 1 v. Gamma Hydroxybutyric Acid.
2 w. Halazepam.
3 x. Haloxazolam.
4 y. Ketazolam.
5 z. Loprazolam.
6 aa. Lorazepam.
7 bb. Lormetazepam.
8 cc. Mebutamate.
9 dd. Medazepam.
10 ee. Meprobamate.
11 ff. Methohexital.
12 gg. Methylphenobarbital (mephobarbital).
13 hh. Midazolam.
14 ii. Nimetazepam.
15 jj. Nitrazepam.
16 kk. Nordiazepam.
17 ll. Oxazepam.
18 mm. Oxazolam.
19 nn. Paraldehyde.
20 oo. Petrichloral.
21 pp. Phenobarbital.
22 qq. Pinazepam.
23 rr. Prazepam.
24 ss. Quazepam.
25 tt. Temazepam.
26 uu. Tetrazepam.
27 vv. Triazolam.
28 ww. Zolpidem.
- 29 (2) Any material, compound, mixture, or preparation which contains any of
30 the following substances, including its salts, or isomers and salts of such
31 isomers, whenever the existence of such salts, isomers, and salts of
32 isomers is possible:
33 a. Fenfluramine.
34 b. Pentazocine.
- 35 (3) Stimulants. – Unless specifically excepted or unless listed in another
36 schedule, any material, compound, mixture, or preparation which
37 contains any quantity of the following substances having a stimulant
38 effect on the central nervous system, including its salts, isomers
39 (whether optical, position, or geometric), and salts of such isomers
40 whenever the existence of such salts, isomers, and salts of isomers is
41 possible within the specific chemical designation:
42 a. Diethylpropion.
43 b. Mazindol.

- 1 c. Pemoline (including organometallic complexes and chelates
2 thereof).
- 3 d. Phentermine.
- 4 e. Cathine.
- 5 f. Fencamfamin.
- 6 g. Fenproporex.
- 7 h. Mefenorex.
- 8 i. Sibutramine.
- 9 (4) Other Substances. – Unless specifically excepted or unless listed in
10 another schedule, any material, compound, mixture or preparation
11 which contains any quantity of the following substances, including its
12 salts:
- 13 a. Dextropropoxyphene (Alpha-(plus)-4-dimethylamino-1, 2-
14 diphenyl-3-methyl-2-propionoxybutane).
- 15 b. Pipradrol.
- 16 c. SPA ((-)-1-dimethylamino-1, 2-diphenylethane).
- 17 d. Butorphanol.
- 18 (5) Narcotic Drugs. – Unless specifically excepted or unless listed in
19 another schedule, any material, compound, mixture, or preparation
20 containing limited quantities of any of the following narcotic drugs, or
21 any salts thereof:
- 22 a. Not more than 1 milligram of difenoxin and not less than 25
23 micrograms of atropine sulfate per dosage unit.
- 24 b. Buprenorphine."
- 25 Section 4. This act is effective when it becomes law.