

Introduced by

Judiciary Committee

(At the request of the State Board of Pharmacy)

1 A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-09,  
2 19-03.1-11, and 19-03.1-13 of the North Dakota Century Code, relating to the scheduling of  
3 controlled substances.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 19-03.1-05 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **19-03.1-05. Schedule I.**

8 1. The controlled substances listed in this section are included in schedule I.

9 2. Schedule I consists of the drugs and other substances, by whatever official name,  
10 common or usual name, chemical name, or brand name designated, listed in this  
11 section.

12 3. Opiates. Unless specifically excepted or unless listed in another schedule, any of the  
13 following opiates, including their isomers, esters, ethers, salts, and salts of isomers,  
14 esters, and ethers, whenever the existence of those isomers, esters, ethers, and salts  
15 is possible within the specific chemical designation:

16 a. Acetyl-alpha-methylfentanyl (also known as  
17 N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).

18 b. Acetylmethadol.

19 c. Allylprodine.

20 d. Alphacetylmethadol.

21 e. Alphameprodine.

22 f. Alphamethadol.

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- 1 g. Alpha-methylfentanyl (also known as
- 2 N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;
- 3 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).
- 4 h. Alpha-methylthiofentanyl (also known as N-[1-methyl-2-
- 5 (2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).
- 6 i. Benzethidine.
- 7 j. Betacetylmethadol.
- 8 k. Beta-hydroxyfentanyl (also known as N-[1-(2-hydroxy-2-
- 9 phenethyl)-4-piperidinyl]-N-phenylpropanamide).
- 10 l. Beta-hydroxy-3-methylfentanyl (also known as N-[1-(2-hydroxy-2-
- 11 phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).
- 12 m. Betameprodine.
- 13 n. Betamethadol.
- 14 o. Betaprodine.
- 15 p. Clonitazene.
- 16 q. Dextromoramide.
- 17 r. Diampromide.
- 18 s. Diethylthiambutene.
- 19 t. Difenoxin.
- 20 u. Dimenoxadol.
- 21 v. Dimepheptanol.
- 22 w. Dimethylthiambutene.
- 23 x. Dioxaphetyl butyrate.
- 24 y. Dipipanone.
- 25 z. Ethylmethylthiambutene.
- 26 aa. Etonitazene.
- 27 bb. Etoxidine.
- 28 cc. Furethidine.
- 29 dd. Hydroxypethidine.
- 30 ee. Ketobemidone.
- 31 ff. Levomoramide.

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- 1           gg. Levophenacymorphan.
- 2           hh. 3-Methylfentanyl (also known as N-[3-methyl-1-(2-phenylethyl)
- 3                 4-piperidyl]-N-phenylpropanamide).
- 4           ii. 3-Methylthiofentanyl (also known as N-[3-methyl-1-(2-
- 5                 thienyl)ethyl-4-piperidiny]-N-phenylpropanamide).
- 6           jj. Morpheridine.
- 7           kk. MPPP (also known as 1-methyl-4-phenyl-4-propionoxypiperidine).
- 8           ll. Noracymethadol.
- 9           mm. Norlevorphanol.
- 10          nn. Normethadone.
- 11          oo. Norpipanone.
- 12          pp. Para-fluorofentanyl (also known as N-(4-fluorophenyl)-N-[1-(2-
- 13                 phenethyl)-4-piperidiny] propanamide).
- 14          qq. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-acetoxypiperidine).
- 15          rr. Phenadoxone.
- 16          ss. Phenampromide.
- 17          tt. Phenomorphan.
- 18          uu. Phenoperidine.
- 19          vv. Piritramide.
- 20          ww. Proheptazine.
- 21          xx. Properidine.
- 22          yy. Propiram.
- 23          zz. Racemoramide.
- 24          aaa. Thiofentanyl (also known as N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 25                 piperidiny]-propanamide).
- 26          bbb. Tilidine.
- 27          ccc. Trimeperidine.
- 28          4. Opium derivatives. Unless specifically excepted or unless listed in another schedule,
- 29                 any of the following opium derivatives, its salts, isomers, and salts of isomers
- 30                 whenever the existence of such salts, isomers, and salts of isomers is possible within
- 31                 the specific chemical designation:

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- 1 a. Acetorphine.
- 2 b. Acetyldihydrocodeine.
- 3 c. Benzylmorphine.
- 4 d. Codeine methylbromide.
- 5 e. Codeine-N-Oxide.
- 6 f. Cyrenorphine.
- 7 g. Desomorphine.
- 8 h. Dihydromorphine.
- 9 i. Drotebanol.
- 10 j. Etorphine (except hydrochloride salt).
- 11 k. Heroin.
- 12 l. Hydromorphinol.
- 13 m. Methyldesorphine.
- 14 n. Methyldihydromorphine.
- 15 o. Morphine methylbromide.
- 16 p. Morphine methylsulfonate.
- 17 q. Morphine-N-Oxide.
- 18 r. Myrophine.
- 19 s. Nicocodeine.
- 20 t. Nicomorphine.
- 21 u. Normorphine.
- 22 v. Pholcodine.
- 23 w. Thebacon.
- 24 5. Hallucinogenic substances. Unless specifically excepted or unless listed in another  
25 schedule, any material, compound, mixture, or preparation containing any quantity of  
26 the following hallucinogenic substances, including their salts, isomers, and salts of  
27 isomers whenever the existence of those salts, isomers, and salts of isomers is  
28 possible within the specific chemical designation (for purposes of this subsection only,  
29 the term "isomer" includes the optical, position, and geometric isomers):
  - 30 a. Alpha-ethyltryptamine, its optical isomers, salts, and salts of isomers (also known  
31 as etryptamine; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole).

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- 1           b. Alpha-methyltryptamine.
- 2           c. 4-bromo-2, 5-dimethoxy-amphetamine (also known as 4-bromo-2,
- 3                 5-dimethoxy-a-methylphenethylamine; 4-bromo-2, 5-DMA).
- 4           d. 4-bromo-2, 5-dimethoxyphenethylamine (also known as 4-bromo-2, 5-DMPEA).
- 5           e. 2,5-dimethoxy-amphetamine (also known as 2,
- 6                 5-dimethoxy-a-methylphenethylamine; 2, 5-DMA).
- 7           f. 2,5-dimethoxy-4-ethylamphetamine (also known as DOET).
- 8           g. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (also known as 2C-T-7).
- 9           h. 4-methoxyamphetamine (also known as 4-methoxy-a-methylphenethylamine;
- 10                 paramethoxyamphetamine; PMA).
- 11           i. 5-methoxy-3,4-methylenedioxy-amphetamine.
- 12           j. 4-methyl-2,5-dimethoxy-amphetamine (also known as
- 13                 4-methyl-2,5-dimethoxy-a-methylphenethylamine; DOM and STP).
- 14           k. 5-Methoxy-N,N-Dimethyltryptamine.
- 15           l. 3,4-methylenedioxy amphetamine.
- 16           l.m. 3,4-methylenedioxymethamphetamine (also known as MDMA).
- 17           m.n. 3,4-methylenedioxy-N-ethylamphetamine (also known as
- 18                 N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl, MDA, MDE,
- 19                 MDEA.
- 20           n.o. N-hydroxy-3,4-methylenedioxyamphetamine (also known as
- 21                 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenylamine, and N-hydroxy MDA.
- 22           o.p. 3,4,5-trimethoxy amphetamine.
- 23           p.q. Bufotenine (also known as 3-(Beta-Dimethyl-aminoethyl)-5-hydroxyindole;
- 24                 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin;
- 25                 5-hydroxy-N,N-dimethyltryptamine; mappine).
- 26           q.r. 5-methoxy-N,N-diisopropyltryptamine.
- 27           r.s. Diethyltryptamine (also known as N, N-Diethyltryptamine; DET).
- 28           s.t. Dimethyltryptamine (also known as DMT).
- 29           t.u. Hashish.

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- 1           u-v. Ibogaine (also known as 7-Ethyl-6, 6B, 7, 8, 9, 10, 12,  
2                           13-octahydro-2-methoxy-6, 9-methano-5 H-pyrido [1', 2':1,2] azepino (5,4-b)  
3                           indole; Tabernanthe iboga).
- 4           v-w. Lysergic acid diethylamide.
- 5           w-x. Marijuana.
- 6           x-y. Mescaline.
- 7           y-z. Parahexyl (also known as 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-  
8                           6,6,9-trimethyl-6H-dibenzol[b,d]pyran; Synhexyl).
- 9           z-aa. Peyote (all parts of the plant presently classified botanically as Lophophora  
10                           williamsii Lemaire, whether growing or not, the seeds thereof, any extract from  
11                           any part of such plant, and every compound, manufacture, salts, derivative,  
12                           mixture, or preparation of such plant, its seeds, or its extracts).
- 13          aa-bb. N-ethyl-3-piperidyl benzilate.
- 14          bb-cc. N-methyl-3-piperidyl benzilate.
- 15          cc-dd. Psilocybin.
- 16          dd-ee. Psilocyn.
- 17          ee-ff. ~~Tetrahydrocannabinols (synthetic) equivalents of the substances contained in the~~  
18                           ~~plant, or in the resinous extractives of Cannabis, sp. Or synthetic substances,~~  
19                           ~~derivatives, and their isomers with similar chemical structure and~~  
20                           ~~pharmacological activity such as the following. meaning tetrahydrocannabinols~~  
21                           ~~naturally contained in a plant of the genus Cannabis (cannabis plant), as well as~~  
22                           ~~synthetic equivalents of the substances contained in the cannabis plant, or in the~~  
23                           ~~resinous extractives of such plant, including synthetic substances, derivatives,~~  
24                           ~~and their isomers with similar chemical structure and pharmacological activity to~~  
25                           ~~those substances contained in the plant, such as the following:~~
- 26                           (1) Delta-1 cis or trans tetrahydrocannabinol, and their optical isomers.
- 27                           (2) Delta-6 cis or trans tetrahydrocannabinol, and their optical isomers.
- 28                           (3) Delta-3,4 cis or trans tetrahydrocannabinol, and its optical isomers.
- 29                           (Since nomenclature of these substances is not internationally standardized,  
30                           compounds of these structures, regardless of numerical designation of atomic  
31                           positions covered.)

1            gg.    Cannabinoids, synthetic. This subdivision contains the synthetic chemicals which  
2                            have similar effects on the cannabinoid receptors. It includes the chemicals listed  
3                            below, including their homologues, salts, isomers, and salts of isomers. The term  
4                            "isomer" includes the optical, position, and geometric isomers.

5                            (1)    5-(1,1Dimethylheptyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol - Other  
6                            names: CP 47,497.

7                            (2)    5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other  
8                            names: cannabicyclohexanol and CP-47,497 C8 homologue.

9                            (3)    1-Butyl-3-(1-naphthoyl)indole - Other names: JWH-073.

10                           (4)    1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole - Other names: JWH-200.

11                           (5)    1-Pentyl-3-(4-methoxy-1-naphthoyl)indole - Other names: JWH-081.

12                           (6)    1-Pentyl-3-(1-naphthoyl)indole - Other names: JWH-018 and AM678.

13                           (7)    [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,  
14                            10a-tetrahydrobenzo[c]chromen-1-ol)] - Other names: HU-210.

15                           (8)    (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,  
16                            10a-tetrahydrobenzo[c]chromen-1-ol) - Other names: - dexanabinol and  
17                            HU-211.

18            ff-hh.    Ethylamine analog of phencyclidine (also known as  
19                            N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine,  
20                            N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE).

21            gg-ii.    Pyrrolidine analog of phencyclidine (also known as  
22                            1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP).

23            hh-jj.    Thiophene analog of phencyclidine (also known as (1-[1-(2-thienyl) cyclohexyl]  
24                            piperidine; 2-Thienylanalog of phencyclidine; TPCP, TCP).

25            ii-kk.    1-[1-(2-thienyl)cyclohexyl]pyrrolidine (also known as TCPy).

26            jj-ll.    Salvia divinorum, salvinorin A, or any of the active ingredients of salvia divinorum.

27            6.    Depressants. Unless specifically excepted or unless listed in another schedule, any  
28                            material compound, mixture, or preparation which contains any quantity of the  
29                            following substances having a depressant effect on the central nervous system,  
30                            whenever the existence of such salts, isomers, and salts of isomers is possible within  
31                            the specific chemical designation:

- 1 a. Flunitrazepam.
- 2 b. Gamma-hydroxybutyric acid.
- 3 c. Mecloqualone.
- 4 d. Methaqualone.
- 5 7. Stimulants. Unless specifically excepted or unless listed in another schedule, any
- 6 material, compound, mixture, or preparation which contains any quantity of the
- 7 following substances having a stimulant effect on the central nervous system,
- 8 including its salts, isomers, and salts of isomers:
  - 9 a. Aminorex (also known as 2-amino-5-phenyl-2-oxazoline, or
  - 10 4,5-dihydro-5-phenyl-2-oxazolamine).
  - 11 b. Cathinone (also known as 2-amino-1-phenyl-1-propanone,
  - 12 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone).
  - 13 c. Fenethylamine.
  - 14 d. Mephedrone (2-methylamino-1-p-tolylpropan-1-one) also known as
  - 15 4-methylmethcathinone (4-MMC), 4-methylephedrone.
  - 16 e. (±)cis-4-methylaminorex (also known as
  - 17 (±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).
  - 18 f. 3,4-Methylenedioxypropylamphetamine (MDPV).
  - 19 e.g. Methcathinone (also known as (2-methylamino-1-phenylpropan-1-one).
  - 20 f.h. N-Benzylpiperazine (also known as BZP, 1-benzylpiperazine).
  - 21 g.i. N-ethylamphetamine.
  - 22 h.j. N, N-dimethylamphetamine (also known as
  - 23 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine).

24 **SECTION 2. AMENDMENT.** Section 19-03.1-07 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26 **19-03.1-07. Schedule II.**

- 27 1. The controlled substances listed in this section are included in schedule II.
- 28 2. Schedule II consists of the drugs and other substances, by whatever official name,
- 29 common or usual name, chemical name, or brand name designated, listed in this
- 30 section.



- 1           3.   Substances, vegetable origin or chemical synthesis. Unless specifically excepted or  
2           unless listed in another schedule, any of the following substances whether produced  
3           directly or indirectly by extraction from substances of vegetable origin, or  
4           independently by means of chemical synthesis, or by a combination of extraction and  
5           chemical synthesis:
- 6           a.   Opium and opiate, and any salt, compound, derivative, or preparation of opium or  
7           opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone,  
8           and naltrexone and their respective salts, but including the following:
- 9           (1)   Codeine.  
10          (2)   Dihydroetorphine.  
11          (3)   Ethylmorphine.  
12          (4)   Etorphine hydrochloride.  
13          (5)   Granulated opium.  
14          (6)   Hydrocodone.  
15          (7)   Hydromorphone.  
16          (8)   Metopon.  
17          (9)   Morphine.  
18          (10)  Opium extracts.  
19          (11)  Opium fluid.  
20          (12)  Oripavine.  
21          (13)  Oxycodone.  
22          (14)  Oxymorphone.  
23          (15)  Powder opium.  
24          (16)  Raw opium.  
25          (17)  Thebaine.  
26          (18)  Tincture of opium.
- 27          b.   Any salt, compound, derivative, or preparation thereof which is chemically  
28          equivalent or identical with any of the substances referred to in subdivision a, but  
29          not including the isoquinoline alkaloids of opium.  
30          c.   Opium poppy and poppy straw.

- 1           d.   Coca leaves and any salt, compound, derivative, or preparation of coca leaves,  
2           including cocaine and ecgonine and their salts, isomers, derivatives, and salts of  
3           isomers and derivatives, and any salt, compound, derivative, or preparation  
4           thereof that is chemically equivalent or identical with any of these substances,  
5           except that the nondosage substances must include decocainized coca leaves or  
6           extractions of coca leaves which do not contain cocaine or ecgonine.
- 7           e.   Concentrate of poppy straw (the crude extract of poppy straw in either liquid,  
8           solid, or powder form which contains the phenanthrine alkaloids of the opium  
9           poppy).
- 10          4.   Opiates. Unless specifically excepted or unless in another schedule, any of the  
11          following opiates, including their isomers, esters, ethers, salts, and salts of isomers,  
12          esters, and ethers whenever the existence of those isomers, esters, ethers, and salts  
13          is possible within the specific chemical designation, dextrophan and  
14          levopropoxyphene excepted:
- 15          a.   Alfentanil.
- 16          b.   Alphaprodine.
- 17          c.   Anileridine.
- 18          d.   Bezitramide.
- 19          e.   Bulk dextropropoxyphene (nondosage forms).
- 20          f.   Carfentanil.
- 21          g.   Dihydrocodeine.
- 22          h.   Diphenoxylate.
- 23          i.   Fentanyl.
- 24          j.   Isomethadone.
- 25          k.   Levo-alphaacetylmethadol (LAAM).
- 26          l.   Levomethorphan.
- 27          m.   Levorphanol.
- 28          n.   Metazocine.
- 29          o.   Methadone.
- 30          p.   Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane.

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- 1 q. Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic
- 2 acid.
- 3 r. Pethidine (also known as meperidine).
- 4 s. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.
- 5 t. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.
- 6 u. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 7 v. Phenazocine.
- 8 w. Priminodine.
- 9 x. Racemethorphan.
- 10 y. Racemorphan.
- 11 z. Remifentanil.
- 12 aa. Sufentanil.
- 13 bb. Tapentadol.
- 14 5. Stimulants. Unless specifically excepted or unless listed in another schedule, any
- 15 material, compound, mixture, or preparation which contains any quantity of the
- 16 following substances having a stimulant effect on the central nervous system:
- 17 a. Amphetamine, its salts, optical isomers, and salts of its optical isomers.
- 18 b. Lisdexamfetamine, its salts, isomers, and salts of isomers.
- 19 c. Methamphetamine, its salts, isomers, and salts of isomers.
- 20 d. Phenmetrazine and its salts.
- 21 e. Methylphenidate.
- 22 6. Depressants. Unless specifically excepted or unless listed in another schedule, any
- 23 material, compound, mixture, or preparation which contains any quantity of the
- 24 following substances having a depressant effect on the central nervous system,
- 25 including its salts, isomers, and salts of isomers whenever the existence of such salts,
- 26 isomers, and salts of isomers is possible within the specific chemical designation:
- 27 a. Amobarbital.
- 28 b. Glutethimide.
- 29 c. Pentobarbital.
- 30 d. Phencyclidine.
- 31 e. Secobarbital.

- 1           7.   Hallucinogenic substances. Nabilone [another name for nabilone ( $\pm$ )-trans-3-(1,  
2           1-dimethylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6, 6-dimethyl-9Hdibenzo  
3           [b, d] pyran-9-one].
- 4           8.   Immediate precursors. Unless specifically excepted or unless listed in another  
5           schedule, any material, compound, mixture, or preparation that contains any quantity  
6           of the following substances:
- 7           a.   Immediate precursor to amphetamine and methamphetamine: Phenylacetone.  
8           Some trade or other names: phenyl-2-propanone; P2P, benzyl methyl ketone;  
9           methyl benzyl ketone.
- 10          b.   Immediate precursors to phencyclidine (PCP):  
11          (1)   1-phenylcyclohexylamine.  
12          (2)   1-piperidinocyclohexanecarbonitrile (PCC).

13           **SECTION 3. AMENDMENT.** Section 19-03.1-09 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15           **19-03.1-09. Schedule III.**

- 16          1.   The controlled substances listed in this section are included in schedule III.
- 17          2.   Schedule III consists of the drugs and other substances, by whatever official name,  
18          common or usual name, chemical name, or brand name designated, listed in this  
19          section.
- 20          3.   Stimulants. Unless specifically excepted or unless listed in another schedule, any  
21          material, compound, mixture, or preparation which contains any quantity of the  
22          following substances having a stimulant effect on the central nervous system,  
23          including its salts, isomers (whether optical, position, or geometric), and salts of such  
24          isomers whenever the existence of such salts, isomers, and salts of isomers is  
25          possible within the specific chemical designation:
- 26          a.   Those compounds, mixtures, or preparations in dosage unit form containing any  
27          stimulant substances listed in schedule II and any other drug of the quantitative  
28          composition shown in that schedule for those drugs or which is the same except  
29          that it contains a lesser quantity of controlled substances.
- 30          b.   Benzphetamine.
- 31          c.   Chlorphentermine.

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- 1 d. Clortermine.
- 2 e. Phendimetrazine.
- 3 4. Depressants. Unless specifically excepted or unless listed in another schedule, any
- 4 material, compound, mixture, or preparation that contains any quantity of the following
- 5 substances having a depressant effect on the central nervous system:
- 6 a. Any compound, mixture, or preparation containing:
  - 7 (1) Amobarbital;
  - 8 (2) Secobarbital;
  - 9 (3) Pentobarbital;
- 10 or any salt thereof and one or more other active medicinal ingredients which are
- 11 not listed in any schedule.
- 12 b. Any suppository dosage form containing:
  - 13 (1) Amobarbital;
  - 14 (2) Secobarbital;
  - 15 (3) Pentobarbital;
- 16 or any salt of any of these drugs and approved by the food and drug
- 17 administration for marketing only as a suppository.
- 18 c. Any substance that contains any quantity of a derivative of barbituric acid, or any
- 19 salt of a derivative of barbituric acid, except those substances which are
- 20 specifically listed in other schedules thereof.
- 21 d. Chlorhexadol.
- 22 e. Embutramide.
- 23 f. Gamma-hydroxybutyric acid in a United States food and drug
- 24 administration-approved drug product.
- 25 g. Ketamine.
- 26 h. Lysergic acid.
- 27 i. Lysergic acid amide.
- 28 j. Methyprylon.
- 29 k. Sulfondiethylmethane.
- 30 l. Sulfonethylmethane.
- 31 m. Sulfonmethane.

- 1 n. Tiletamine and zolazepam or any salt thereof. Some trade or other names for a  
2 tiletamine-zolazepam combination product: Telazol. Some trade or other names  
3 for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other  
4 names for zolazepam: 4-2(2-fluorophenyl)-6,  
5 8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one, flupyrzapon.
- 6 5. Nalorphine.
- 7 6. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any  
8 material, compound, mixture, or preparation that contains any of the following narcotic  
9 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited  
10 quantities as set forth below:
- 11 a. (1) Not more than 1.80 grams of codeine per 100 milliliters or not more than  
12 90 milligrams per dosage unit, with an equal or greater quantity of an  
13 isoquinoline alkaloid of opium.
- 14 (2) Not more than 1.80 grams of codeine per 100 milliliters or not more than  
15 90 milligrams per dosage unit, with one or more active, nonnarcotic  
16 ingredients in recognized therapeutic amounts.
- 17 (3) Not more than 300 milligrams of hydrocodone per 100 milliliters or not more  
18 than 15 milligrams per dosage unit, with a fourfold or greater quantity of an  
19 isoquinoline alkaloid of opium.
- 20 (4) Not more than 300 milligrams of hydrocodone per 100 milliliters or not more  
21 than 15 milligrams per dosage unit, with one or more active, nonnarcotic  
22 ingredients in recognized therapeutic amounts.
- 23 (5) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more  
24 than 90 milligrams per dosage unit, with one or more active, nonnarcotic  
25 ingredients in recognized therapeutic amounts.
- 26 (6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not  
27 more than 15 milligrams per dosage unit, with one or more active,  
28 nonnarcotic ingredients in recognized therapeutic amounts.
- 29 (7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,  
30 or not more than 25 milligrams per dosage unit, with one or more active,  
31 nonnarcotic ingredients in recognized therapeutic amounts.

- 1                   (8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams  
2                   with one or more active, nonnarcotic ingredients in recognized therapeutic  
3                   amounts.
- 4           b. Buprenorphine.
- 5           7. Anabolic steroids. Unless specifically excepted or unless listed in another schedule,  
6           any material, compound, mixture, or preparation that contains any of the following  
7           anabolic steroids:
- 8           a. 3beta,17-dihydroxy-5a-androstane;  
9           b. 3alpha,17beta-dihydroxy-5a-androstane;  
10           c. 5alpha-androstan-3,17-dione;  
11           d. 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);  
12           e. 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);  
13           f. 4-androstenediol (3beta,17beta-dihydroxy-4-ene);  
14           g. 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);  
15           h. 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);  
16           i. 4-androstenedione (androst-4-en-3,17-dione);  
17           j. 5-androstenedione (androst-5-en-3,17-dione);  
18           k. Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);  
19           l. Boldenone (17beta-hydroxyandrost-1,4,-diene-3-one);  
20           m. Boldione (androsta-1,4-diene-3,17-dione);  
21           n. Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);  
22           o. Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);  
23           p. Dehydrochloromethyltestosterone  
24                   (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);  
25           q. Delta-1-dihydrotestosterone (also known as '1-testosterone')  
26                   (17beta-hydroxy-5alpha-androst-1-en-3-one);  
27           r. Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-17ol) (also known as  
28                   madol);  
29           s. 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);  
30           t. Drostanolone (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);  
31           u. Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

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- 1 v. Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,  
2 17beta-dihydroxyandrost-4-en-3-one);
- 3 w. Formebolone (2-formyl-17alpha-methyl-11alpha,  
4 17beta-dihydroxyandrost-1,4-dien-3-one);
- 5 x. Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);
- 6 y. 13beta-ethyl-17alpha-hydroxygon-4-en-3-one;
- 7 z. 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);
- 8 aa. 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);
- 9 bb. Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
- 10 cc. Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
- 11 dd. Methandienone (17alpha-methyl-17beta-dihydroxyandrost-1,4-dien-3-one);
- 12 ee. Methandriol (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);
- 13 ff. Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
- 14 gg. 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
- 15 hh. 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
- 16 ii. 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene;
- 17 jj. 17alpha-methyl-4-hydroxynandrolone  
18 (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
- 19 kk. Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
- 20 ll. Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9(11)-trien-3-one);
- 21 mm. Methyltestosterone (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
- 22 nn. Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
- 23 oo. 17alpha-methyl-delta1-dihydrotestosterone  
24 (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known as  
25 '17-alpha-methyl-1-testosterone');
- 26 pp. Nandrolone (17beta-hydroxyestr-4-en-3-one);
- 27 qq. 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
- 28 rr. 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
- 29 ss. 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
- 30 tt. 19-nor-5-androstenediol (3alpha,17-beta-dihydroxyester-5-ene);
- 31 uu. 19-nor-4-androstenedione (estr-4-en-3,17-dione);



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- 1           vv.   19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- 2           ww.   19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 3           xx.   Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
- 4           yy.   Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
- 5           zz.   Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
- 6           aaa.   Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
- 7           bbb.   Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
- 8           ccc.   Oxymesterone (17alpha-methyl-4-17beta-dihydroxyandrost-4-en-3-one);
- 9           ddd.   Oxymetholone (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy
- 10                   [5alpha]-androstan-3-one);
- 11          eee.   Stanozolol
- 12                   (17alpha-methyl-17beta-hydroxy[5alpha]-androst-2-eno[3,2-c]-pyrazole);
- 13          fff.   Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);
- 14          ggg.   Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
- 15                   lactone);
- 16          hhh.   Testosterone (17beta-hydroxyandrost-4-en-3-one);
- 17          iii.   Tetrahydrogestrinone
- 18                   (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
- 19          jjj.   Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one);
- 20                   or any salt, ester, or isomer of a drug or substance described or listed in this
- 21                   subsection, if that salt, ester, or isomer promotes muscle growth.
- 22                   The term does not include an anabolic steroid that is expressly intended for
- 23                   administration through implants to cattle or other nonhuman species and which has
- 24                   been approved by the secretary of health and human services for administration
- 25                   unless any person prescribes, dispenses, possesses, delivers, or distributes for
- 26                   human use.
- 27          8.   Hallucinogenic substances.
- 28           a.   Dronabinol (synthetic) [(-)-delta-9-(trans)-tetrahydrocannabinol] in sesame oil and
- 29                   encapsulated in a soft gelatin capsule in a United States food and drug
- 30                   administration-approved drug product.

1           b. Any product in hard or soft gelatin capsule form containing natural dronabinol  
2           (derived from the cannabis plant) or synthetic dronabinol (produced from  
3           synthetic materials) in sesame oil, for which an abbreviated new drug application  
4           has been approved by the food and drug administration under section 505(j) of  
5           the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355(j)] which references as  
6           its listed drug the drug product referred to in subdivision a.

- 7           9. The board may except by rule any compound, mixture, or preparation containing any  
8           stimulant or depressant substance listed in subsections 3 and 4 from the application of  
9           all or any part of this chapter if the compound, mixture, or preparation contains one or  
10          more active medicinal ingredients not having a stimulant or depressant effect on the  
11          central nervous system, and if the admixtures are included therein in combinations,  
12          quantity, proportion, or concentration that vitiate the potential for abuse of the  
13          substances which have a stimulant or depressant effect on the central nervous  
14          system.

15          **SECTION 4. AMENDMENT.** Section 19-03.1-11 of the North Dakota Century Code is  
16          amended and reenacted as follows:

17          **19-03.1-11. Schedule IV.**

- 18          1. The controlled substances listed in this section are included in schedule IV.  
19          2. Schedule IV consists of the drugs and other substances, by whatever official name,  
20          common or usual name, chemical name, or brand name designated, listed in this  
21          section.  
22          3. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any  
23          material, compound, mixture, or preparation containing any of the following narcotic  
24          drugs or their salts calculated as the free anhydrous base or alkaloid, in limited  
25          quantities as set forth below:  
26                  a. Not more than 1 milligram of difenoxin and not less than 25 micrograms of  
27                  atropine sulfate per dosage unit.  
28                  b. Dextropropoxyphene (also known as alpha-(+)-4-dimethylamino-  
29                  1,2-diphenyl-3-methyl-2-propionoxybutane).  
30          4. Depressants. Unless specifically excepted or unless listed in another schedule, any  
31          material, compound, mixture, or preparation containing any quantity of the following

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- 1 substances, including their salts, isomers, and salts of isomers whenever the  
2 existence of those salts, isomers, and salts of isomers is possible within the specific  
3 chemical designation:
- 4 a. Alprazolam.
  - 5 b. Barbital.
  - 6 c. Bromazepam.
  - 7 d. ~~Butorphanol~~.
  - 8 e. Camazepam.
  - 9 e. Carisoprodol.
  - 10 f. Chloral betaine.
  - 11 g. Chloral hydrate.
  - 12 h. Chlordiazepoxide.
  - 13 i. Clobazam.
  - 14 j. Clonazepam.
  - 15 k. Clorazepate.
  - 16 l. Clotiazepam.
  - 17 m. Cloxazolam.
  - 18 n. Delorazepam.
  - 19 o. Diazepam.
  - 20 p. Dichloralphenazone.
  - 21 q. Estazolam.
  - 22 r. Ethchlorvynol.
  - 23 s. Ethinamate.
  - 24 t. Ethyl loflazepate.
  - 25 u. Fludiazepam.
  - 26 v. Flurazepam.
  - 27 w. Fospropofol.
  - 28 x. Halazepam.
  - 29 ~~y~~. Haloxazolam.
  - 30 ~~y~~-z. Indiplon.
  - 31 ~~z~~-aa. Ketazolam.

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- 1        aa.bb. Loprazolam.  
2        bb.cc. Lorazepam.  
3        ee.dd. Lormetazepam.  
4        dd.ee. Mebutamate.  
5        ee.ff. Medazepam.  
6        ff.gg. Meprobamate.  
7        gg.hh. Methohexital.  
8        hh.ii. Methylphenobarbital (also known as mephobarbital).  
9        ii.jj. Midazolam.  
10       jj.kk. Nimetazepam.  
11       kk.ll. Nitrazepam.  
12       ll.mm. Nordiazepam.  
13       mm.nn. Oxazepam.  
14       nn.oo. Oxazolam.  
15       oo.pp. Paraldehyde.  
16       pp.qq. Petrichloral.  
17       qq.rr. Phenobarbital.  
18       rr.ss. Pinazepam.  
19       tt. Propofol.  
20       ss.uu. Prazepam.  
21       tt.vv. Quazepam.  
22       uu.vv. Temazepam.  
23       vv.xx. Tetrazepam.  
24       ww.yy. Triazolam.  
25       xx.zz. Zaleplon.  
26       yy.aaa. Zolpidem.  
27       zz.bbb. Zopiclone.  
28       5. Fenfluramine. Any material, compound, mixture, or preparation which contains any  
29       quantity of the following substances, including its salts, isomers (whether optical,  
30       position, or geometric), and salts of such isomers, whenever the existence of such  
31       salts, isomers, and salts of isomers is possible: Fenfluramine.

- 1           6.   Stimulants. Unless specifically excepted or unless listed in another schedule, any  
2           material, compound, mixture, or preparation which contains any quantity of the  
3           following substances having a stimulant effect on the central nervous system,  
4           including its salts, isomers, and salts of isomers:
- 5           a.   Cathine.
  - 6           b.   Diethylpropion.
  - 7           c.   Fencamfamin.
  - 8           d.   Fenproporex.
  - 9           e.   Mazindol.
  - 10          f.   Mefenorex.
  - 11          g.   Modafinil.
  - 12          h.   Pemoline (including organometallic complexes and chelates thereof).
  - 13          i.   Phentermine.
  - 14          j.   Pipradrol.
  - 15          k.   Sibutramine.
  - 16          l.   SPA ((-)-1-dimethylamino-1, 2-diphenylethane).
- 17          7.   Other substances. Unless specifically excepted or unless listed in another schedule,  
18          any material, compound, mixture, or preparation which contains any quantity of:
- 19          a.   Pentazocine, including its salts.
  - 20          b.   Butorphanol, including its optical isomers.
- 21          8.   The board may except by rule any compound, mixture, or preparation containing any  
22          depressant substance listed in subsection 2 from the application of all or any part of  
23          this chapter if the compound, mixture, or preparation contains one or more active  
24          medicinal ingredients not having a depressant effect on the central nervous system,  
25          and if the admixtures are included therein in combinations, quantity, proportion, or  
26          concentration that vitiate the potential for abuse of the substances which have a  
27          depressant effect on the central nervous system.

28           **SECTION 5. AMENDMENT.** Section 19-03.1-13 of the North Dakota Century Code is  
29   amended and reenacted as follows:

30           **19-03.1-13. Schedule V.**

- 31           1.   The controlled substances listed in this section are included in schedule V.

- 1           2.    Schedule V consists of the drugs and other substances, by whatever official name,  
2                    common or usual name, chemical name, or brand name designated, listed in this  
3                    section.
- 4           3.    Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any  
5                    material, compound, mixture, or preparation containing ~~buprenorphine~~any of the  
6                    following narcotic drugs and their ~~or its~~ salts.
- 7           4.    Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound,  
8                    mixture, or preparation containing any of the following narcotic drugs, or their salts  
9                    calculated as the free anhydrous base or alkaloid, in limited quantities as set forth  
10                   below, which includes one or more nonnarcotic active medicinal ingredients in  
11                   sufficient proportion to confer upon the compound, mixture, or preparation valuable  
12                   medicinal qualities other than those possessed by narcotic drugs alone.
- 13           a.    Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.
- 14           b.    Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per  
15                    100 grams.
- 16           c.    Not more than 100 milligrams of ethylmorphine per 100 milliliters or per  
17                    100 grams.
- 18           d.    Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms  
19                    of atropine sulfate per dosage unit.
- 20           e.    Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- 21           f.    Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of  
22                    atropine sulfate per dosage unit.
- 23           5.    Depressants. Unless specifically exempted or excluded or unless listed in another  
24                    schedule, any material, compound, mixture, or preparation that contains any quantity  
25                    of the following substances having a depressant effect on the central nervous system,  
26                    including its salts:
- 27           a.    Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].
- 28           b.    Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].
- 29           6.    Stimulants. Unless specifically exempted or excluded or unless listed in another  
30                    schedule, any material, compound, mixture, or preparation containing any quantity of the

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- 1 following substances having a stimulant effect on the central nervous system, including their
- 2 salts, isomers, and salts of isomers: Pyrovalerone.