

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 464*
Committee Substitute Favorable 4/5/17
Committee Substitute #2 Favorable 4/19/17

Short Title: Revise Schedule of Controlled Substances.

(Public)

Sponsors:

Referred to:

March 27, 2017

A BILL TO BE ENTITLED

AN ACT REVISING THE SCHEDULE OF CONTROLLED SUBSTANCES TO ADD SYNTHETIC FENTANYLS, DESIGNER HALLUCINOGENICS, SYNTHETIC CANNABINOIDS, SYSTEM DEPRESSANTS, AND OTHER SUBSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known and may be cited as the "Synthetic Opioid and Other Dangerous Drug Control Act."

SECTION 2. G.S. 90-87 reads as rewritten:

"§ 90-87. Definitions.

As used in this Article:

...

(14a) The term "isomer" means, ~~except as used in G.S. 90-87(17)(d), G.S. 90-89(e), G.S. 90-90(1)d., and G.S. 90-95(h)(3), the optical isomer. As used in G.S. 90-89(e) the term "isomer" means the optical, position, or geometric isomer. As used in G.S. 90-87(17)(d), G.S. 90-90(1)d., and G.S. 90-95(h)(3) the term "isomer" means the optical isomer or diastereoisomer.~~ any type of isomer, including structural, geometric, or optical isomers, and stereoisomers.

...

(17) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- a. ~~Opium and opiate,~~ Opium, opiate and opioid, and any salt, compound, derivative, or preparation of ~~opium or opiate.~~ opium, opiate, or opioid.
- b. Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause a, but not including the isoquinoline alkaloids of opium.
- c. Opium poppy and poppy straw.
- d. Cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative, or preparation



1 thereof which is chemically equivalent or identical with any of these
 2 substances, except that the substances shall not include decocanized
 3 coca leaves or extraction of coca leaves, which extractions do not
 4 contain cocaine or ecgonine.

5 (18) "Opiate" means any substance having an addiction-forming or
 6 addiction-sustaining liability similar to morphine or being capable of
 7 conversion into a drug having addiction-forming or addiction-sustaining
 8 liability. It does not include, unless specifically designated as controlled
 9 under G.S. 90-88, the dextrorotatory isomer of
 10 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan). It does
 11 include its racemic and levorotatory forms.

12 (18a) "Opioid" means any synthetic narcotic drug having opiate-like activities but
 13 is not derived from opium.

14"

15 **SECTION 3.** G.S. 90-89 reads as rewritten:

16 **"§ 90-89. Schedule I controlled substances.**

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

23 (1) Opiates. — Any of the following ~~opiates, opiates or opioids~~, including the
 24 isomers, esters, ethers, salts and salts of isomers, esters, and ethers, unless
 25 specifically excepted, or listed in another schedule, whenever the existence
 26 of such isomers, esters, ethers, and salts is possible within the specific
 27 chemical designation:

28 a. Acetyl-alpha-methylfentanyl

29 (N[1-(1-methyl-2-phenethyl)-4/y-piperidinyl]-N-phenylacet amide).

30 b. Acetylmethadol.

31 c. Repealed by Session Laws 1987, c. 412, s. 2.

32 d. Alpha-methylthiofentanyl

33 (N-[1-methyl-2-(2-thienyl)ethyl/y-4/y-piperidinyl]-N-phenylpropana
 34 mide).

35 e. Allylprodine.

36 f. ~~Alphacetylmethadol.~~ Alphacetylmethadol (except
 37 levo-alphacetylmethadol, also known as levomethadyl acetate and
 38 LAAM).

39 g. Alphameprodine.

40 h. Alphamethadol.

41 i. Alpha-methylfentanyl (N-(1-(alpha-methyl-beta-phenyl)
 42 ethyl-4-piperidyl) propionalilide;
 43 1(1-methyl-2-phenyl-ethyl)-4-(N-propanilido) piperidine).

44 j. Benzethidine.

45 k. Betacetylmethadol.

46 l. Beta-hydroxfentanyl

47 (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide
 48).

49 m. Beta-hydroxy-3-methylfentanyl

50 (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-pheny
 51 lpropanamide).

1	n.	Betameprodine.
2	o.	Betamethadol.
3	p.	Betaprodine.
4	q.	Clonitazene.
5	r.	Dextromoramide.
6	s.	Diampromide.
7	t.	Diethylthiambutene.
8	u.	Difenoxin.
9	v.	Dimenoxadol.
10	w.	Dimepheptanol.
11	x.	Dimethylthiambutene.
12	y.	Dioxaphetyl butyrate.
13	z.	Dipipanone.
14	aa.	Ethylmethylthiambutene.
15	bb.	Etonitazene.
16	cc.	Etoxidine.
17	dd.	Furethidine.
18	ee.	Hydroxypethidine.
19	ff.	Ketobemidone.
20	gg.	Levomoramide.
21	hh.	Levophenacymorphan.
22	ii.	1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
23	jj.	3-Methylfentanyl
24		(N-[3-methyl-1-(2-Phenylethyl)-4-Pi- peridyl]-N-Phenylpropanamid
25		e).
26	kk.	3-Methylthiofentanyl
27		(N-[(3-methyl-1-(2-thienyl)ethyl)/y-4-piperidinyl]-N-phenylpropanam
28		ide).
29	ll.	Morpheridine.
30	mm.	Noracymethadol.
31	nn.	Norlevorphanol.
32	oo.	Normethadone.
33	pp.	Norpipanone.
34	qq.	Para-fluorofentanyl
35		(N-(4-fluorophenyl)-N-[1-(2-phen-ethyl)-4-piperidinyl]-propanamide
36		.
37	rr.	Phenadoxone.
38	ss.	Phenampromide.
39	tt.	1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
40	uu.	Phenomorphan.
41	vv.	Phenoperidine.
42	ww.	Piritramide.
43	xx.	Proheptazine.
44	yy.	Properidine.
45	zz.	Propiram.
46	aaa.	Racemoramide.
47	bbb.	Thiofentanyl
48		(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide.
49	ccc.	Tilidine.
50	ddd.	Trimeperidine.
51	eee.	Acetyl Fentanyl.

1 fff.

2 Trans-3,4-dichloro-N-(2(dimethylamino)cyclohexyl)-N-methyl-b
3 enzamide (U47700).

4 (1a) Fentanyl derivatives. – Any compounds derived from
5 N-[1-(2-phenylethyl)-4-piperidinyl]-N-phenylpropanamide (Fentanyl) by
6 any substitution on or replacement of the phenethyl group, any substitution
7 on the piperidine ring, any substitution on or replacement of the
8 propanamide group, any substitution on the anilido phenyl group, or any
9 combination of the above unless specifically excepted or listed in another
10 schedule to include their salts, isomers, and salts of isomers. Fentanyl
11 derivatives include, but are not limited to, the following:

12 a. N-(1-phenylethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide (also
13 known as Furanyl Fentanyl).

14 b. N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide;
15 N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (also known as
16 Butyryl Fentanyl).

17 c.

18 N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenyl
19 propionamide;

20 N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropana
21 mide (also known as Beta-Hydroxythiofentanyl).

22 d. N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]-2propenamide (also
23 known as Acrylfentanyl).

24 e. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-pentanamide (also
25 known as Valeryl Fentanyl).

26 f.

27 N-(2-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propana
28 mide (also known as 2-fluorofentanyl).

29 g.

30 N-(3-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propana
31 mide (also known as 3-fluorofentanyl).

32 h.

33 N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carbox
34 amide (also known as tetrahydrofuran fentanyl).

35 i.

36 N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]
37 -propanamide (also known as 4-fluoroisobutyryl fentanyl, 4-FIBF).

38 j. N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide
39 (also known as 4-fluorobutyryl fentanyl, 4-FBF).

40 (2) Opium derivatives. – Any of the following opium derivatives, including their
41 salts, isomers, and salts of isomers, unless specifically excepted, or listed in
42 another schedule, whenever the existence of such salts, isomers, and salts of
43 isomers is possible within the specific chemical designation:

44 a. Acetorphine.

45 b. Acetyldihydrocodeine.

46 c. Benzylmorphine.

47 d. Codeine methylbromide.

48 e. Codeine-N-Oxide.

49 f. Cyprenorphine.

50 g. Desomorphine.

51 h. Dihydromorphine.

- 1 i. Etorphine (except hydrochloride salt).
- 2 j. Heroin.
- 3 k. Hydromorphenol.
- 4 l. Methyldesorphine.
- 5 m. Methyldihydromorphine.
- 6 n. Morphine methylbromide.
- 7 o. Morphine methylsulfonate.
- 8 p. Morphine-N-Oxide.
- 9 q. Myrophine.
- 10 r. Nicocodeine.
- 11 s. Nicomorphine.
- 12 t. Normorphine.
- 13 u. Pholcodine.
- 14 v. Thebacon.
- 15 w. Drotebanol.
- 16 (3) Hallucinogenic substances. – Any material, compound, mixture, or
- 17 preparation which contains any quantity of the following hallucinogenic
- 18 substances, including their salts, isomers, and salts of isomers, unless
- 19 specifically excepted, or listed in another schedule, whenever the existence
- 20 of such salts, isomers, and salts of isomers is possible within the specific
- 21 chemical designation:
- 22 a. 3, 4-methylenedioxyamphetamine.
- 23 b. 5-methoxy-3, 4-methylenedioxyamphetamine.
- 24 c. 3, 4-Methylenedioxyamphetamine (MDMA).
- 25 d. 3,4-methylenedioxy-N-ethylamphetamine (also known as
- 26 N-ethyl-alpha-methyl-3,4-(methylenedioxy) phenethylamine, N-ethyl
- 27 MDA, MDE, and MDEA).
- 28 e. N-hydroxy-3,4-methylenedioxyamphetamine (also known as
- 29 N-hydroxy/y-alpha-methyl-3,4-(methylenedioxy) phenethylamine,
- 30 and N-hydroxy MDA).
- 31 f. 3, 4, 5-trimethoxyamphetamine.
- 32 g. Alpha-ethyltryptamine. Some trade or other names: etryptamine,
- 33 Monase, alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl)
- 34 indole, alpha-ET, and AET.
- 35 h. Bufotenine.
- 36 i. Diethyltryptamine.
- 37 j. Dimethyltryptamine.
- 38 k. 4-methyl-2, 5-dimethoxyamphetamine.
- 39 l. Ibogaine.
- 40 m. Lysergic acid diethylamide.
- 41 n. Mescaline.
- 42 o. Peyote, meaning all parts of the plant presently classified botanically
- 43 as *Lophophora Williamsii* Lemaire, whether growing or not; the
- 44 seeds thereof; any extract from any part of such plant; and every
- 45 compound, manufacture, salt, derivative, mixture or preparation of
- 46 such plant, its seed or extracts.
- 47 p. N-ethyl-3-piperidyl benzilate.
- 48 q. N-methyl-3-piperidyl benzilate.
- 49 r. Psilocybin.
- 50 s. Psilocin.
- 51 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) ethylamine,
7 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.
- 8 y. Pyrrolidine analog of phencyclidine. Some trade or other names:
9 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
- 10 z. Thiophene analog of phencyclidine. Some trade or other names:
11 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of
12 phencyclidine, TCP, TCP.
- 13 aa. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names: TCPy.
- 14 bb. Parahexyl.
- 15 cc. 4-Bromo-2, 5-Dimethoxyphenethylamine.
- 16 dd. Alpha-Methyltryptamine.
- 17 ee. 5-Methoxy-n-diisopropyltryptamine.
- 18 ff. Methoxetamine (other names: MXE, 3-MeO-2-Oxo-PCE).
- 19 gg. BTCP (Benzothiophenylcyclohexylpiperidine).
- 20 hh. Deschloroketamine.
- 21 jj. 3-MeO-PCP (3-methoxyphencyclidine).
- 22 kk. 4-hydroxy-MET.
- 23 ll. 4-OH-MiPT (4-hydroxy-N-methyl-N-isopropyltryptamine).
- 24 mm. 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT).
- 25 (4) Systemic depressants. – Any material compound, mixture, or preparation
26 which contains any quantity of the following substances having a depressant
27 effect on the central nervous system, including its salts, isomers, and salts of
28 isomers whenever the existence of such salts, isomers, and salts of isomers is
29 possible within the specific chemical designation, unless specifically
30 excepted or unless listed in another schedule:
- 31 a. Mecloqualone.
- 32 b. Methaqualone.
- 33 c. Gamma hydroxybutyric acid; Some other names: GHB,
34 gamma-hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic
35 acid; sodium oxybate; sodium oxybutyrate.
- 36 d. Etizolam.
- 37 e. Flubromazepam.
- 38 f. Phenazepam.
- 39 (5) Stimulants. – Unless specifically excepted or unless listed in another
40 schedule, any material, compound, mixture, or preparation that contains any
41 quantity of the following substances having a stimulant effect on the central
42 nervous system, including its salts, isomers, and salts of isomers:
- 43 a. Aminorex. Some trade or other names: aminoxaphen;
44 2-amino-5-phenyl-2-oxazoline; or
45 4,5-dihydro-5-phenyl-2-oxazolamine.
- 46 b. Cathinone. Some trade or other names:
47 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
48 2-aminopropiophenone, and norephedrone.
- 49 c. Fenethylamine.
- 50 d. Methcathinone. Some trade or other names:
51 2-(methylamino)- propiophenone,

- 1 alpha-(methylamino)propiofenone,
 2 2-(methylamino)-1-phenylpropan-1-one,
 3 alpha-N-methylamino-propiofenone, monomethylpropion,
 4 ephedrone, N-methylcathinone, methylcathinone, AL-464, AL-422,
 5 AL-463, and UR1432.
- 6 e. (+-)-cis-4-methylaminorex
 7 [(+)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine] (also known
 8 as 2-amino-4-methyl-5-phenyl-2-oxazoline).
- 9 f. N,N-dimethylamphetamine. Some other names:
 10 N,N,alpha-trimethylbenzeneethaneamine;
 11 N,N,alpha-trimethylphenethylamine.
- 12 g. N-ethylamphetamine.
- 13 h. 4-methylmethcathinone (also known as mephedrone).
- 14 i. 3,4-Methylenedioxypyrovalerone (also known as MDPV).
- 15 j. Substituted cathinones. A compound, other than bupropion, that is
 16 structurally derived from 2-amino-1-phenyl-1-propanone by
 17 modification in any of the following ways: (i) by substitution in the
 18 phenyl ring to any extent with alkyl, alkoxy, alkylendioxy,
 19 haloalkyl, or halide substituents, whether or not further substituted in
 20 the phenyl ring by one or more other univalent substituents; (ii) by
 21 substitution at the 3-position ~~with an alkyl substituent; to any extent;~~
 22 or (iii) by substitution at the nitrogen atom with ~~alkyl or dialkyl~~
 23 alkyl, dialkyl, benzyl, or methoxybenzyl groups or by inclusion of
 24 the nitrogen atom in a cyclic structure.
- 25 k. N-Benzylpiperazine.
- 26 l. 2,5 – Dimethoxy-4-(n)-propylthiophenethylamine.
- 27 (6) ~~NBOMe Compounds.~~ NBOMe compounds. – Any material compound,
 28 mixture, or preparation which contains any quantity of the following
 29 substances, including its salts, isomers, and salts of isomers whenever the
 30 existence of such salts, isomers, and salts of isomers is possible within the
 31 specific chemical designation unless specifically excepted or unless listed in
 32 another schedule:
- 33 a. 25B-NBOMe
 34 (2C-B-NBOMe)-2-(4-Bromo-2,5-dimethoxyphenyl)-N-(2-methoxyb
 35 enzyl)ethanamine.
- 36 b. 25C-NBOMe
 37 (2C-C-NBOMe)-2-(4-Chloro-2,5-dimethoxyphenyl)-N-(2-methoxyb
 38 enzyl)ethanamine.
- 39 c. 25D-NBOMe
 40 (2C-D-NBOMe)-2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxyb
 41 enzyl)ethanamine.
- 42 d. 25E-NBOMe
 43 (2C-E-NBOMe)-2-(4-Ethyl-2,5-dimethoxyphenyl)-N-(2-methoxyben
 44 zyl)ethanamine.
- 45 e. 25G-NBOMe
 46 (2C-G-NBOMe)-2-(2,5-dimethoxy-3,4-dimethylphenyl)-N-(2-metho
 47 xybenzyl)ethanamine.
- 48 f. 25H-NBOMe
 49 (2C-H-NBOMe)-2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)etha
 50 namine.

- 1 g. 25I-NBOMe
2 (2C-I-NBOMe)-2-(4-Iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenz
3 yl)ethanamine.
4 h. 25N-NBOMe
5 (2C-N-NBOMe)-2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxyben
6 zyl)ethanamine.
7 i. 25P-NBOMe
8 (2C-P-NBOMe)-2-(4-Propyl-2,5-dimethoxyphenyl)-N-(2-methoxybe
9 nzyl)ethanamine.
10 j. 25T2-NBOMe
11 (2C-T2-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-(
12 methylthio)-benzeneethanamine.
13 k. 25T4-NBOMe
14 (2C-T4-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-[(
15 1-methylethyl)thio]-benzeneethanamine.
16 l. 25T7-NBOMe
17 (2C-T7-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-(p
18 ropylthio)-benzeneethanamine.

19 (7) Synthetic cannabinoids. – Any quantity of any synthetic chemical compound
20 that (i) is a cannabinoid receptor agonist and mimics the pharmacological
21 effect of naturally occurring substances or (ii) has a stimulant, depressant, or
22 hallucinogenic effect on the central nervous system that is not listed as a
23 controlled substance in Schedules I through V, and is not an FDA-approved
24 drug. Synthetic cannabinoids include, but are not limited to, the substances
25 listed in sub-subdivisions a. through p. of this subdivision and any substance
26 that contains any quantity of their salts, isomers (whether optical, positional,
27 or geometric), homologues, and salts of isomers and homologues, unless
28 specifically excepted, whenever the existence of these salts, isomers,
29 homologues, and salts of isomers and homologues is possible within the
30 specific chemical designation. The following substances are examples of
31 synthetic cannabinoids and are not intended to be inclusive of the substances
32 included in this Schedule:

- 33 a. Naphthoylindoles. Any compound containing a
34 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom
35 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
36 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or
37 2-(4-morpholinyl)ethyl group, whether or not further substituted in
38 the indole ring to any extent and whether or not substituted in the
39 naphthyl ring to any extent. Some trade or other names: JWH-015,
40 JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200,
41 JWH-210, JWH-398, AM-2201, and WIN 55-212.
42 b. Naphthylmethylindoles. Any compound containing a
43 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the
44 nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
45 cycloalkylmethyl, cycloalkylethyl,
46 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
47 whether or not further substituted in the indole ring to any extent and
48 whether or not substituted in the naphthyl ring to any extent.
49 c. Naphthoylpyrroles. Any compound containing a
50 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen
51 atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl,

- 1 k. Indole carboxaldehydes. Any compound structurally derived from
2 1H-indole-3-carboxaldehyde or 1H-indole-2-carboxaldehyde
3 substituted in both of the following ways:
4 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
5 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
7 1-(N-methyl-2-pyrrolidinyl)methyl,
8 1-(N-methyl-3-morpholinyl)methyl,
9 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
10 2. At the carbon of the carboxaldehyde by a phenyl, benzyl,
11 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
12 whether or not the compound is further modified to any extent in the
13 following ways: (i) substitution to the indole ring to any extent, (ii)
14 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
15 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
16 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
17 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
18 in this class include, but are not limited to: AB-001.
19 l. Indole carboxamides. Any compound structurally derived from
20 1H-indole-3-carboxamide or 1H-indole-2-carboxamide substituted in
21 both of the following ways:
22 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
23 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
24 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
25 1-(N-methyl-2-pyrrolidinyl)methyl,
26 1-(N-methyl-3-morpholinyl)methyl,
27 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
28 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
29 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
30 whether or not the compound is further modified to any extent in the
31 following ways: (i) substitution to the indole ring to any extent, (ii)
32 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
33 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
34 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
35 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
36 in this class include, but are not limited to: SDB-001 and STS-135.
37 m. Indole carboxylic acids. Any compound structurally derived from
38 1H-indole-3-carboxylic acid or 1H-indole-2-carboxylic acid
39 substituted in both of the following ways:
40 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
41 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
42 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
43 1-(N-methyl-2-pyrrolidinyl)methyl,
44 1-(N-methyl-3-morpholinyl)methyl,
45 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
46 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
47 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
48 whether or not the compound is further modified to any
49 extent in the following ways: (i) substitution to the indole ring
50 to any extent, (ii) substitution to the phenyl, benzyl, naphthyl,
51 adamantyl, cyclopropyl, or propionaldehyde group to any

- 1 extent, (iii) a nitrogen heterocyclic analog of the indole ring,
2 or (iv) a nitrogen heterocyclic analog of the phenyl, benzyl,
3 naphthyl, adamantyl, or cyclopropyl ring. Substances in this
4 class include, but are not limited to: SDB-001 and STS-135.
5 whether or not the compound is further modified to any extent in the
6 following ways: (i) substitution to the indole ring to any extent, (ii)
7 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
8 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
9 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
10 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
11 in this class include, but are not limited to: PB-22 and fluoro-PB-22.
- 12 n. Indazole carboxaldehydes. Any compound structurally derived from
13 1H-indazole-3-carboxaldehyde or 1H-indazole-2-carboxaldehyde
14 substituted in both of the following ways:
15 1. At the nitrogen atom of the indazole ring by an alkyl,
16 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
17 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
18 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
19 1-(N-methyl-3-morpholinyl)methyl,
20 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
21 2. At the carbon of the carboxaldehyde by a phenyl, benzyl,
22 whether or not the compound is further modified to any extent in the
23 following ways: (i) substitution to the indazole ring to any extent, (ii)
24 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
25 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
26 analog of the indazole ring, or (iv) a nitrogen heterocyclic analog of
27 the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.
- 28 o. Indazole carboxamides. Any compound structurally derived from
29 1H-indazole-3-carboxamide or 1H-indazole-2-carboxamide
30 substituted in both of the following ways:
31 1. At the nitrogen atom of the indazole ring by an alkyl,
32 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
33 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
34 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
35 1-(N-methyl-3-morpholinyl)methyl,
36 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
37 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
38 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
39 whether or not the compound is further modified to any extent in the
40 following ways: (i) substitution to the indazole ring to any extent, (ii)
41 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
42 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
43 analog of the indazole ring, or (iv) a nitrogen heterocyclic analog of
44 the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.
45 Substances in this class include, but are not limited to: AKB-48,
46 fluoro-AKB-48, APINCACA, AB-PINACA, AB-FUBINACA,
47 ADB-FUBINACA, and ADB-PINACA.
- 48 p. Indazole carboxylic acids. Any compound structurally derived from
49 1H-indazole-3-carboxylic acid or 1H-indazole-2-carboxylic acid
50 substituted in both of the following ways:

- 1 1. At the nitrogen atom of the indazole ring by an alkyl,
2 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
3 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
4 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
5 1-(N-methyl-3-morpholinyl)methyl,
6 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
7 2. At the hydroxyl group of the carboxylic acid by a phenyl,
8 benzyl, naphthyl, adamantyl, cyclopropyl, or
9 propionaldehyde group; whether or not the compound is
10 further modified to any extent in the following ways: (i)
11 substitution to the indazole ring to any extent, (ii) substitution
12 to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or
13 propionaldehyde group to any extent, (iii) a nitrogen
14 heterocyclic analog of the indazole ring, or (iv) a nitrogen
15 heterocyclic analog of the phenyl, benzyl, naphthyl,
16 adamantyl, or cyclopropyl ring."

17 **SECTION 4.** G.S. 90-90 reads as rewritten:

18 **"§ 90-90. Schedule II controlled substances.**

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

- 25 (1) Any of the following substances whether produced directly or indirectly by
26 extraction from substances of vegetable origin, or independently by means
27 of chemical synthesis, or by a combination of extraction and chemical
28 synthesis, unless specifically excepted or unless listed in another schedule:
 - 29 a. ~~Opium and~~ Opium, opiate, or opioid and any salt, compound,
30 derivative, or preparation of opium and opiate, excluding
31 apomorphine, nalbuphine, dextrorphan, naloxone, naltrexone and
32 nalmefene, and their respective salts, but including the following:
 - 33 1. Raw opium.
 - 34 2. Opium extracts.
 - 35 3. Opium fluid extracts.
 - 36 4. Powdered opium.
 - 37 5. Granulated opium.
 - 38 6. Tincture of opium.
 - 39 7. Codeine.
 - 40 8. Ethylmorphine.
 - 41 9. Etorphine hydrochloride.
 - 42 10. ~~Hydrocodone.~~ Any material, compound, mixture, or
43 preparation which contains any quantity of hydrocodone.
 - 44 11. Hydromorphone.
 - 45 12. Metopon.
 - 46 13. Morphine.
 - 47 14. Oxycodone.
 - 48 15. Oxymorphone.
 - 49 16. Thebaine.
 - 50 17. Dihydroetorphine.

- 1 b. Any salt, compound, derivative, or preparation thereof which is
2 chemically equivalent or identical with any of the substances referred
3 to in paragraph 1 of this subdivision, except that these substances
4 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, derivative,
7 or preparation thereof, or coca leaves and any salt, isomer, salts of
8 isomers, compound, derivative, or preparation of coca leaves, or any
9 salt, isomer, salts of isomers, compound, derivative, or preparation
10 thereof which is chemically equivalent or identical with any of these
11 substances, except that the substances shall not include decocanized
12 coca leaves or extraction of coca leaves, which extractions do not
13 contain cocaine or ecgonine.
- 14 e. Concentrate of poppy straw (the crude extract of poppy straw in
15 either liquid, solid or powder form which contains the phenanthrine
16 alkaloids of the opium poppy).
- 17 (2) Any of the following ~~opiates, opiates or opioids~~, including their isomers,
18 esters, ethers, salts, and salts of isomers, whenever the existence of such
19 isomers, esters, ethers, and salts is possible within the specific chemical
20 designation unless specifically exempted or listed in other schedules:
- 21 a. Alfentanil.
- 22 b. Alphaprodine.
- 23 c. Anileridine.
- 24 d. Bezitramide.
- 25 e. Carfentanil.
- 26 f. Dihydrocodeine.
- 27 g. Diphenoxylate.
- 28 h. Fentanyl.
- 29 i. Isomethadone.
- 30 j. Levo-alpha-acetylmethadol. Some trade or other names:
31 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM.
- 32 k. Levomethorphan.
- 33 l. Levorphanol.
- 34 m. Metazocine.
- 35 n. Methadone.
- 36 o. Methadone – Intermediate, 4-cyano-2-dimethylamino-4,
37 4/y- diphenyl butane.
- 38 p. Moramide – Intermediate, 2-methyl-3-morpholino-1,
39 1-diphenyl-propane-carboxylic acid.
- 40 q. Pethidine.
- 41 r. Pethidine – Intermediate – A,
42 4-cyano-1-methyl-4/y-phenylpiperidine.
- 43 s. Pethidine – Intermediate – B,
44 ethyl-4-phenylpiperidine-4-carboxylate.
- 45 t. Pethidine – Intermediate – C,
46 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 47 u. Phenazocine.
- 48 v. Piminodine.
- 49 w. Racemethorphan.
- 50 x. Racemorphan.
- 51 y. Remifentanil.

- 1 z. Sufentanil.
 2 aa. Tapentadol.

3"

4 **SECTION 5.** G.S. 90-91 reads as rewritten:

5 **"§ 90-91. Schedule III controlled substances.**

6 This schedule includes the controlled substances listed or to be listed by whatever official
 7 name, common or usual name, chemical name, or trade name designated. In determining that a
 8 substance comes within this schedule, the Commission shall find: a potential for abuse less than
 9 the substances listed in Schedules I and II; currently accepted medical use in the United States;
 10 and abuse may lead to moderate or low physical dependence or high psychological dependence.
 11 The following controlled substances are included in this schedule:

12 ...

13 (d) Any material, compound, mixture, or preparation containing limited quantities of
 14 any of the following narcotic drugs, or any salts thereof unless specifically exempted or listed
 15 in another schedule:

- 16 1. Not more than 1.80 grams of codeine per 100 milliliters or not more than 90
 17 milligrams per dosage unit with an equal or greater quantity of an
 18 isoquinoline alkaloid of opium.
 19 2. Not more than 1.80 grams of codeine per 100 milliliters or not more than 90
 20 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
 21 in recognized therapeutic amounts.
 22 ~~3. Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
 23 ~~more than 15 milligrams per dosage unit with a four fold or greater quantity~~
 24 ~~of an isoquinoline alkaloid of opium.~~
 25 ~~4. Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
 26 ~~more than 15 milligrams per dosage unit, with one or more active,~~
 27 ~~nonnarcotic ingredients in recognized therapeutic amounts.~~
 28 5. Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more
 29 than 90 milligrams per dosage unit, with one or more active, nonnarcotic
 30 ingredients in recognized therapeutic amounts.
 31 6. Not more than 300 milligrams of ethylmorphine per 100 milliliters or not
 32 more than 15 milligrams per dosage unit, with one or more active,
 33 nonnarcotic ingredients in recognized therapeutic amounts.
 34 7. Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
 35 or not more than 25 milligrams per dosage unit, with one or more active,
 36 nonnarcotic ingredients in recognized therapeutic amounts.
 37 8. Not more than 50 milligrams of morphine per 100 milliliters or per 100
 38 grams with one or more active, nonnarcotic ingredients in recognized
 39 therapeutic amounts.
 40 9. Buprenorphine.

41 ...

42 (k) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal
 43 substance, chemically and pharmacologically related to testosterone (other than estrogens,
 44 progestins, and corticosteroids) that promotes muscle growth, including, but not limited to, the
 45 following:

- 46 1. Methandrostenolone,
 47 2. Stanozolol,
 48 3. Ethylestrenol,
 49 4. Nandrolone phenpropionate,
 50 5. Nandrolone decanoate,
 51 6. Testosterone propionate,

- 1 7. Chorionic gonadotropin,
 2 8. Boldenone,
 3 8a. Boldione,
 4 9. Chlorotestosterone (4-chlorotestosterone),
 5 10. Clostebol,
 6 11. Dehydrochlormethyltestosterone,
 7 11a. Desoxymethyltestosterone
 8 (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol) (also known as
 9 madol),
 10 12. Dibydrotestosterone (4-dihydrotestosterone),
 11 13. Drostanolone,
 12 14. Fluoxymesterone,
 13 15. Formebolone (formebolone),
 14 16. Mesterolene,
 15 17. Methandienone,
 16 18. Methandranone,
 17 19. Methandriol,
 18 19a. Methasterone,
 19 20. Methenolene,
 20 21. Methyltestosterone,
 21 22. Mibolerone,
 22 23. Nandrolene,
 23 24. Norethandrolene,
 24 25. Oxandrolone,
 25 26. Oxymesterone,
 26 27. Oxymetholone,
 27 28. Stanolone,
 28 29. Testolactone,
 29 30. Testosterone,
 30 31. Trenbolone,~~and~~
 31 31a. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione), and
 32 32. Any salt, ester, or isomer of a drug or substance described or listed in this
 33 subsection, if that salt, ester, or isomer promotes muscle growth. Except
 34 such term does not include (i) an anabolic steroid which is expressly
 35 intended for administration through implants to cattle or other nonhuman
 36 species and which has been approved by the Secretary of Health and Human
 37 Services for such administration or (ii) chorionic gonadotropin when
 38 administered by injection for veterinary use by a licensed veterinarian or the
 39 veterinarian's designated agent. If any person prescribes, dispenses, or
 40 distributes such steroid for human use, such person shall be considered to
 41 have prescribed, dispensed, or distributed an anabolic steroid within the
 42 meaning of this subsection.

43 "

44 **SECTION 6.** G.S. 90-92 reads as rewritten:

45 "**§ 90-92. Schedule IV controlled substances.**

46 (a) This schedule includes the controlled substances listed or to be listed by whatever
 47 official name, common or usual name, chemical name, or trade name designated. In
 48 determining that a substance comes within this schedule, the Commission shall find: a low
 49 potential for abuse relative to the substances listed in Schedule III of this Article; currently
 50 accepted medical use in the United States; and limited physical or psychological dependence

1 relative to the substances listed in Schedule III of this Article. The following controlled
2 substances are included in this schedule:

3 (1) Depressants. – Unless specifically excepted or unless listed in another
4 schedule, any material, compound, mixture, or preparation which contains
5 any quantity of the following substances, including its salts, isomers, and
6 salts of isomers whenever the existence of such salts, isomers, and salts of
7 isomers is possible within the specific chemical designation:

- 8 a. Alprazolam.
- 9 b. Barbitol.
- 10 c. Bromazepam.
- 11 d. Camazepam.
- 12 d1. Carisoprodol.
- 13 e. Chloral betaine.
- 14 f. Chloral hydrate.
- 15 g. Chlordiazepoxide.
- 16 h. Clobazam.
- 17 i. Clonazepam.
- 18 j. Clorazepate.
- 19 k. Clotiazepam.
- 20 l. Cloxazolam.
- 21 m. Delorazepam.
- 22 n. Diazepam.
- 23 n1. Dichloralphenazone.
- 24 o. Estazolam.
- 25 p. Ethchlorvynol.
- 26 q. Ethinamate.
- 27 r. Ethyl loflazepate.
- 28 s. Fludiazepam.
- 29 t. Flunitrazepam.
- 30 u. Flurazepam.
- 31 u1. Fospropol.
- 32 v. Repealed by Session Laws 2000, c. 140, s. 92.2(c).
- 33 w. Halazepam.
- 34 x. Haloxazolam.
- 35 y. Ketazolam.
- 36 z. Loprazolam.
- 37 aa. Lorazepam.
- 38 bb. Lormetazepam.
- 39 cc. Mebutamate.
- 40 dd. Medazepam.
- 41 ee. Meprobamate.
- 42 ff. Methohexital.
- 43 gg. Methylphenobarbital (mephobarbital).
- 44 hh. Midazolam.
- 45 ii. Nimetazepam.
- 46 jj. Nitrazepam.
- 47 kk. Nordiazepam.
- 48 ll. Oxazepam.
- 49 mm. Oxazolam.
- 50 nn. Paraldehyde.
- 51 oo. Petrichloral.

- 1 pp. Phenobarbital.
- 2 qq. Pinazepam.
- 3 rr. Prazepam.
- 4 ss. Quazepam.
- 5 tt. Temazepam.
- 6 uu. Tetrazepam.
- 7 vv. Triazolam.
- 8 ww. Zolpidem.
- 9 xx. Zaleplon.
- 10 yy. Zopiclone.

- 11 ...
- 12 (5) Narcotic Drugs. – Unless specifically excepted or unless listed in another
- 13 schedule, any material, compound, mixture, or preparation containing
- 14 limited quantities of any of the following narcotic drugs, or any salts thereof:
- 15 a. Not more than 1 milligram of difenoxin and not less than 25
- 16 micrograms of atropine sulfate per dosage unit.
- 17 ~~b. Buprenorphine.~~
- 18 c. Tramadol."

19 **SECTION 7.** G.S. 90-93(a) is amended by adding a new subdivision to read:

20 "**§ 90-93. Schedule V controlled substances.**

21 (a) This schedule includes the controlled substances listed or to be listed by whatever

22 official name, common or usual name, chemical name, or trade name designated. In

23 determining that a substance comes within this schedule, the Commission shall find: a low

24 potential for abuse relative to the substances listed in Schedule IV of this Article; currently

25 accepted medical use in the United States; and limited physical or psychological dependence

26 relative to the substances listed in Schedule IV of this Article. The following controlled

27 substances are included in this schedule:

- 28 ...
- 29 (4) Anticonvulsants. – Unless specifically exempted or excluded or unless listed
- 30 in another schedule, any material, compound, mixture, or preparation which
- 31 contains any quantity of the following substances having a stimulant effect
- 32 on the central nervous system, including its salts, isomers, and salts of
- 33 isomers:
- 34 a. Ezogabine.
- 35 b. Lacosamide.
- 36 c. Brivaracetam.
- 37 d. Pregabalin."

38 **SECTION 8.** G.S. 90-94(3) is repealed.

39 **SECTION 9.** This act becomes effective December 1, 2017, and applies to

40 offenses committed on or after that date.