

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1146
(Judiciary Committee)
(At the request of the Board of Pharmacy)

AN ACT to amend and reenact subsection 4 of section 19-03.1-09 and subsection 4 of section 19-03.1-11 of the North Dakota Century Code, relating to controlled substances.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 19-03.1-09 of 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 that contains any quantity of the following substances having a depressant effect on the central nervous system:
 - a. Any compound, mixture, or preparation containing:
 - (1) Amobarbital;
 - (2) Secobarbital;
 - (3) Pentobarbital;or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.
 - b. Any suppository dosage form containing:
 - (1) Amobarbital;
 - (2) Secobarbital;
 - (3) Pentobarbital;or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository.
 - c. Any substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules thereof.
 - d. Buprenorphine.
 - e. Chlorhexadol.
 - ~~e.~~ f. Dronabinol (synthetic) [(*-*)-delta-9-(trans)-tetrahydrocannabinol] in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration-approved drug product.
 - ~~f.~~ g. Gamma-hydroxybutyric acid in a United States food and drug administration-approved drug product.
 - ~~g.~~ h. Glutethimide.

- ~~h.~~ i. Ketamine.
- ~~i.~~ j. Lysergic acid.
- ~~j.~~ k. Lysergic acid amide.
- ~~k.~~ l. Methypylon.
- ~~l.~~ m. Sulfondiethylmethane.
- ~~m.~~ n. Sulfonethylmethane.
- ~~n.~~ o. Sulfonmethane.
- ~~o.~~ p. Tiletamine and zolazepam or any salt thereof. Some trade or other names for a tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-2(2-fluorophenyl)-6, 8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4]-diazepin-7(1H)-one, flupyrazapon.

SECTION 2. AMENDMENT. Subsection 4 of section 19-03.1-11 of 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. Barbitol.
 - c. Bromazepam.
 - d. Butorphanol.
 - e. Camazepam.
 - f. Chloral betaine.
 - g. Chloral hydrate.
 - h. Chlordiazepoxide.
 - i. Clobazam.
 - j. Clonazepam.
 - k. Clorazepate.
 - l. Clotiazepam.
 - m. Cloxazolam.
 - n. Delorazepam.
 - o. Diazepam.
 - p. Dichloralphenazone.

q.	<u>q.</u>	Estazolam.
q.	<u>r.</u>	Ethchlorvynol.
r.	<u>s.</u>	Ethinamate.
s.	<u>t.</u>	Ethyl loflazepate.
t.	<u>u.</u>	Fludiazepam.
u.	<u>v.</u>	Flurazepam.
v.	<u>w.</u>	Halazepam.
w.	<u>x.</u>	Haloxazolam.
x.	<u>y.</u>	Ketazolam.
y.	<u>z.</u>	Loprazolam.
z.	<u>aa.</u>	Lorazepam.
aa.	<u>bb.</u>	Lormetazepam.
bb.	<u>cc.</u>	Mebutamate.
cc.	<u>dd.</u>	Medazepam.
dd.	<u>ee.</u>	Meprobamate.
ee.	<u>ff.</u>	Methohexital.
ff.	<u>gg.</u>	Methylphenobarbital (also known as mephobarbital).
gg.	<u>hh.</u>	Midazolam.
hh.	<u>ii.</u>	Nimetazepam.
ii.	<u>jj.</u>	Nitrazepam.
jj.	<u>kk.</u>	Nordiazepam.
kk.	<u>ll.</u>	Oxazepam.
ll.	<u>mm.</u>	Oxazolam.
mm.	<u>nn.</u>	Paraldehyde.
nn.	<u>oo.</u>	Petrichloral.
oo.	<u>pp.</u>	Phenobarbital.
pp.	<u>qq.</u>	Pinazepam.
qq.	<u>rr.</u>	Prazepam.
rr.	<u>ss.</u>	Quazepam.
ss.	<u>tt.</u>	Sibutramine.
tt.	<u>uu.</u>	Temazepam.

~~uu.~~ vv. Tetrazepam.

~~vv.~~ ww. Triazolam.

~~ww.~~ xx. Zaleplon.

~~xx.~~ yy. Zolpidem.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1146.

House Vote: Yeas 92 Nays 0 Absent 2

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,
at _____ o'clock _____ M.

Secretary of State