

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2023

By Committee on Corrections and Juvenile Justice

1-18

1 AN ACT concerning controlled substances; amending K.S.A. 65-4107,
2 65-4109 and 65-4111 and K.S.A. 2010 Supp. 65-4105 and 65-4113
3 and repealing the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 65-4105 is hereby amended to read
7 as follows: 65-4105. (a) The controlled substances listed in this section
8 are included in schedule I and the number set forth opposite each drug
9 or substance is the DEA controlled substances code which has been
10 assigned to it.

11 (b) Any of the following opiates, including their isomers, esters,
12 ethers, salts, and salts of isomers, esters and ethers, unless specifically
13 excepted, whenever the existence of these isomers, esters, ethers and
14 salts is possible within the specific chemical designation:

- 15 (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-
16 piperidinyl]-N-phenylacetamide).....9815
- 17 (2) Acetylmethadol.....9601
- 18 (3) Allylprodine.....9602
- 19 (4) Alphacetylmethadol.....9603
20 (except levo-alphacetylmethadol also known as levo-alpha-
21 acetylmethadol, levomethadyl acetate or LAAM)
- 22 (5) Alphameprodine.....9604
- 23 (6) Alphamethadol.....9605
- 24 (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-
25 piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
26 propanilido) piperidine).....9814
- 27 (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl) ethyl-4-
28 piperidinyl]-N-phenylpropanamide).....9832
- 29 (9) Benzethidine.....9606
- 30 (10) Betacetylmethadol.....9607
- 31 (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
32 piperidinyl]-N-phenylpropanamide).....9830
- 33 (12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-

| | | |
|----|--|------|
| 1 | 2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide..... | 9831 |
| 2 | (13) Betameprodine..... | 9608 |
| 3 | (14) Betamethadol..... | 9609 |
| 4 | (15) Betaprodine..... | 9611 |
| 5 | (16) Clonitazene..... | 9612 |
| 6 | (17) Dextromoramide..... | 9613 |
| 7 | (18) Diampromide..... | 9615 |
| 8 | (19) Diethylthiambutene..... | 9616 |
| 9 | (20) DifenoXin..... | 9168 |
| 10 | (21) Dimenoxadol..... | 9617 |
| 11 | (22) Dimepheptanol..... | 9618 |
| 12 | (23) Dimethylthiambutene..... | 9619 |
| 13 | (24) Dioxaphetyl butyrate..... | 9621 |
| 14 | (25) Dipipanone..... | 9622 |
| 15 | (26) Ethylmethylthiambutene..... | 9623 |
| 16 | (26) Etonitazene..... | 9624 |
| 17 | (28) EtoXeridine..... | 9625 |
| 18 | (29) Furethidine..... | 9626 |
| 19 | (30) HydroXypethidine..... | 9627 |
| 20 | (31) Ketobemidone..... | 9628 |
| 21 | (32) Levomoramide..... | 9629 |
| 22 | (33) LevophenacXlmorphan..... | 9631 |
| 23 | (34) 3-MethylfentanyX (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- | |
| 24 | N-phenylpropanamide)..... | 9813 |
| 25 | (35) 3-MethylthiofentanyX (N-[(3-methyl-1-(2-thienyl)ethyl-4- | |
| 26 | piperidinyl]- N-phenylpropanamide)..... | 9833 |
| 27 | (36) Morpheridine..... | 9632 |
| 28 | (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)..... | 9661 |
| 29 | (38) NoracXmethadol..... | 9633 |
| 30 | (39) Norlevorphanol..... | 9634 |
| 31 | (40) Normethadone..... | 9635 |
| 32 | (41) Norpipanone..... | 9636 |
| 33 | (42) Para-fluorofentanyX (N- (4-fluorophenyl)-N-[1-(2-phenethyl) -4- | |
| 34 | piperidinyl] propanamide..... | 9812 |
| 35 | (43) PEPAP (1-(2-phenethyl)-4-phenyl -4-acetoxypiperidine).... | 9663 |
| 36 | (44) Phenadoxone..... | 9637 |
| 37 | (45) Phenampromide..... | 9638 |
| 38 | (46) Phenomorphan..... | 9647 |
| 39 | (47) Phenoperidine..... | 9641 |

| | | |
|----|---|------|
| 1 | (48) Pir tramide..... | 9642 |
| 2 | (49) Proheptazine..... | 9643 |
| 3 | (50) Properidine..... | 9644 |
| 4 | (51) Propiram..... | 9649 |
| 5 | (52) Racemoramide..... | 9645 |
| 6 | (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4- piperidinyl]- | |
| 7 | propanamide..... | 9835 |
| 8 | (54) Tilidine..... | 9750 |
| 9 | (55) Trimeperidine..... | 9646 |
| 10 | (c) Any of the following opium derivatives, their salts, isomers | |
| 11 | and salts of isomers, unless specifically excepted, whenever the | |
| 12 | existence of these salts, isomers and salts of isomers is possible within | |
| 13 | the specific chemical designation: | |
| 14 | (1) Acetorphine..... | 9319 |
| 15 | (2) Acetyldihydrocodeine..... | 9051 |
| 16 | (3) Benzylmorphine..... | 9052 |
| 17 | (4) Codeine methylbromide..... | 9070 |
| 18 | (5) Codeine-N-Oxide..... | 9053 |
| 19 | (6) Cyprenorphine..... | 9054 |
| 20 | (7) Desomorphine..... | 9055 |
| 21 | (8) Dihydromorphine..... | 9145 |
| 22 | (9) Drotebanol..... | 9335 |
| 23 | (10) Etorphine (except hydrochloride salt)..... | 9056 |
| 24 | (11) Heroin..... | 9200 |
| 25 | (12) Hydromorphinol..... | 9301 |
| 26 | (13) Methyldesorphine..... | 9302 |
| 27 | (14) Methyldihydromorphine..... | 9304 |
| 28 | (15) Morphine methylbromide..... | 9305 |
| 29 | (16) Morphine methylsulfonate..... | 9306 |
| 30 | (17) Morphine-N-Oxide..... | 9307 |
| 31 | (18) Myrophine..... | 9308 |
| 32 | (19) Nicocodeine..... | 9309 |
| 33 | (20) Nicomorphine..... | 9312 |
| 34 | (21) Normorphine..... | 9313 |
| 35 | (22) Pholcodine..... | 9314 |
| 36 | (23) Thebacon..... | 9315 |
| 37 | (d) Any material, compound, mixture or preparation which | |
| 38 | contains any quantity of the following hallucinogenic substances, their | |
| 39 | salts, isomers and salts of isomers, unless specifically excepted, | |

1 whenever the existence of these salts, isomers and salts of isomers is
2 possible within the specific chemical designation:

3 (1) 4-bromo-2,5-dimethoxy-amphetamine.....7391
4 Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-
5 methylphenethylamine; 4-bromo-2,5-DMA.

6 (2) 2,5-dimethoxyamphetamine.....7396
7 Some trade or other names: 2,5-dimethoxy-alpha-methyl-
8 phenethylamine; 2,5-DMA.

9 (3) 4-methoxyamphetamine.....7411
10 4-methoxy-alpha-methylphene- thylamine; paramethoxyamphetamine;
11 PMA.

12 (4) 5-methoxy-3,4-methylenedioxy-amphetamine.....7401

13 (5) 4-methyl-2,5-dimethoxy-amphetamine.....7395
14 Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-
15 methylphenethylamine; "DOM"; and "STP".

16 (6) 3,4-methylenedioxy amphetamine.....7400

17 (7) 3,4-methylenedioxymethamphetamine (MDMA).....7405

18 (8) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-
19 ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl
20 MDA, MDE, and MDEA).....7404

21 (9) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-
22 hydroxy-alpha-methyl-3,4(methylenedioxy) phenethylamine, and N-
23 hydroxy MDA).....7402

24 (10) 3,4,5-trimethoxy amphetamine.....7390

25 (11) Bufotenine.....7433
26 Some trade or other names: 3-(Beta-Dimethyl- aminoethyl)-5-
27 hydroxyindole; 3-(2-dimethyl- aminoethyl)-5-indolol; N,N-
28 dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.

29 (12) Diethyltryptamine.....7434
30 Some trade or other names: N,N-Diethyltryptamine; DET.

31 (13) Dimethyltryptamine.....7435

32 (14) Ibogaine.....7260
33 Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-
34 octahydro-2-methoxy-6,9-methano -5H-pyrido[1',2':1,2] azepino [5,4-
35 b]indole; Tabernanthe iboga.

36 (15) Lysergic acid diethylamide.....7315

37 (16) Marihuana.....7360

38 (17) Mescaline.....7381

39 (18) Parahexyl.....7374

| | | |
|----|---|------|
| 1 | Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro- | |
| 2 | 6,6,9- trimethyl-6H-dibenzo[b,d]pyran; Synhexyl. | |
| 3 | (19) Peyote..... | 7415 |
| 4 | Meaning all parts of the plant presently classified botanically | |
| 5 | as <i>Lophophora williamsii</i> Lemaire, whether growing or not, the seeds | |
| 6 | thereof, any extract from any part of such plant, and every compound, | |
| 7 | manufacture, salts, derivative, mixture or preparation of such plant, its | |
| 8 | seeds or extracts. | |
| 9 | (20) N-ethyl-3-piperidyl benzilate..... | 7482 |
| 10 | (21) N-methyl-3-piperidyl benzilate..... | 7484 |
| 11 | (22) Psilocybin..... | 7437 |
| 12 | (23) Psilocyn..... | 7438 |
| 13 | (24) Tetrahydrocannabinols..... | 7370 |
| 14 | Synthetic equivalents of the substances contained in the plant, or in the | |
| 15 | resinous extractives of <i>Cannabis</i> , sp. and/or synthetic substances, | |
| 16 | derivatives, and their isomers with similar chemical structure and | |
| 17 | pharmacological activity such as the following: Delta 1 cis or trans | |
| 18 | tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans | |
| 19 | tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans | |
| 20 | tetrahydrocannabinol, and its optical isomers (Since nomenclature of | |
| 21 | these substances is not internationally standardized, compounds of | |
| 22 | these structures, regardless of numerical designation of atomic | |
| 23 | positions covered.) | |
| 24 | (25) Ethylamine analog of phencyclidine..... | 7455 |
| 25 | Some trade or other names: N-ethyl-1-phenyl- cyclo-hexylamine; (1- | |
| 26 | phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; | |
| 27 | cyclohexamine; PCE. | |
| 28 | (26) Pyrrolidine analog of phencyclidine..... | 7458 |
| 29 | Some trade or other names: 1-(1-phenylcyclo- hexyl)-pyrrolidine; | |
| 30 | PCPy; PHP. | |
| 31 | (27) Thiophene analog of phencyclidine..... | 7470 |
| 32 | Some trade or other names: 1-[1-(2-thienyl)- cyclohexyl]-piperidine; | |
| 33 | 2-thienyl analog of phencyclidine; TPCP; TCP. | |
| 34 | (28) L1-[1-(2-thienyl)-cyclohexyl] pyrrolidine..... | |
| 35 | Some other names: TCPy..... | 7473 |
| 36 | (29) 2,5-dimethoxy-4-ethylamphetamine..... | 7399 |
| 37 | Some trade or other names: DOET. | |
| 38 | (30) <i>Salvia divinorum</i> or <i>salvinorum</i> A; all parts of the plant presently | |
| 39 | classified botanically as <i>salvia divinorum</i> , whether growing or not, the | |

1 seeds thereof, any extract from any part of such plant, and every
 2 compound, manufacture, salts, derivative, mixture or preparation of
 3 such plant, its seeds or extracts.

4 (31) *Datura stramonium*, commonly known as gypsum weed or
 5 jimson weed; all parts of the plant presently classified botanically as
 6 *datura stramonium*, whether growing or not, the seeds thereof, any
 7 extract from any part of such plant, and every compound, manufacture,
 8 salts, derivative, mixture or preparation of such plant, its seeds or
 9 extracts.

10 (32) (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-
 11 2-yl)- 6a,7,10,10a-tetrahydrobenzo[*c*]chromen-1-ol.....7370
 12 Some trade or other names: HU-210.

13 (33) 1-Pentyl-3-(1-naphthoyl)indole
 14 Some trade or other names: JWH-018.

15 (34) 1-Butyl-3-(1-naphthoyl)indole
 16 Some trade or other names: JWH-073.

17 (35) N-benzylpiperazine.....7493
 18 Some trade or other names: BZP.
 19 Some trade or other names: TFMPP.

20 (36) 1-(3-[trifluoromethylphenyl]) piperazine
 21 (37) *4-Bromo-2,5-dimethoxyphenethylamine*.....7392
 22 (38) *2,5-dimethoxy-4-(n)-propylthiopentethylamine (2C-7), its*
 23 *optical isomers, salts and salts of optical*
 24 *isomers*.....7348
 25 (39) *Alpha-methyltryptamine (other name: AMT)*.....7432
 26 (40) *5-methoxy-N, N-diisopropyltryptamine (5-MeO-DIPT), its*
 27 *isomers, salt and salts of isomers*.....7439

28 (e) Any material, compound, mixture or preparation which
 29 contains any quantity of the following substances having a depressant
 30 effect on the central nervous system, including its salts, isomers, and
 31 salts of isomers whenever the existence of such salts, isomers, and salts
 32 of isomers is possible within the specific chemical designation:

33 (1) Mecloqualone.....2572
 34 (2) Methaqualone.....2565
 35 (3) Gamma hydroxybutyric acid

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

- 1 salts of isomers:
2 (1) Fenethylamine.....1503
3 (2) N-ethylamphetamine.....1475
4 (3) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-
5 2-oxazolamine).....1590
6 (4) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-
7 benzeneethanamine; N,N-alpha-trimethylphenethylamine).....1480
8 (5) Cathinone (some other names: 2-amino-1-phenol-1-propanone,
9 alpha-amino propiophenone, 2-amino propiophenone and norphedrone)
101235
11 (g) Any material, compound, mixture or preparation which
12 contains any quantity of the following substances:
13 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
14 its optical isomers, salts and salts of isomers.....9818
15 (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
16 (thenylfentanyl), its optical isomers, salts and salts of isomers.....9834
17 (3) Methcathinone (some other names: 2-methylamino-1-
18 phenylpropan-1-one: Ephedrone: Monomethylpropion: UR 1431, its
19 salts, optical isomers and salts of optical isomers).....1237
20 (4) Aminorex (some other names: Aminoxaphen 2-amino-5-phenyl-
21 2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine, its salts, optical
22 isomers and salts of optical isomers).....1585
23 (5) Alpha-ethyltryptamine, its optical isomers, salts and salts of
24 isomers.....7249
25 Some other names: etryptamine, alpha-methyl-1H-indole-3-
26 ethanamine; 3-(2-aminobutyl) indole.
27 Sec. 2. K.S.A. 65-4107 is hereby amended to read as follows: 65-
28 4107. (a) The controlled substances listed in this section are included in
29 schedule II and the number set forth opposite each drug or substance is
30 the DEA controlled substances code which has been assigned to it.
31 (b) Any of the following substances, except those narcotic drugs
32 listed in other schedules, whether produced directly or indirectly by
33 extraction from substances of vegetable origin or independently by
34 means of chemical synthesis or by combination of extraction and
35 chemical synthesis:
36 (1) Opium and opiate and any salt, compound, derivative or
37 preparation of opium or opiate, excluding apomorphine, dextrorphan,
38 nalbuphine, nalmefene, naloxone and naltrexone and their respective
39 salts, but including the following:

| | | | |
|----|-----|---|------|
| 1 | (A) | Raw opium..... | 9600 |
| 2 | (B) | Opium extracts..... | 9610 |
| 3 | (C) | Opium fluid..... | 9620 |
| 4 | (D) | Powdered opium..... | 9639 |
| 5 | (E) | Granulated opium..... | 9640 |
| 6 | (F) | Tincture of opium..... | 9630 |
| 7 | (G) | Codeine..... | 9050 |
| 8 | (H) | Ethylmorphine..... | 9190 |
| 9 | (I) | Etorphine hydrochloride..... | 9059 |
| 10 | (J) | Hydrocodone..... | 9193 |
| 11 | (K) | Hydromorphone..... | 9150 |
| 12 | (L) | Metopon..... | 9260 |
| 13 | (M) | Morphine..... | 9300 |
| 14 | (N) | Oxycodone..... | 9143 |
| 15 | (O) | Oxymorphone..... | 9652 |
| 16 | (P) | Thebaine..... | 9333 |
| 17 | (Q) | <i>Dihydroetorphine</i> | 9334 |
| 18 | (R) | <i>Oripavine</i> | 9330 |
| 19 | (2) | Any salt, compound, isomer, derivative or preparation thereof | |
| 20 | | which is chemically equivalent or identical with any of the substances | |
| 21 | | referred to in paragraph (1), but not including the isoquinoline alkaloids | |
| 22 | | of opium. | |
| 23 | (3) | Opium poppy and poppy straw. | |
| 24 | (4) | Coca leaves (9040) and any salt, compound, derivative or | |
| 25 | | preparation of coca leaves, but not including decocainized coca leaves | |
| 26 | | or extractions which do not contain cocaine (9041) or ecgonine (9180). | |
| 27 | (5) | Cocaine, its salts, isomers and salts of isomers (9041). | |
| 28 | (6) | Ecgonine, its salts, isomers and salts of isomers (9180). | |
| 29 | (7) | Concentrate of poppy straw (the crude extract of poppy straw | |
| 30 | | in either liquid, solid or powder form which contains the phenanthrene | |
| 31 | | alkaloids of the opium poppy) (9670). | |
| 32 | (c) | Any of the following opiates, including their isomers, esters, | |
| 33 | | ethers, salts and salts of isomers, esters and ethers, whenever the | |
| 34 | | existence of these isomers, esters, ethers and salts is possible within the | |
| 35 | | specific chemical designation dextrophan and levopropoxyphene | |
| 36 | | excepted: | |
| 37 | (1) | Alfentanil..... | 9737 |
| 38 | (2) | Alphaprodine..... | 9010 |
| 39 | (3) | Anileridine..... | 9020 |

| | | |
|----|--|------|
| 1 | (4) Bezitramide..... | 9800 |
| 2 | (5) Bulk dextropropoxyphene (nondosage forms)..... | 9273 |
| 3 | (6) Carfentanil..... | 9743 |
| 4 | (7) Dihydrocodeine..... | 9120 |
| 5 | (8) Diphenoxylate..... | 9170 |
| 6 | (9) Fentanyl..... | 9801 |
| 7 | (10) Isomethadone..... | 9226 |
| 8 | (11) Levomethorphan..... | 9210 |
| 9 | (12) Levorphanol..... | 9220 |
| 10 | (13) Metazocine..... | 9240 |
| 11 | (14) Methadone..... | 9250 |
| 12 | (15) Methadone-intermediate,4-cyano-2-dimethyl amino-4,4- | |
| 13 | diphenyl butane..... | 9254 |
| 14 | (16) Moramide-intermediate, 2-methyl-3- morpholino-1, 1- | |
| 15 | diphenylpropane-carboxylic acid..... | 9802 |
| 16 | (17) Pethidine (meperidine)..... | 9230 |
| 17 | (18) Pethidine-intermediate-A, 4-cyano-1-methyl- 4-phenylpiperidine | |
| 18 | | 9232 |
| 19 | (19) Pethidine-intermediate-B, ethyl-4-phenyl- piperidine-4- | |
| 20 | carboxylate..... | 9233 |
| 21 | (20) Pethidine-intermediate-C, 1-methyl-4-phenyl- piperidine-4- | |
| 22 | carboxylic acid..... | 9234 |
| 23 | (21) Phenazocine..... | 9715 |
| 24 | (22) Piminodine..... | 9730 |
| 25 | (23) Racemethorphan..... | 9732 |
| 26 | (24) Racemorphan..... | 9733 |
| 27 | (25) Sufentanil..... | 9740 |
| 28 | (26) Levo-alphaacetyl methadol..... | 9648 |
| 29 | Some other names: levo-alpha-acetyl methadol, levomethadyl acetate | |
| 30 | or LAAM. | |
| 31 | (27) <i>Remifentanil</i> | 9739 |
| 32 | (28) <i>Tapentadol</i> | 9780 |
| 33 | (d) Any material, compound, mixture, or preparation which | |
| 34 | contains any quantity of the following substances having a potential for | |
| 35 | abuse associated with a stimulant effect on the central nervous system: | |
| 36 | (1) Amphetamine, its salts, optical isomers and salts of its optical | |
| 37 | isomers..... | 1100 |
| 38 | (2) Phenmetrazine and its salts..... | 1631 |
| 39 | (3) Methamphetamine, including its salts, isomers and salts of | |

1 isomers.....1105
2 (4) Methylphenidate.....1724
3 (5) *Lisdexamfetamine, its salts, isomers, and salts of its isomers.* 1205
4 (e) Unless specifically excepted or unless listed in another
5 schedule, any material, compound, mixture or preparation which
6 contains any quantity of the following substances having a depressant
7 effect on the central nervous system, including its salts, isomers and
8 salts of isomers whenever the existence of such salts, isomers and salts
9 of isomers is possible within the specific chemical designation:
10 (1) Amobarbital.....2125
11 (2) Glutethimide.....2550
12 (3) Secobarbital.....2315
13 (4) Pentobarbital.....2270
14 (5) Phencyclidine.....7471
15 (f) Any material, compound, mixture, or preparation which
16 contains any quantity of the following substances:
17 (1) Immediate precursor to amphetamine and methamphetamine:
18 (A) Phenylacetone.....8501
19 Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl
20 ketone; methyl benzyl ketone.
21 (2) Immediate precursors to phencyclidine (PCP):
22 (A) 1-phenylcyclohexylamine.....7460
23 (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
24 (g) Any material, compound, mixture or preparation which
25 contains any quantity of the following hallucinogenic substance, its
26 salts, isomers and salts of isomers, unless specifically excepted,
27 whenever the existence of these salts, isomers and salts of isomers is
28 possible within the specific chemical designation:
29 Nabilone.....7379
30 [Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-
31 6,6a,7,8,10,10a- hexahydro-1-hydroxy-6,6-dimethyl-9H-
32 dibenzo[b,d]pyran-9-one]
33 Sec. 3. K.S.A. 65-4109 is hereby amended to read: 65-4109. (a)
34 The controlled substances listed in this section are included in schedule
35 III and the number set forth opposite each drug or substance is the DEA
36 controlled substances code which has been assigned to it.
37 (b) Unless listed in another schedule, any material, compound,
38 mixture, or preparation which contains any quantity of the following
39 substances having a potential for abuse associated with a depressant

| | | |
|----|---|------|
| 1 | effect on the central nervous system: | |
| 2 | (1) Any compound, mixture or preparation containing: | |
| 3 | (A) Amobarbital..... | 2126 |
| 4 | (B) Secobarbital..... | 2316 |
| 5 | (C) Pentobarbital..... | 2271 |
| 6 | or any salt thereof and one or more other active medicinal ingredients | |
| 7 | which are not listed in any schedule. | |
| 8 | (2) Any suppository dosage form containing: | |
| 9 | (A) Amobarbital..... | 2126 |
| 10 | (B) Secobarbital..... | 2316 |
| 11 | (C) Pentobarbital..... | 2271 |
| 12 | or any salt of any of these drugs and approved by the Food and Drug | |
| 13 | Administration for marketing only as a suppository. | |
| 14 | (3) Any substance which contains any quantity of a derivative of | |
| 15 | barbituric acid, or any salt of a derivative of barbituric acid, except | |
| 16 | those substances which are specifically listed in other schedules..... | 2100 |
| 17 | (4) Chlorhexadol..... | 2510 |
| 18 | (5) Lysergic acid..... | 7300 |
| 19 | (6) Lysergic acid amide..... | 7310 |
| 20 | (7) Methyprylon..... | 2575 |
| 21 | (8) Sulfondiethylmethane..... | 2600 |
| 22 | (9) Sulfonethylmethane..... | 2605 |
| 23 | (10) Sulfonmethane..... | 2610 |
| 24 | (11) Tiletamine and zolazepam or any salt thereof..... | 7295 |
| 25 | Some trade or other names for a tiletamine-zolazepam combination | |
| 26 | product: Telazol | |
| 27 | Some trade or other names for tiletamine: 2- (ethylamino)-2-(2- | |
| 28 | thienyl)-cyclohexanone | |
| 29 | Some trade or other names for zolazepam: 4- (2-fluorophenyl)-6,8- | |
| 30 | dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one, | |
| 31 | flupyrazapon | |
| 32 | (12) Ketamine, its salts, isomers, and salts of isomers..... | 7285 |
| 33 | Some other names for ketamine: (±) -2-(2-chlorophenyl)-2- | |
| 34 | (methylamino)-cyclohexanone | |
| 35 | (13) Gamma hydroxybutyric acid, any salt, hydroxybutyric compound, | |
| 36 | derivative or preparation of gamma hydroxybutyric acid contained in a | |
| 37 | drug product for which an application has been approved under section | |
| 38 | 505 of the federal food, drug and cosmetic act | |
| 39 | (14) <i>Embutramide</i> | 2020 |

1 (c) Nalorphine.....9400
2 (d) Any material, compound, mixture or preparation containing
3 any of the following narcotic drugs or any salts calculated as the free
4 anhydrous base or alkaloid, in limited quantities as set forth below:
5 (1) Not more than 1.8 grams of codeine or any of its salts per 100
6 milliliters or not more than 90 milligrams per dosage unit with an equal
7 or greater quantity of an isoquinoline alkaloid of opium.....9803
8 (2) not more than 1.8 grams of codeine or any of its salts per 100
9 milliliters or not more than 90 milligrams per dosage unit with one or
10 more active, nonnarcotic ingredients in recognized therapeutic amounts
119804
12 (3) not more than 300 milligrams of dihydrocodeinone (hydrocodone)
13 or any of its salts per 100 milliliters or not more than 15 milligrams per
14 dosage unit with a fourfold or greater quantity of an isoquinoline
15 alkaloid of opium.....9805
16 (4) not more than 300 milligrams of dihydrocodeinone (hydrocodone)
17 or any of its salts per 100 milliliters or not more than 15 milligrams per
18 dosage unit with one or more active, nonnarcotic ingredients in
19 recognized therapeutic amounts.....9806
20 (5) not more than 1.8 grams of dihydrocodeine or any of its salts per
21 100 milliliters or not more than 90 milligrams per dosage unit with one
22 or more active, nonnarcotic ingredients in recognized therapeutic
23 amounts.....9807
24 (6) not more than 300 milligrams of ethylmorphine or any of its salts
25 per 100 milliliters or not more than 15 milligrams per dosage unit with
26 one or more active, nonnarcotic ingredients in recognized therapeutic
27 amounts.....9808
28 (7) not more than 500 milligrams of opium per 100 milliliters or per
29 100 grams or not more than 25 milligrams per dosage unit with one or
30 more active, nonnarcotic ingredients in recognized therapeutic amounts
319809
32 (8) not more than 50 milligrams of morphine or any of its salts per
33 100 milliliters or per 100 grams with one or more active, nonnarcotic
34 ingredients in recognized therapeutic amounts.....9810
35 (9) *any material, compound, mixture, or preparation containing any*
36 *of the following narcotic drugs or their salts, as set ~~for~~forth below:*
37 (A) *Buprenorphine*.....9064
38 (e) Unless specifically excepted or unless listed in another
39 schedule, any material, compound, mixture or preparation which

- 1 contains any quantity of the following substances having a stimulant
2 effect on the central nervous system, including its salts, isomers
3 (whether optical, position or geometric) and salts of such isomers
4 whenever the existence of such salts, isomers and salts of isomers is
5 possible within the specific chemical designation:
- 6 (1) Those compounds, mixtures or preparations in dosage unit form
7 containing any stimulant substance listed in schedule II, which
8 compounds, mixtures or preparations were listed on August 25, 1971,
9 as excepted compounds under section 308.32 of title 21 of the code of
10 federal regulations, and any other drug of the quantitative composition
11 shown in that list for those drugs or which is the same, except that it
12 contains a lesser quantity of controlled substances.....1405
- 13 (2) Benzphetamine.....1228
- 14 (3) Chlorphentermine.....1645
- 15 (4) Chlortermine.....1647
- 16 (5) Phendimetrazine.....1615
- 17 (f) Anabolic steroids.....4000
- 18 "Anabolic steroid" means any drug or hormonal substance,
19 chemically and pharmacologically related to testosterone (other than
20 estrogens, progestins, and corticosteroids) that promotes muscle
21 growth, and includes:
- 22 (1) boldenone
- 23 (2) chlorotestosterone (4-chlorotestosterone)
- 24 (3) clostebol
- 25 (4) dehydrochlormethyltestosterone
- 26 (5) dihydrotestosterone (4-dihydrotestosterone)
- 27 (6) drostanolone
- 28 (7) ethylestrenol
- 29 (8) fluoxymesterone
- 30 (9) formebulone (formebolone)
- 31 (10) mesterolone
- 32 (11) methandienone
- 33 (12) methandranone
- 34 (13) methandriol
- 35 (14) methandrostenolone
- 36 (15) methenolone
- 37 (16) methyltestosterone
- 38 (17) mibolerone
- 39 (18) nandrolone

- 1 (19) norethandrolone
- 2 (20) oxandrolone
- 3 (21) oxymesterone
- 4 (22) oxymetholone
- 5 (23) stanolone
- 6 (24) stanozolol
- 7 (25) testolactone
- 8 (26) testosterone
- 9 (27) trenbolone
- 10 (28) any salt, ester, or isomer of a drug or substance described or
- 11 listed in this paragraph, if that salt, ester, or isomer promotes muscle
- 12 growth.
- 13 (A) Except as provided in (B), such term does not include an
- 14 anabolic steroid which is expressly intended for administration through
- 15 implants to cattle or other nonhuman species and which has been
- 16 approved by the United States' secretary of health and human services
- 17 for such administration.
- 18 (B) If any person prescribes, dispenses or distributes such steroid
- 19 for human use, such person shall be considered to have prescribed,
- 20 dispensed or distributed an anabolic steroid within the meaning of this
- 21 subsection (f).
- 22 (g) Any material, compound, mixture or preparation which
- 23 contains any quantity of the following hallucinogenic substance, its
- 24 salts, isomers and salts of isomers, unless specifically excepted,
- 25 whenever the existence of these salts, isomers and salts of isomers is
- 26 possible within the specific chemical designation:
- 27 (1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft
- 28 gelatin capsule in a United States food and drug administration
- 29 approved product.....7369
- 30 Some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro
- 31 -6-6-9-trimethyl-3-pentyl-6H-dibenzo(b,d)pyran-1-0l, or (-)-delta-9-
- 32 (trans)-tetrahydrocannabinol.
- 33 (h) The board may except by rule any compound, mixture or
- 34 preparation containing any stimulant or depressant substance listed in
- 35 subsection (b) from the application of all or any part of this act if the
- 36 compound, mixture or preparation contains one or more active
- 37 medicinal ingredients not having a stimulant or depressant effect on the
- 38 central nervous system and if the admixtures are included therein in
- 39 combinations, quantity, proportion or concentration that vitiate the

1 potential for abuse of the substances which have a stimulant or
2 depressant effect on the central nervous system.

3 Sec. 4. K.S.A. 65-4111 is hereby amended to read: 65-4111. (a)
4 The controlled substances listed in this section are included in schedule
5 IV and the number set forth opposite each drug or substance is the DEA
6 controlled substances code which has been assigned to it.

7 (b) Any material, compound, mixture or preparation which
8 contains any quantity of the following substances including its salts,
9 isomers and salts of isomers whenever the existence of such salts,
10 isomers and salts of isomers is possible within the specific chemical
11 designation and having a potential for abuse associated with a
12 depressant effect on the central nervous system:

| | | |
|----|---|------|
| 13 | (1) Alprazolam..... | 2882 |
| 14 | (2) Barbital..... | 2145 |
| 15 | (3) Bromazepam..... | 2748 |
| 16 | (4) Camazepam..... | 2749 |
| 17 | (5) Chloral betaine..... | 2460 |
| 18 | (6) Chloral hydrate..... | 2465 |
| 19 | (7) Chlordiazepoxide..... | 2744 |
| 20 | (8) Clobazam..... | 2751 |
| 21 | (9) Clonazepam..... | 2737 |
| 22 | (10) Clorazepate..... | 2768 |
| 23 | (11) Clotiazepam..... | 2752 |
| 24 | (12) Cloxazolam..... | 2753 |
| 25 | (13) Delorazepam..... | 2754 |
| 26 | (14) Diazepam..... | 2765 |
| 27 | (15) <i>Dichloralphenazone</i> | 2467 |
| 28 | (15) (16) Estazolam..... | 2756 |
| 29 | (16) (17) Ethchlorvynol..... | 2540 |
| 30 | (17) (18) Ethinamate..... | 2545 |
| 31 | (18) (19) Ethyl loflazepate..... | 2758 |
| 32 | (19) (20) Fludiazepam..... | 2759 |
| 33 | (20) (21) Flunitrazepam..... | 2763 |
| 34 | (21) (22) Flurazepam..... | 2767 |
| 35 | (23) <i>Fospropofol</i> | 2138 |
| 36 | (22) (24) Halazepam..... | 2762 |
| 37 | (23) (25) Haloxazolam..... | 2771 |
| 38 | (24) (26) Ketazolam..... | 2772 |
| 39 | (25) (27) Loprazolam..... | 2773 |

| | | | |
|----|----------------------|--|------|
| 1 | (26) (28) | Lorazepam..... | 2885 |
| 2 | (27) (29) | Lormetazepam..... | 2774 |
| 3 | (28) (30) | Mebutamate..... | 2800 |
| 4 | (29) (31) | Medazepam..... | 2836 |
| 5 | (30) (32) | Meprobamate..... | 2820 |
| 6 | (31) (33) | Methohexital..... | 2264 |
| 7 | (32) (34) | Methylphenobarbital (mephobarbital)..... | 2250 |
| 8 | (33) (35) | Midazolam..... | 2884 |
| 9 | (34) (36) | Nimetazepam..... | 2837 |
| 10 | (35) (37) | Nitrazepam..... | 2834 |
| 11 | (36) (38) | Nordiazepam..... | 2838 |
| 12 | (37) (39) | Oxazepam..... | 2835 |
| 13 | (38) (40) | Oxazolam..... | 2839 |
| 14 | (39) (41) | Paraldehyde..... | 2585 |
| 15 | (40) (42) | Petrichloral..... | 2591 |
| 16 | (41) (43) | Phenobarbital..... | 2285 |
| 17 | (42) (44) | Pinazepam..... | 2883 |
| 18 | (43) (45) | Prazepam..... | 2764 |
| 19 | (44) (46) | Quazepam..... | 2881 |
| 20 | (45) (47) | Temazepam..... | 2925 |
| 21 | (46) (48) | Tetrazepam..... | 2886 |
| 22 | (47) (49) | Triazolam..... | 2887 |
| 23 | (48) (50) | Zolpidem..... | 2783 |
| 24 | (49) (51) | Zaleplon..... | 2781 |
| 25 | (52) | Zopiclone..... | 2784 |

26 (c) Any material, compound, mixture, or preparation which
 27 contains any quantity of fenfluramine (1670), including its salts,
 28 isomers (whether optical, position or geometric) and salts of such
 29 isomers, whenever the existence of such salts, isomers and salts of
 30 isomers is possible. The provisions of this subsection (c) shall expire on
 31 the date fenfluramine and its salts and isomers are removed from
 32 schedule IV of the federal controlled substances act (~~21 United States~~
 33 ~~code 81221 U.S.C. § 812; 21 code of federal regulations 1308.14).~~

34 (d) Unless specifically excepted or unless listed in another
 35 schedule, any material, compound, mixture or preparation which
 36 contains any quantity of the following substances having a stimulant
 37 effect on the central nervous system, including its salts, isomers
 38 (whether optical, position or geometric) and salts of such isomers
 39 whenever the existence of such salts, isomers and salts of isomers is

1 possible within the specific chemical designation:

2 (1) Cathine ((+)-norpseudoephedrine).....1230

3 (2) Diethylpropion.....1610

4 (3) Fencamfamin.....1760

5 (4) Fenproporex.....1575

6 (5) Mazindol.....1605

7 (6) Mefenorex.....1580

8 (7) Pemoline (including organometallic complexes and chelates

9 thereof).....1530

10 (8) Phentermine.....1640

11 The provisions of this subsection (d)(8) shall expire on the date

12 phentermine and its salts and isomers are removed from schedule IV of

13 the federal controlled substances act (~~21 United States code 81221~~

14 *U.S.C. § 812*; 21 code of federal regulations 1308.14).

15 (9) Pipradrol.....1750

16 (10) SPA((-)-1-dimethylamino-1,2-diphenylethane).....1635

17 (11) Sibutramine.....1675

18 (12) Modafinil.....1680

19 (e) Unless specifically excepted or unless listed in another

20 schedule, any material, compound, mixture or preparation which

21 contains any quantity of the following, including salts thereof:

22 (1) Pentazocine.....9709

23 (2) Butorphanol (including its optical isomers).....9720

24 (f) Unless specifically excepted or unless listed in another

25 schedule, any material, compound, mixture or preparation containing

26 any of the following narcotic drugs, or their salts calculated as the free

27 anhydrous base or alkaloid, in limited quantities as set forth below:

28 (1) Not more than 1 milligram of difenoxin and not less than 25

29 micrograms of atropine sulfate per dosage unit.....9167

30 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-

31 methyl-2-propionoxybutane).....9278

32 (g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

33 (h) The board may except by rule and regulation any compound,

34 mixture or preparation containing any depressant substance listed in

35 subsection (b) from the application of all or any part of this act if the

36 compound, mixture or preparation contains one or more active

37 medicinal ingredients not having a depressant effect on the central

38 nervous system, and if the admixtures are included therein in

39 combinations, quantity, proportion or concentration that vitiate the

1 potential for abuse of the substances which have a depressant effect on
2 the central nervous system.

3 Sec. 5. K.S.A. 2010 Supp. 65-4113 is amended to read: 65-4113.

4 (a) The controlled substances or drugs, by whatever official name,
5 common or usual name, chemical name or brand name designated,
6 listed in this section are included in schedule V.

7 ~~(b) Unless specifically excepted or unless listed in another~~
8 ~~schedule, any material, compound, mixture or preparation containing~~
9 ~~the following narcotic drug or its salts:~~

10 Buprenorphine.....9064

11 ~~(e)(b)~~ Any compound, mixture or preparation containing limited
12 quantities of any of the following narcotic drugs which also contains
13 one or more nonnarcotic active medicinal ingredients in sufficient
14 proportion to confer upon the compound, mixture or preparation
15 valuable medicinal qualities other than those possessed by the narcotic
16 drug alone:

17 (1) Not more than 200 milligrams of codeine or any of its salts per
18 100 milliliters or per 100 grams.

19 (2) Not more than 100 milligrams of dihydrocodeine or any of its
20 salts per 100 milliliters or per 100 grams.

21 (3) Not more than 100 milligrams of ethylmorphine or any of its
22 salts per 100 milliliters or per 100 grams.

23 (4) Not more than 2.5 milligrams of diphenoxylate and not less
24 than 25 micrograms of atropine sulfate per dosage unit.

25 (5) Not more than 100 milligrams of opium per 100 milliliters or
26 per 100 grams.

27 (6) Not more than .5 milligram of difenoxin (9168) and not less
28 than 25 micrograms of atropine sulfate per dosage unit.

29 ~~(d)(c)~~ Unless specifically excepted or unless listed in another
30 schedule, any material, compound, mixture or preparation which
31 contains any quantity of the following substances having a stimulant
32 effect on the central nervous system, including its salts, isomers
33 (whether optical, position or geometric) and salts of such isomers
34 whenever the existence of such salts, isomers and salts of isomers is
35 possible within the specific chemical designation:

36 (1) Propylhexedrine (except when part of a compound used for nasal
37 decongestion which is authorized to be sold lawfully over the counter
38 without a prescription under the federal food, drug and cosmetic act, so
39 long as it is used only for such purpose).....8161

1 (2) Pyrovalerone.....1485
2 ~~(d)~~(d) Any compound, mixture or preparation containing any
3 detectable quantity of ephedrine, its salts or optical isomers, or salts of
4 optical isomers.
5 ~~(e)~~(e) Any compound, mixture or preparation containing any
6 detectable quantity of pseudoephedrine, its salts or optical isomers, or
7 salts of optical isomers.
8 (f) *Unless specifically exempted or excluded or unless listed in*
9 *another schedule, any material, compound, mixture, or preparation*
10 *which contains any quantity of the following substances having a*
11 *depressant effect on the central nervous system, including its salts:*
12 (1) *Lacosamide* [(R)-2-acetoamido-N-benzyl-3-methoxy-
13 *propionamide]*.....2746
14 (2) *Pregabalin* [(S)-3-(aminomethyl)-5-methylhexanoic acid].....2782
15 Sec. 6. K.S.A. 65-4107, 65-4109 and 65-4111 and K.S.A. 2010
16 Supp. 65-4105 and 65-4113 are hereby repealed.
17 Sec. 7. This act shall take effect and be in force from and after its
18 publication in the statute book.