

Fifty-fifth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2285**

Introduced by

Senators W. Stenehjem, Nalewaja, Watne

Representatives Kliniske, Poolman, Stenehjem

1 A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 12.1-20-03,  
2 subdivision c of subsection 1 of section 12.1-20-07, subsection 6 of section 19-03.1-05,  
3 subsection 4 of section 19-03.1-07, and subsection 4 of section 19-03.1-11 of the North Dakota  
4 Century Code, relating to controlled substances in sex crimes and the categorizing of controlled  
5 substances.

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

7 **SECTION 1. AMENDMENT.** Subdivision b of subsection 1 of section 12.1-20-03 of the  
8 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

9 b. ~~He~~ That person or someone with ~~his~~ that person's knowledge has  
10 substantially impaired the victim's power to appraise or control ~~his or her~~ the  
11 victim's conduct by administering or employing without ~~his or her~~ the victim's  
12 knowledge intoxicants, a controlled substance as defined in chapter 19-03.1,  
13 or other means with intent to prevent resistance;

14 **SECTION 2. AMENDMENT.** Subdivision c of subsection 1 of section 12.1-20-07 of the  
15 North Dakota Century Code is amended and reenacted as follows:

16 c. ~~He~~ That person or someone with ~~his~~ that person's knowledge has  
17 substantially impaired the ~~other person's~~ victim's power to appraise or control  
18 ~~his or her~~ the victim's conduct, by administering or employing without the  
19 ~~other's~~ victim's knowledge intoxicants, a controlled substance as defined in  
20 chapter 19-03.1, or other means for the purpose of preventing resistance;

21 **SECTION 3. AMENDMENT.** Subsection 6 of section 19-03.1-05 of the 1995  
22 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23 6. Depressants. Unless specifically excepted or unless listed in another schedule,  
24 any material compound, mixture, or preparation which contains any quantity of the

following substances having a depressant effect on the central nervous system,  
whenever the existence of such salts, isomers, and salts of isomers is possible  
within the specific chemical designation:

a. Flunitrazepam.

b. Mecloqualone.

~~b.~~ c. Methaqualone.

**SECTION 4. AMENDMENT.** Subsection 4 of section 19-03.1-07 of the North Dakota  
Century Code is amended and reenacted as follows:

4. Opiates. Unless specifically excepted or unless in another schedule, any of the  
following opiates, including their isomers, esters, ethers, salts, and salts of  
isomers, esters, and ethers whenever the existence of those isomers, esters,  
ethers, and salts is possible within the specific chemical designation, dextrophan  
and levopropoxyphene excepted:

a. Alfentanil.

b. Alphaprodine.

c. Anileridine.

d. Bezitramide.

e. Bulk dextropropoxyphene (nondosage forms).

f. Carfentanil.

g. Dihydrocodeine.

h. Diphenoxylate.

i. Fentanyl.

j. Isomethadone.

k. Levomethorphan.

l. Levorphanol.

m. Metazocine.

n. Methadone.

o. Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane.

p. Moramide-Intermediate, 2-methyl-3-morpholino-1,  
1-diphenylpropane-carboxylic acid.

q. Pethidine (also known as meperidine).

- 1           r.    Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.
- 2           s.    Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate.
- 3           t.    Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4- carboxylic acid.
- 4           u.    Phenazocine.
- 5           v.    Priminodine.
- 6           w.    Racemethorphan.
- 7           x.    Racemorphan.
- 8           y.    Remifentanil.
- 9           z.    Sufentanil.

**SECTION 5. AMENDMENT.** Subsection 4 of section 19-03.1-11 of the 1995

Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 4.   Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:
  - a.   Alprazolam.
  - b.   Barbital.
  - c.   Bromazepam.
  - d.   Camazepam.
  - e.   Chloral betaine.
  - f.   Chloral hydrate.
  - g.   Chlordiazepoxide.
  - h.   Clobazam.
  - i.   Clonazepam.
  - j.   Clorazepate.
  - k.   Clotiazepam.
  - l.   Cloxazolam.
  - m.   Delorazepam.
  - n.   Diazepam.
  - o.   Estazolam.

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1	p.	Ethchlorvynol.
2	q.	Ethinamate.
3	r.	Ethyl loflazepate.
4	s.	Fludiazepam.
5	t.	<del>Flunitrazepam.</del>
6	u.	Flurazepam.
7	v.	Halazepam.
8	w.	Haloxazolam.
9	x.	Ketazolam.
10	y.	Loprazolam.
11	z.	Lorazepam.
12	aa.	Lormetazepam.
13	bb.	Mebutamate.
14	cc.	Medazepam.
15	dd.	Meprobamate.
16	ee.	Methohexital.
17	ff.	Methylphenobarbital (also known as mephobarbital).
18	gg.	Midazolam.
19	hh.	Nimetazepam.
20	ii.	Nitrazepam.
21	jj.	Nordiazepam.
22	kk.	Oxazepam.
23	ll.	Oxazolam.
24	mm.	Paraldehyde.
25	nn.	Petrichloral.
26	oo.	Phenobarbital.
27	pp.	Pinazepam.
28	qq.	Prazepam.
29	rr.	Quazepam.
30	ss.	<del>Temazepam</del> <u>Temazepam.</u>
31	tt.	Tetrazepam.

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- 1        ~~tt.~~ tt.    Triazolam.
- 2        ~~uu.~~ uu.    Zolpidem.