FOODS, DRUGS, OILS, AND COMPOUNDS

CHAPTER 211

SENATE BILL NO. 2064

(Judiciary Committee)
(At the request of the State Board of Pharmacy)

AN ACT to amend and reenact sections 19-03.1-05, 19-03.1-09, and 19-03.1-11 of the North Dakota Century Code, relating to the scheduling of controlled substances; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

19-03.1-05. Schedule I.

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

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

3. Opiates. Unless specifically excepted or unless listed 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:

   a. Acetylmethadol.

   b. Allylprodine.

   c. Alphacetylmethadol.

   d. Alphameprodine.

   e. Alphamethadol.

   f. Benzethidine.

   g. Betacetylmethadol.

   h. Betameprodine.

   i. Betamethadol.

j. Betaprodine.

k. Brorphine.

l. Clonitazene.

m. Dextromoramide.

n. Diampromide.

o. Diethylthiambutene.

p. Difenoxin.

q. Dimenoxadol.

r. Dimepheptanol.

s. Dimethylthiambutene.

t. Dioxaphetyl butyrate.

u. Dipipanone.

v. Ethylmethylthiambutene.

w. Etonitazene.

x. Etoxeridine.

y. Furethidine.

z. Hydroxypethidine.

aa. Isotonitazene (also known as N,N-diethyl-2-(2-(4- isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine).

bb. Ketobemidone.

cc. Levomoramide.

dd. Levophenacylmorphan.

ee. Morpheridine.

ff. MPPP (also known as 1-methyl-4-phenyl-4-propionoxypiperidine).

gg. Noracymethadol.

hh. Norlevorphanol.

ii. Normethadone.

jj. Norpipanone.

kk. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-acetoxypiperidine).

ll. Phenadoxone.

mm. Phenampromide.

nn. Phenomorphan.

oo. Phenoperidine.

pp. Piritramide.

qq. Proheptazine.

rr. Properidine.

ss. Propiram.

tt. Racemoramide.

uu. Tilidine.

vv. Trimeperidine.

ww. 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (also known as U-47700).

xx. 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (also know as MT-45).

yy. 3,4-dichloro-*N*-{[1-(dimethylamino)cyclohexyl]methyl}benzamide (also known as AH-7921).

zz. Zipeprol.

aaa. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (also known as Butonitazene).

bbb. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine (also known as Etodesnitazene and etazene).

ccc. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (also known as Flunitazene).

ddd. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (also known as Metodesnitazene).

eee. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (also known as Metonitazene).

fff. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole (also known as N-Pyrrolidino Etonitazene and Etonitazepyne).

ggg. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (also known as Protonitazene).

hhh. N-ethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (Other name: N-desethyl isotonitazene).

iii. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(piperidin-1-yl)ethyl)-1H-benzimidazole (Other names: N-piperidinyl etonitazene; etonitazepipne).

jjj. 2-Methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one).

kkk. Fentanyl derivatives. Unless specifically excepted or unless listed in another schedule or are not FDA approved drugs, and are derived from N-(1-(2-Phenylethyl)-4-piperidinyl)-N-phenylpropanamide (Fentanyl) by any substitution on or replacement of the phenethyl group, any substitution on the piperidine ring, any substitution on or replacement of the propanamide group, any substitution on the anilido phenyl group, or any combination of the above. Examples include:

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

(2) N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine (also known as Alpha-methylfentanyl).

(3) N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide (also known as Alpha-methylthiofentanyl).

(4) N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide (also known as Beta-hydroxyfentanyl).

(5) N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide (also known as Beta-hydroxy-3-methylfentanyl).

(6) N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide (also known as 3-Methylfentanyl).

(7) N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide (also known as 3-Methylthiofentanyl).

(8) N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide (also known as Para-fluorofentanyl).

(9) N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]propanamide (also known as Thiofentanyl).

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

(11) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide; N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (also known as Butyryl Fentanyl).

(12) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide; N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide (also known as Beta-Hydroxythiofentanyl).

(13) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (also known as Acetyl Fentanyl).

(14) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (also known as Acryl Fentanyl).

(15) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (also known as Valeryl Fentanyl).

(16) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (also known as 4-Fluoroisobutyryl Fentanyl).

(17) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (also known as Ortho-fluorofentanyl, 2-Fluorofentanyl).

(18) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide (also known as Tetrahydrofuranyl Fentanyl).

(19) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (also known as Methoxyacetyl Fentanyl).

(20) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (also known as Cyclopropyl Fentanyl).

(21) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (also known as Ocfentanil).

(22) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (also known as Cyclopentyl Fentanyl).

(23) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (also known as Isobutyryl Fentanyl).

(24) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (also known as Para-chloroisobutyryl Fentanyl).

(25) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (also known as Para-methoxybutyryl Fentanyl).

(26) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (also known as Para-fluorobutyryl Fentanyl).

(27) N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)propionamide (also known as 2'-fluoro Ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl).

(28) N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (also known as Ortho-methyl Acetylfentanyl; 2-methyl acetylfentanyl).

(29) N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide (also known as Beta'-phenyl Fentanyl; 3-phenylpropanoyl fentanyl and Hydrocinnamoyl Fentanyl).

(30) N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide (also known as Thiofuranyl Fentanyl; 2-thiofuranyl fentanyl; thiophene fentanyl).

(31) (E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide (also known as Crotonyl Fentanyl).

(32) N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide (4'-methyl acetyl fentanyl).

(33) N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide (beta-methyl fentanyl).

(34) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl).

(35) 2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide (ortho-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl).

(36) N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (para-methylfentanyl; 4-methylfentanyl).

(37) N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide (phenyl fentanyl; benzoyl fentanyl).

(38) Ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate (fentanyl carbamate).

(39) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)acrylamide (ortho-fluoroacryl fentanyl).

(40) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (ortho-fluoroisobutyryl fentanyl).

(41) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide (para-fluoro furanyl fentanyl).

(42) 2',5'-dimethoxyfentanyl(N-(1-(2,5-dimethoxyphenethyl)piperidine-4-yl)-N-phenylpropionamide).

(43) 3-furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-3-carboxamide).

(44) alpha'-methyl butyryl fentanyl(2-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide).

(45) beta-methylacetyl fentanyl(N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide).

(46) isovaleryl fentanyl(3-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide).

(47) meta-fluorofentanyl(N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide).

(48) meta-fluorofuranyl fentanyl(N-3-fluorophenyl)-N-(1-phenethylpipieridin-4-yl)furan-2-carboxamide.

(49) meta-fluoroisobutyryl fentanyl(N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide).

(50) ortho-chlorofentanyl(N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide.

(51) ortho-fluorofuranyl fentanyl(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide).

(52) ortho-methylcyclopropylfentanyl(N-2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide.

(53) para-chlorofentanyl(N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide).

(54) para-fluoro valeryl fentanyl(N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide).

(55) para-methoxyfuranyl fentanyl(N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide).

(56) para-methylcyclopropyl fentanyl(N-(4-methylphenyl)-N-(1-phenylpiperidin-4-yl)cyclopropanecarboxamide).

(57) tetrahydrothiofuranyl fentanyl(N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrothiophene-2-carboxamide).

4. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

a. Acetorphine.

b. Acetyldihydrocodeine.

c. Benzylmorphine.

d. Codeine methylbromide.

e. Codeine-N-Oxide.

f. Cyprenorphine.

g. Desomorphine.

h. Dihydromorphine.

i. Drotebanol.

j. Etorphine (except hydrochloride salt).

k. Heroin.

l. Hydromorphinol.

m. Methyldesorphine.

n. Methyldihydromorphine.

o. Morphine methylbromide.

p. Morphine methylsulfonate.

q. Morphine-N-Oxide.

r. Myrophine.

s. Nicocodeine.

t. Nicomorphine.

u. Normorphine.

v. Pholcodine.

w. Thebacon.

5. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following hallucinogenic 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 (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers):

   a. Alpha-ethyltryptamine, its optical isomers, salts, and salts of isomers (also known as etryptamine; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole).

   b. Alpha-methyltryptamine.

   c. 4-methoxyamphetamine (also known as 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine; PMA).

   d. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenylamine, and N-hydroxy MDA.

   e. Ibogaine (also known as 7-Ethyl-6, 6B, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5 H-pyrido [1', 2':1,2] azepino (5,4-b) indole; Tabernanthe iboga).

   f. Lysergic acid diethylamide.

   g. Marijuana.

   h. Parahexyl (also known as 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro- 6,6,9-trimethyl-6H-dibenzol[b,d]pyran; Synhexyl).

   i. Peyote (all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or its extracts).

   j. N-ethyl-3-piperidyl benzilate.

k. N-methyl-3-piperidyl benzilate.

l. Psilocybin.

m. (1) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, including synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant; such as the following:

(a) Delta-1 cis or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-9-tetrahydrocannabinol.

(b) Delta-6 cis or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-8-tetrahydrocannabinol.

(c) Delta-3,4 cis or trans tetrahydrocannabinol, and its optical isomers.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(2) Tetrahydrocannabinols do not include:

(a) The allowable amount of total tetrahydrocannabinol found in hemp or an allowed hemp commodity or product as defined in chapter 4.1-18.1; or

(b) A prescription drug approved by the United States food and drug administration under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355].

n. Cannabinoids, synthetic. It includes the chemicals and chemical groups listed below, including their homologues, salts, isomers, and salts of isomers. The term "isomer" includes the optical, position, and geometric isomers.

(1) Indole acetamides. Any compound structurally derived from 1H-indole3-acetamide or 1H-2-acetamide substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, tetrahydropyranylmethyl, benzyl, or halo benzyl group; and, at the hydrogen of the acetamide by a phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, pyrrolidinyl, piperazinyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:

(a) Substitution to the indole ring to any extent; or

(b) Substitution to the phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, pyrrolidinyl, piperazinyl, or propionaldehyde group to any extent; or

(c) A nitrogen heterocyclic analog of the indole ring; or

(d) A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.

(e) Examples include:

[1] N-cyclohexyl-2-(1-pentylindol-3-yl)acetamide - Other names: CH-PIATA, Cyclohexyl-PIATA, CHX-PIATA, CH-PIACA, and CHX-PIACA.

[2] N-cyclohexyl-2-[1-[(4-fluorophenyl)methyl]indol-3-yl]acetamide - Other names: CH-FUBIATA and CH-FUBIACA.

[3] 2-[[2-[1-[(4-fluorophenyl)methyl]indol-3-yl]acetyl]amino]-3,3-dimethyl-butanamide - Other names: ADB-FUBIATA, FUB-ACADB, and AD-18.

(2) Indole carboxaldehydes. Any compound structurally derived from 1H-indole-3-carboxaldehyde or 1H-2-carboxaldehyde substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, tetrahydropyranylmethyl, benzyl, or halo benzyl group; and, at the hydrogen of the carboxaldehyde by a phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, pyrrolidinyl, piperazinyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:

(a) Substitution to the indole ring to any extent; or

(b) Substitution to the phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, pyrrolidinyl, piperazinyl, or propionaldehyde group to any extent; or

(c) A nitrogen heterocyclic analog of the indole ring; or

(d) A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.

(e) Examples include:

[1] 1-Pentyl-3-(1-naphthoyl)indole - Other names: JWH-018 and AM-678.

[2] 1-Butyl-3-(1-naphthoyl)indole - Other names: JWH-073.

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

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

[5] 1-Propyl-2-methyl-3-(1-naphthoyl)indole - Other names: JWH-015.

[6] 1-Hexyl-3-(1-naphthoyl)indole - Other names: JWH-019.

[7] 1-Pentyl-3-(4-methyl-1-naphthoyl)indole - Other names: JWH-122.

[8] 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole - Other names: JWH-210.

[9] 1-Pentyl-3-(4-chloro-1-naphthoyl)indole - Other names: JWH-398.

[10] 1-(5-fluoropentyl)-3-(1-naphthoyl)indole - Other names: AM-2201.

[11] 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole - Other names: RCS-8.

[12] 1-Pentyl-3-(2-methoxyphenylacetyl)indole - Other names: JWH-250.

[13] 1-Pentyl-3-(2-methylphenylacetyl)indole - Other names: JWH-251.

[14] 1-Pentyl-3-(2-chlorophenylacetyl)indole - Other names: JWH-203.

[15] 1-Pentyl-3-(4-methoxybenzoyl)indole - Other names: RCS-4.

[16] (1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole) - Other names: AM-694.

[17] (4-Methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone - Other names: WIN 48,098 and Pravadoline.

[18] (1-Pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone -- Other names: UR-144.

[19] (1-(5-fluoropentyl)indol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone - Other names: XLR-11.

[20] (1-(2-morpholin-4-ylethyl)-1H-indol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone - Other names: A-796,260.

[21] (1-(5-fluoropentyl)-1H-indazol-3-yl)(naphthalen-1-yl)methanone -- Other names: THJ-2201.

[22] 1-naphthalenyl(1-pentyl-1H-indazol-3-yl)-methanone -- Other names: THJ-018.

[23] (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone - Other names: FUBIMINA.

[24] 1-[(N-methylpiperidin-2-yl)methyl]-3-(adamant-1-oyl) indole - Other names: AM-1248.

[25] 1-Pentyl-3-(1-adamantoyl)indole - Other names: AB-001 and JWH-018 adamantyl analog.

(3) Indole carboxamides. Any compound structurally derived from 1H-indole-3-carboxamide or 1H-2-carboxamide substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, tetrahydropyranylmethyl, benzyl, or halo benzyl group; and, at the nitrogen of the carboxamide by a phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:

(a) Substitution to the indole ring to any extent; or

(b) Substitution to the phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group to any extent; or

(c) A nitrogen heterocyclic analog of the indole ring; or

(d) A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.

(e) Examples include:

[1] N-Adamantyl-1-pentyl-1H-indole-3-carboxamide - Other names: JWH-018 adamantyl carboxamide, APICA, SDB-001, and 2NE1.

[2] N-Adamantyl-1-fluoropentylindole-3-carboxamide - Other names: STS-135.

[3] N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide - Other names: AKB 48 and APINACA.

[4] N-1-naphthalenyl-1-pentyl-1H-indole-3-carboxamide - Other names: NNEI and MN-24.

[5] N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide - Other names: ADBICA.

[6] (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide - Other names: AB-PINACA.

[7] N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide - Other names: AB-FUBINACA.

[8] N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide - Other names: 5-Fluoro AB-PINACA and 5F-AB-PINACA.

[9] N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide - Other names: ADB-PINACA.

[10] N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide - Other names: AB-CHMINACA.

[11] N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide - Other names: ADB-FUBINACA.

[12] N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H -indazole-3-carboxamide - Other names: FUB-AKB48, FUB-APINACA, and AKB48 N-(4-FLUOROBENZYL).

[13] 1-(5-fluoropentyl)-N-(quinolin-8-yl)-1H-indazole-3-carboxamide - Other names: 5-fluoro-THJ.

[14] methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate - Other names: 5-fluoro AMB and 5F-AMB.

[15] methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate - Other names: FUB-AMB, MMB-FUBINACA, and AMB-FUBINACA.

[16] N-[1-(aminocarbonyl)-2,2-dimethylpropyl]-1-(cyclohexylmethyl)-1 H-indazole-3-carboxamide - Other names: MAB-CHMINACA and ADB-CHMINACA.

[17] Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate - Other names: 5F-ADB and 5F-MDMB-PINACA.

[18] N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide - Other names: 5F-APINACA and 5F-AKB48.

[19] Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate - Other names: MDMB-CHMICA and MMB-CHMINACA.

[20] Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate - Other names: MDMB-FUBINACA.

[21] 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide - Other names: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYL BINACA; CUMYL-4CN -BINACA; SGT-78.

[22] methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate - Other names: MMB-CHMICA, AMB-CHMICA.

[23] 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide - Other names: 5F-CUMYL-P7AICA.

[24] ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate - Other names: 5F-EDMB-PINACA.

[25] methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate - Other names: 5F-MDMB-PICA and 5F-MDMB-2201.

[26] 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide - Other names: 5F-CUMYL-PINACA, SGT-25.

[27] (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone - Other names: FUB-144.

[28] methyl 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (4F-MDMB-BINACA, 4F-MDMB-BUTINACA).

[29] ~~Methyl 3,3-dimethyl-2-[(1-pent-4-enylindazole-3-carbonyl)amino]butanoate - Other names: MDMB-4en-PINACA, MDMB-PENINACA, and 5-CL-ADB-A.~~

~~[30]~~ Methyl 2-[[1-(5-fluoropentyl)indole-3-carbonyl]amino]-3,3-dimethyl-butanoate - Other names: 5F-MDMB-PICA and 5F-MDMB-2201.

~~[31] 1-butyl-N-(1-carbamoyl-2,2-dimethyl-propyl)indazole-3-carboxamide - Other names: ADB-BINACA and ADB-BUTINACA.~~

~~[32]~~[30] 5-bromo-N-(1-carbamoyl-2,2-dimethyl-propyl)-1H-indazole-3- carboxamide - Other names: ADB-5Br-INACA.

~~[33]~~[31] Methyl 2-[(5-bromo-1H-indazole-3-carbonyl)amino]-3,3-dimethyl- butanoate - Other names: MDMB-5Br-INACA.

~~[34]~~[32] 5-bromo-1-butyl-N-(1-carbamoyl-2,2-dimethyl-propyl)indazole-3- carboxamide - Other names: ADB-5'Br-BINACA and ADB-5'Br-BUTINACA.

[33] Methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1H-indazole-3-carboxamido)butanoate - Other name: MDMB-4en-PINACA.

[34] Methyl 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3,3-dimethyl-butanoate - Other names: 4F-MDMB-BUTICA; 4F-MDMB-BICA.

[35] N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(pent-4-en-1-yl)-1H-indazole-3-carboxamide - Other name: ADB-4en-PINACA.

[36] Ethyl 2-[[1-(5-fluoropentyl)indole-3-carbonyl]amino]-3,3-dimethyl-butanoate - Other names: 5F-EDMB-PICA; 5F-EDMB-2201.

[37] Methyl 2-(1-(4-fluorobenzyl)-1H-indole-3-carboxamido)-3-methyl butanoate - Other name: MMB-FUBICA.

[38] N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-butyl-1H-indazole-3-carboxamide - Other name: ADB-BUTINACA.

(4) Indole carboxylic acids. Any compound structurally derived from 1H-indole-3-carboxylic acid or 1H-2-carboxylic acid substituted in both of the following ways: at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, tetrahydropyranylmethyl, benzyl, or halo benzyl group; and, at the hydroxyl group of the carboxylic acid by a phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, or propionaldehyde group whether or not the compound is further modified to any extent in the following ways:

(a) Substitution to the indole ring to any extent; or

(b) Substitution to the phenyl, benzyl, cumyl, naphthyl, adamantyl, cyclopropyl, propionaldehyde group to any extent; or

(c) A nitrogen heterocyclic analog of the indole ring; or

(d) A nitrogen heterocyclic analog of the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.

(e) Examples include:

[1] 1-(cyclohexylmethyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: BB-22 and QUCHIC.

[2] naphthalen-1-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate - Other names: FDU-PB-22.

[3] 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: PB-22 and QUPIC.

[4] 1-(5-Fluoropentyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester - Other names: 5-Fluoro PB-22 and 5F-PB-22.

[5] quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate - Other names: FUB-PB-22.

[6] naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate - Other names: NM2201 and CBL2201.

(5) Naphthylmethylindoles. Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples include:

(a) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane - Other names: JWH-175.

(b) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane - Other names: JWH-184.

(6) Naphthoylpyrroles. Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4- yl)methyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples include: (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone - Other names: JWH-307.

(7) Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl- 2-piperidinyl)methyl, 2 (4 morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4- yl)methyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent. Examples include: E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane - Other names: JWH-176.

(8) Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not substituted in the cyclohexyl ring to any extent. Examples include:

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

(b) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other names: Cannabicyclohexanol and CP 47,497 C8 homologue.

(c) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol - Other names: CP 55,940.

(9) Others specifically named:

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

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

(c) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone - Other names: WIN 55,212-2.

(d) Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone - Other names: CB-13.

(e) N-[(Z)-(1-hexyl-2-oxo-indolin-3-ylidene)amino]benzamide - Other names: BZO-HEXOXIZID and MDA-19.

(f) N-[(Z)-(2-oxo-1-pentyl-indolin-3-ylidene)amino]benzamide - Other names: BZO-POXIZID, Pentyl MDA-19, and 5C-MDA-19.

(g) N-[(Z)-[1-(5-fluoropentyl)-2-oxo-indolin-3-ylidene]amino]benzamide - Other names: 5F-BZO-POXIZID and 5F-MDA-19.

(h) N-[(Z)-(2-oxo-1-pent-4-enyl-indolin-3-ylidene)amino]benzamide - Other names: BZO-4en-POXIZID and 4en-pentyl MDA-19.

(i) N-[(Z)-[1-(cyclohexylmethyl)-2-oxo-indolin-3-ylidene]amino]benzamide - Other names: BZO-CHMOXIZID, Cyclohexylmethyl MDA-19 and CHM-MDA-19.

(j) N-(1-carbamoyl-2-methyl-propyl)-2-(5-fluoropentyl)-5-(4-fluorophenyl)pyrazole-3-carboxamide - Other Names: 5F-AB-PFUPPYCA.

(k) 5-Pentyl-2-(2-phenylpropan-2-yl)pyrido[4,3-b]indol-1-one - Other names: CUMYL-PEGACLONE; SGT-151.

o. Substituted phenethylamines. This includes any compound, unless specifically excepted, specifically named in this schedule, or listed under a different schedule, structurally derived from phenylethan-2-amine by substitution on the phenyl ring in any of the following ways, that is to say, by substitution with a fused methylenedioxy ring, fused furan ring, or fused tetrahydrofuran ring; by substitution with two alkoxy groups; by substitution with one alkoxy and either one fused furan, tetrahydrofuran, or tetrahydropyran ring system; or by substitution with two fused ring systems from any combination of the furan, tetrahydrofuran, or tetrahydropyran ring systems.

(1) Whether or not the compound is further modified in any of the following ways, that is to say:

(a) By substitution of phenyl ring by any halo, hydroxyl, alkyl, trifluoromethyl, alkoxy, or alkylthio groups;

(b) By substitution at the 2-position by any alkyl groups; or

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, hydroxybenzyl, methylenedioxybenzyl, or methoxybenzyl groups.

(2) Examples include:

(a) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (also known as 2C-C or 2,5-Dimethoxy-4-chlorophenethylamine).

(b) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (also known as 2C-D or 2,5-Dimethoxy-4-methylphenethylamine).

(c) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (also known as 2C-E or 2,5-Dimethoxy-4-ethylphenethylamine).

(d) 2-(2,5-Dimethoxyphenyl)ethanamine (also known as 2C-H or 2,5-Dimethoxyphenethylamine).

(e) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-I or 2,5-Dimethoxy-4-iodophenethylamine).

(f) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (also known as 2C-N or 2,5-Dimethoxy-4-nitrophenethylamine).

(g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (also known as 2C-P or 2,5-Dimethoxy-4-propylphenethylamine).

(h) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (also known as 2C-T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine).

(i) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (also known as 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine).

(j) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-B or 2,5-Dimethoxy-4-bromophenethylamine).

(k) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine (also known as 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine).

(l) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine (also known as DOI or 2,5-Dimethoxy-4-iodoamphetamine).

(m) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane (also known as DOB or 2,5-Dimethoxy-4-bromoamphetamine).

(n) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine (also known as DOC or 2,5-Dimethoxy-4-chloroamphetamine).

(o) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (also known as 2C-B-NBOMe; 2,5B-NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine).

(p) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2 -methoxyphenyl)methyl]ethanamine (also known as 2C-I-NBOMe; 2,5I-NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine).

(q) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine (also known as mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-methoxybenzyl)phenethylamine).

(r) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (also known as 2C-C-NBOMe; 2,5C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine).

(s) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine (also known as 2CB-5-hemiFLY).

(t) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine (also known as 2C-B-FLY).

(u) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-yl)ethanamine (also known as 2C-B-butterFLY).

(v) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-tetrahydrobenzo[1,2-b:4,5-b']difuran-4-yl)-2-aminoethane (also known as 2C-B-FLY-NBOMe).

(w) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine (also known as bromo-benzodifuranyl-isopropylamine or bromo-dragonFLY).

(x) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine (also known as 2C-I-NBOH or 2,5I-NBOH).

(y) 5-(2-Aminopropyl)benzofuran (also known as 5-APB).

(z) 6-(2-Aminopropyl)benzofuran (also known as 6-APB).

(aa) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (also known as 5-APDB).

(bb) 6-(2-Aminopropyl)-2,3,-dihydrobenzofuran (also known as 6-APDB).

(cc) 2,5-dimethoxy-amphetamine (also known as 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA).

(dd) 2,5-dimethoxy-4-ethylamphetamine (also known as DOET).

(ee) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (also known as 2C-T-7).

(ff) 5-methoxy-3,4-methylenedioxy-amphetamine.

(gg) 4-methyl-2,5-dimethoxy-amphetamine (also known as 4-methyl-2,5-dimethoxy-a-methylphenethylamine; DOM and STP).

(hh) 3,4-methylenedioxy amphetamine (also known as MDA).

(ii) 3,4-methylenedioxymethamphetamine (also known as MDMA).

(jj) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA).

(kk) 3,4,5-trimethoxy amphetamine.

(ll) Mescaline (also known as 3,4,5-trimethoxyphenethylamine).

p. Substituted tryptamines. This includes any compound, unless specifically excepted, specifically named in this schedule, or listed under a different schedule, structurally derived from 2-(1H-indol-3-yl)ethanamine (i.e., tryptamine) by mono- or di-substitution of the amine nitrogen with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom in a cyclic structure whether or not the compound is further substituted at the alpha-position with an alkyl group or whether or not further substituted on the indole ring to any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy groups. Examples include:

(1) 5-methoxy-N,N-diallyltryptamine (also known as 5-MeO-DALT).

(2) 4-acetoxy-N,N-dimethyltryptamine (also known as 4-AcO-DMT or O-Acetylpsilocin).

(3) 4-hydroxy-N-methyl-N-ethyltryptamine (also known as 4-HO-MET).

(4) 4-hydroxy-N,N-diisopropyltryptamine (also known as 4-HO-DIPT).

(5) 5-methoxy-N-methyl-N-isopropyltryptamine (also known as 5-MeO-MiPT).

(6) 5-methoxy-N,N-dimethyltryptamine (also known as 5-MeO-DMT).

(7) Bufotenine (also known as 3-(Beta-Dimethyl-aminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine).

(8) 5-methoxy-N,N-diisopropyltryptamine (also known as 5-MeO-DiPT).

(9) Diethyltryptamine (also known as N,N-Diethyltryptamine; DET).

(10) Dimethyltryptamine (also known as DMT).

(11) Psilocyn.

q. 1-[3-(trifluoromethylphenyl)]piperazine (also known as TFMPP).

r. 1-[4-(trifluoromethylphenyl)]piperazine.

s. 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (also known as 5,6-Methylenedioxy-2-aminoindane or MDAI).

t. 2-(Ethylamino)-2-(3-methoxyphenyl)cyclohexanone (also known as Methoxetamine or MXE).

u. Ethylamine analog of phencyclidine (also known as N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE).

v. Pyrrolidine analog of phencyclidine (also known as 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP).

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

x. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (also known as TCPy).

y. Salvia divinorum, salvinorin A, or any of the active ingredients of salvia divinorum.

6. Depressants. Unless specifically excepted or unless listed in another schedule, 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. Gamma-hydroxybutyric acid.

b. Mecloqualone.

c. Methaqualone.

d. Clonazolam (also known as Clonitrazolam).

e. Etizolam.

f. Flualprazolam.

g. Flubromazepam.

h. Flubromazolam.

i. Adinazolam.

j. Bromazolam.

k. Deschloroetizolam.

l. Diclazepam.

7. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

a. Aminorex (also known as 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine).

b. Cathinone.

c. Substituted cathinones. Any compound, material, mixture, preparation, or other product, unless listed in another schedule or an approved food and drug administration drug (e.g., buproprion, pyrovalerone), structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

(1) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substitutents;

(2) By substitution at the 3-position with an acyclic alkyl substituent;

(3) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(4) By inclusion of the 2-amino nitrogen atom in a cyclic structure.

Some trade or other names:

(a) 3,4-Methylenedioxy-alpha-pyrrolidinopropiophenone (also known as MDPPP).

(b) 3,4-Methylenedioxy-N-ethylcathinone (also known as Ethylone, MDEC, or bk-MDEA).

(c) 3,4-Methylenedioxy-N-methylcathinone (also known as Methylone or bk-MDMA).

(d) 3,4-Methylenedioxypyrovalerone (also known as MDPV).

(e) 3,4-Dimethylmethcathinone (also known as 3,4-DMMC).

(f) 2-(methylamino)-1-phenylpentan-1-one (also known as Pentedrone).

(g) 2-Fluoromethcathinone (also known as 2-FMC).

(h) 3-Fluoromethcathinone (also known as 3-FMC).

(i) 4-Methylethcathinone (also known as 4-MEC and 4-methyl-N-ethylcathinone).

(j) 4-Fluoromethcathinone (also known as Flephedrone and 4-FMC).

(k) 4-Methoxy-alpha-pyrrolidinopropiophenone (also known as MOPPP).

(l) 4-Methoxymethcathinone (also known as Methedrone; bk-PMMA).

(m) 4'-Methyl-alpha-pyrrolidinobutiophenone (also known as MPBP).

(n) Alpha-methylamino-butyrophenone (also known as Buphedrone or MABP).

(o) Alpha-pyrrolidinobutiophenone (also known as alpha-PBP).

(p) Alpha-pyrrolidinopropiophenone (also known as alpha-PPP).

(q) Alpha-pyrrolidinopentiophenone (also known as Alpha-pyrrolidinovalerophenone or alpha-PVP).

(r) Beta-keto-N-methylbenzodioxolylbutanamine (also known as Butylone or bk-MBDB).

(s) Ethcathinone (also known as N-Ethylcathinone).

(t) 4-Methylmethcathinone (also known as Mephedrone or 4-MMC).

(u) Methcathinone.

(v) N,N-dimethylcathinone (also known as metamfepramone).

(w) Naphthylpyrovalerone (naphyrone).

(x) B-Keto-Methylbenzodioxolylpentanamine (also known as Pentylone).

(y) 4-Methyl-alpha-pyrrolidinopropiophenone (also known as 4-MePPP and MPPP).

(z) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (also known as Ephylone and N-Ethylpentylone).

(aa) N-ethylhexedrone (also known as alpha - ethylaminohexanophenone and 2-(ethylamino)-1-phenylhexan-1-one)).

(bb) Alpha-pyrrolidinohexanophenone (also known as alpha-PHP, alpha-pyrrolidinohexiophenone, and 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one)).

(cc) 4-methyl-alpha-ethylaminopentiophenone (also known as 4-MEAP and 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one)).

(dd) 4'-methyl-alpha-pyrrolidinohexiophenone (also known as MPHP, 4'-methyl-alpha-pyrrolidinohexanophenone and 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one)).

(ee) Alpha-pyrrolidinoheptaphenone (also known as PV8 and 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one)).

(ff) 4-chloro-alpha-pyrrolidinovalerophenone (also known <u>as</u> 4-chloro-alpha-PVP, 4'-chloro-alpha-pyrrolidinopentiophenone, and 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one)).

<u>(gg) 4-methyl-1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (other name: alpha-PiHP).</u>

<u>(hh) 2-(methylamino)-1-(3-methylphenyl)propan-1-one (other names: 3-MMC; 3-methylmethcathinone).</u>

<u>(ii) Eutylone (also known as 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one).</u>

d. Fenethylline.

e. Fluoroamphetamine.

f. Fluoromethamphetamine.

g. (±)cis-4-methylaminorex (also known as (±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).

h. N-Benzylpiperazine (also known as BZP, 1-benzylpiperazine).

i. N-ethylamphetamine.

j. N, N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine).

k. 1-(4-methoxyphenyl)-N-methylpropan-2-amine (also known as paramethoxymethamphetamine and PMMA).

l. 4,4′-Dimethylaminorex (4,4′-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine).

m. Amineptine (Also known as 7- [(10,11-dihydro-5Hdibenzo[a,d]cyclohepten-5- yl)amino]heptanoic acid).

n. Mesocarb (Also known as N-phenyl-N′ -(3-(1- phenylpropan-2-yl)-1,2,3-oxadiazol-3- ium-5-yl)carbamimidate).

o. Methiopropamine (Also known as N-methyl-1-(thiophen-2-yl)propan-2-amine).

p. Ethylphenidate (ethyl 2-phenyl-2-(piperidin-2-yl)acetate).

SECTION 2. AMENDMENT. Section 19-03.1-09 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-09. Schedule III.

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

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

3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

   a. Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in schedule II and any other drug of the quantitative composition shown in that schedule for those drugs or which is the same except that it contains a lesser quantity of controlled substances.

   b. Benzphetamine.

c. Chlorphentermine.

d. Clortermine.

e. Phendimetrazine.

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. Chlorhexadol.

e. Embutramide.

f. Gamma-hydroxybutyric acid in a United States food and drug administration-approved drug product.

g. Ketamine.

h. Lysergic acid.

i. Lysergic acid amide.

j. Methyprylon.

k. Perampanel.

l. Sativex or its successor name as determined by the federal food and drug administration.

m. Sulfondiethylmethane.

n. Sulfonethylmethane.

o. Sulfonmethane.

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.

5. Nalorphine.

6. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

a. (1) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(3) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(4) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(5) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

(6) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, non-narcotic ingredients in recognized therapeutic amounts.

b. Buprenorphine.

7. Anabolic steroids. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following ~~anabolic steroids~~substances, including its salts, esters, and ethers:

a. 3beta,17-dihydroxy-5a-androstane;

b. 3alpha,17beta-dihydroxy-5a-androstane;

c. 5alpha-androstan-3,17-dione;

d. 5alpha-androstan-3,6,17-trione;

e. 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);

~~e.~~f. 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);

~~f.~~g. 4-androstenediol (3beta,17beta-dihydroxyandrost-4-ene);

~~g.~~h. 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);

~~h.~~i. 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);

~~i.~~j. 4-androstenedione (androst-4-en-3,17-dione);

~~j.~~k. 5-androstenedione (androst-5-en-3,17-dione);

~~k.~~l. Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

~~l.~~m. Boldenone (17beta-hydroxyandrost-1,4,-diene-3-one);

~~m.~~n Boldione (androsta-1,4-diene-3,17-dione);

o. 6-bromo-androsta-1,4-diene-3,17-dione;

p. 6-bromo-androstan-3,17-dione;

~~n.~~q. Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);

r. 4-chloro-17alpha-methyl-androsta-1,4-diene-3,17beta-diol;

s. 4-chloro-17alpha-methyl-androst-4-ene-3beta,17beta-diol;

t. 4-chloro-17alpha-methyl-17beta-hydroxy-androst-4-en-3-one;

u. 4-chloro-17alpha-methyl-17beta-hydroxy-androst-4-ene-3,11-dione;

~~o.~~v. Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);

~~p.~~w. Dehydrochloromethyltestosterone (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);

~~q.~~x. Delta-1-dihydrotestosterone (also known as '1-testosterone') (17beta-hydroxy-5alpha-androst-1-en-3-one);

~~r.~~y. Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-17beta-ol) (also known as madol);

~~s.~~z. 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);

aa. 3beta,17beta-dihydroxy-5alpha-androstane;

bb. 3alpha,17beta-dihydroxy-5alpha-androstane;

cc. 2alpha,17alpha-dimethyl-17beta-hydroxy-5beta-androstan-3-one;

~~t.~~dd. Drostanolone (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

ee. 2alpha,3alpha-epithio-17alpha-methyl-5alpha-androstan-17beta-ol;

ff. estra-4,9,11-triene-3,17-dione;

gg. 13beta-ethyl-17beta-hydroxygon-4-en-3-one;

~~u.~~hh. Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

~~v.~~ii. Fluoxymesterone (9-fluoro-17alpha-methyl-11beta, 17beta-dihydroxyandrost-4-en-3-one);

~~w.~~jj. Formebolone (2-formyl-17alpha-methyl-11alpha, 17beta-dihydroxyandrost-1,4-dien-3-one);

~~x.~~kk. Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);

ll. [3,2-c]furazan-5alpha-androstan-17beta-ol;

mm. 18a-homo-3-hydroxy-estra-2,5(10)-dien-17-one;

nn. 4-hydroxy-androst-4-ene-3,17-dione;

oo. 17beta-hydroxy-androstano[2,3-d]isoxazole;

pp. 17beta-hydroxy-androstano[3,2-c]isoxazole;

qq. 3beta-hydroxy-estra-4,9,11-trien-17-one;

~~y.~~rr. 13beta-ethyl-17alpha-hydroxygon-4-en-3-one;

~~z.~~ss. 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);

~~aa.~~tt. 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);

~~bb.~~uu. Mestanolone (17alpha-methyl-17beta-hydroxy-5alpha-androstan-3-one);

~~cc.~~vv. Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

~~dd.~~ww. Methandienone (17alpha-methyl-17beta-dihydroxyandrost-1,4-dien-3-one);

~~ee.~~xx. Methandriol (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);

~~ff.~~yy. Methasterone (2[alpha],17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one);

~~gg.~~zz. Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

aaa. 17alpha-methyl-androsta-1,4-diene-3,17beta-diol;

bbb. 17alpha-methyl-5alpha-androstan-17beta-ol;

ccc. 17alpha-methyl-androstan-3-hydroxyimine-17beta-ol;

ddd. 6alpha-methyl-androst-4-ene-3,17-dione;

eee. 17alpha-methyl-androst-2-ene-3,17beta-diol;

~~hh.~~fff. 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;

~~ii.~~ggg. 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;

~~jj.~~hhh. 17alpha-methyl-3beta,17beta-dihyroxyandrost-4-ene;

~~kk.~~iii. 17alpha-methyl-4-hydroxynandrolone (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);

~~ll.~~jjj. Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);

~~mm.~~kkk. Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9(11)-trien-3-one);

~~nn.~~lll. Methyltestosterone (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);

~~oo.~~mmm. Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);

~~pp.~~nnn. 17alpha-methyl-delta1-dihydrotestosterone (17bbeta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known as '17-alpha-methyl-1-testosterone');

~~qq.~~ooo. Nandrolone (17beta-hydroxyestr-4-en-3-one);

~~rr.~~ppp. 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);

~~ss.~~qqq. 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);

~~tt.~~rrr. 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);

~~uu.~~sss. 19-nor-5-androstenediol (3alpha,17-beta-dihydroxyester-5-ene);

~~vv.~~ttt. 19-nor-4-androstenedione (estr-4-en-3,17-dione);

~~ww.~~uuu. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);

~~xx.~~vvv. 19-nor-5-androstenedione (estr-5-en-3,17-dione);

~~yy.~~www. Norboletheone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);

~~zz.~~xxx. Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);

~~aaa.~~yyy. Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);

~~bbb.~~zzz. Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);

~~ccc.~~aaaa. Oxandrolone (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);

~~ddd.~~bbbb. Oxymesterone (17alpha-methyl-4-17beta-dihydroxyandrost-4-en-3-one);

~~eee.~~cccc. Oxymetholone (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy [5alpha]-androstan-3-one);

dddd. [3,2-c]pyrazole-androst-4-en-17beta-ol;

~~fff.~~eeee. Stanozolol (17alpha-methyl-17beta-hydroxy[5alpha]-androst-2-eno[3,2-c]-pyrazole);

~~ggg.~~ffff. Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

~~hhh.~~gggg. Prostanozol (17[beta]- hydroxy-5[alpha]-androstano[3,2-c]pyrazole);

~~iii.~~hhhh. Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);

~~jjj.~~iiii. Testosterone (17beta-hydroxyandrost-4-en-3-one);

~~kkk.~~jjjj. Tetrahydrogestrinone (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one); or

~~lll.~~kkkk. Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one)~~;~~

~~or any salt, ester, or isomer of a drug or substance described or listed in this subsection, if that salt, ester, or isomer promotes muscle growth~~.

The term does not include an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for administration unless any person prescribes, dispenses, possesses, delivers, or distributes for human use.

8. Hallucinogenic substances.

   a. 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.

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

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

SECTION 3. AMENDMENT. Section 19-03.1-11 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-11. Schedule IV.

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

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

3. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

   a. Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

   b. Dextropropoxyphene (also known as alpha-(+)-4-dimethylamino- 1,2-diphenyl-3-methyl-2-propionoxybutane).

   c. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers including Tramadol.

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. Alfaxalone.

   c. Barbital.

   d. Brexanolone.

   e. Bromazepam.

   f. Camazepam.

   g. Carisoprodol.

   h. Chloral betaine.

i. Chloral hydrate.
j. Chlordiazepoxide.
k. Clobazam.
l. Clonazepam.
m. Clorazepate.
n. Clotiazepam.
o. Cloxazolam.
p. Daridorexant.
q. Delorazepam.
r. Diazepam.
s. Dichloralphenazone.
t. Estazolam.
u. Ethchlorvynol.
v. Ethinamate.
w. Ethyl loflazepate.
x. Fludiazepam.
y. Flunitrazepam.
z. Flurazepam.
aa. Fospropofol.
bb. Halazepam.
cc. Haloxazolam.
dd. Indiplon.
ee. Ketazolam.
ff. Lemborexant.
gg. Loprazolam.
hh. Lorazepam.
ii. Lorcaserin.
jj. Lormetazepam.
kk. Mebutamate.
ll. Medazepam.

mm. Meprobamate.

nn. Methohexital.

oo. Methylphenobarbital (also known as mephobarbital).

pp. Midazolam.

qq. Nimetazepam.

rr. Nitrazepam.

ss. Nordiazepam.

tt. Oxazepam.

uu. Oxazolam.

vv. Paraldehyde.

ww. Petrichloral.

xx. Phenobarbital.

yy. Pinazepam.

zz. Propofol.

aaa. Prazepam.

bbb. Quazepam.

ccc. Remimazolam.

ddd. Suvorexant.

eee. Temazepam.

fff. Tetrazepam.

ggg. Triazolam.

hhh. Zaleplon.

iii. Zolpidem.

jjj. Zopiclone.

<u>kkk. Zuranolone.</u>

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

   a. Cathine.

   b. Diethylpropion.

c. Fencamfamin.

d. Fenproporex.

e. Mazindol.

f. Mefenorex.

g. Modafinil.

h. Pemoline (including organometallic complexes and chelates thereof).

i. Phentermine.

j. Pipradrol.

k. Serdexmethylphenidate.

l. Sibutramine.

m. Solriamfetol.

n. SPA ((-)-1-dimethylamino-1, 2-diphenylethane).

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of:

a. Pentazocine, including its salts.

b. Butorphanol, including its optical isomers.

c. Eluxadoline (5-[[[(2*S*)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl][(1*S*)-1-(4-phenyl-1*H*-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers.

7. Hallucinogenic substances. Pharmaceutical composition of crystalline polymorph psilocybin, known as COMP360 or any such trade name approved for COMP360 by the United States food and drug administration.

8. The board may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection 2 from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure.

Approved March 25, 2025

Filed March 26, 2025

CHAPTER 212

HOUSE BILL NO. 1367

(Representatives Klemin, Karls, Lefor, Schneider, Louser)
(Senators Dwyer, Larson, Sickler)

AN ACT to amend and reenact subsection 7 of section 19-03.1-23 and subsection 1 of section 19-03.4-03 of the North Dakota Century Code, relating to drug crime penalties and drug paraphernalia possession; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

[75] **SECTION 1. AMENDMENT.** Subsection 7 of section 19-03.1-23 of the North Dakota Century Code is amended and reenacted as follows:

7. a. It is unlawful for any person to willfully, as defined in section 12.1-02-02, possess a controlled substance or a controlled substance analog unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this chapter, but any person who violates section 12-46-24 or 12-47-21 may not be prosecuted under this subsection.

   b. Except as otherwise provided in this subsection, any person who violates this subsection is guilty of a class A misdemeanor for the first offense ~~under this subsection and a class C felony for a second or subsequent offense under this subsection~~. If a person is convicted of a second or subsequent offense not related to marijuana or tetrahydrocannabinol under this section or chapter 19-03.2, 19-03.3, or 19-03.4, or an equivalent offense from another court in the United States, the violation is a class C felony.

   c. If, at the time of the offense the person is in or on the real property comprising a public or private elementary or secondary school or a public career and technical education school, the person is guilty of a class B felony, unless the offense involves marijuana or tetrahydrocannabinol.

   d. A person who violates this subsection by possessing:

      (1) Marijuana:

         (a) In an amount of less than one-half ounce [14.175 grams] is guilty of an infraction.

         (b) At least one-half ounce [14.175 grams] but not more than 500 grams of marijuana is guilty of a class B misdemeanor.

         (c) More than 500 grams of marijuana is guilty of a class A misdemeanor.

      (2) Tetrahydrocannabinol:

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[75] Section 19-03.1-23 was also amended by section 3 of House Bill No. 1030, chapter 301.

(a) In an amount less than two grams is guilty of an infraction.

(b) At least two grams but not more than six grams of tetrahydrocannabinol is guilty of a class B misdemeanor.

(c) More than six grams of tetrahydrocannabinol is guilty of a class A misdemeanor.

e. If an individual is sentenced to the legal and physical custody of the department of corrections and rehabilitation under this subsection, the department may place the individual in a drug and alcohol treatment program designated by the department. Upon the successful completion of the drug and alcohol treatment program, the department shall release the individual from imprisonment to begin any court-ordered period of probation.

f. If the individual is not subject to any court-ordered probation, the court shall order the individual to serve the remainder of the sentence of imprisonment on supervised probation subject to the terms and conditions imposed by the court.

g. Probation under this subsection may include placement in another facility, treatment program, drug court, mental health court, or veterans treatment docket. If an individual is placed in another facility or treatment program upon release from imprisonment, the remainder of the sentence must be considered as time spent in custody.

h. An individual incarcerated under this subsection as a result of a second probation revocation is not eligible for release from imprisonment upon the successful completion of treatment.

i. A person who violates this subsection regarding possession of five or fewer capsules, pills, or tablets of a schedule II, III, IV, or V controlled substance or controlled substance analog is guilty of a class A misdemeanor. If a person is convicted of a second or subsequent offense not related to marijuana or tetrahydrocannabinol under this section or chapter 19-03.2, 19-03.3, or 19-03.4, or an equivalent offense from another court in the United States, the violation is a class C felony.

[76] **SECTION 2. AMENDMENT.** Subsection 1 of section 19-03.4-03 of the North Dakota Century Code is amended and reenacted as follows:

1. A person may not use or possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance in violation of chapter 19-03.1. A person violating this subsection is guilty of a class C felony if the drug paraphernalia is used, or possessed with intent to be used, to plant, propagate, manufacture, compound, convert, produce, process, prepare, test, ~~or~~ analyze, pack, repack, store, contain, or conceal a controlled substance, other than marijuana or tetrahydrocannabinol, classified in schedule I, II, or III of chapter 19-03.1.

Approved April 7, 2025

Filed April 8, 2025

[76] Section 19-03.4-03 was also amended by section 4 of House Bill No. 1030, chapter 301.

CHAPTER 213

SENATE BILL NO. 2293

(Senators Roers, Cleary, Meyer)
(Representatives Dockter, M. Ruby, Vetter)

AN ACT to amend and reenact subsections 7 and 18 of section 19-24.1-01, and subdivision c of subsection 2 of section 19-24.1-03 of the North Dakota Century Code, relating to medical marijuana container sizes, caregivers, and documentation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

[77] **SECTION 1. AMENDMENT.** Subsections 7 and 18 of section 19-24.1-01 of the North Dakota Century Code are amended and reenacted as follows:

7. "Cannabinoid concentrate" means a concentrate or extract obtained by separating cannabinoids from marijuana by a mechanical, chemical, or other process. A container holding a cannabinoid concentrate for dispensing may not exceed one gram.

18. "Designated caregiver" means an individual who is at least twenty-one years of age and agrees to manage the well-being of a registered qualifying patient with respect to the qualifying patient's medical use of marijuana.

[78] **SECTION 2. AMENDMENT.** Subdivision c of subsection 2 of section 19-24.1-03 of the North Dakota Century Code is amended and reenacted as follows:

c. An original qualifying patient application for a registry identification card form established by the department which must include all of the following:

(1) The applicant's name, address, and date of birth.

(2) The name, address, and date of birth of the applicant's proposed designated caregiver, if any.

(3) A photographic copy of the applicant's North Dakota identification. The North Dakota identification must be available for inspection and verification upon request of the department. If the applicant is unable to obtain a current North Dakota identification due to the applicant's medical condition, the applicant may submit other department approved documentation. If the applicant is a minor, a certified copy of a birth record or a photographic copy of the minor's North Dakota identification is required.

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[77] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2294, chapter 214, section 2 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, section 4 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

[78] Section 19-24.1-03 was also amended by section 6 of Senate Bill No. 2294, chapter 214.

(4) The applicant's or guardian's signature and the date, or in the case of a minor, the signature of the minor's parent or legal guardian with responsibility for health care decisions and the date.

(5) A disclosure that possession of a firearm by a person who possesses marijuana may be a violation of federal law.

Approved March 27, 2025

Filed March 31, 2025

CHAPTER 214

SENATE BILL NO. 2294

(Senators Roers, Cleary, Meyer)
(Representatives Dockter, M. Ruby, Vetter)

AN ACT to create and enact a new section to chapter 19-24.1 of the North Dakota Century Code, relating to qualifying nonresident medical marijuana patients; to amend and reenact subsection 3 of section 19-24.1-01, subsection 4 of section 19-24.1-01, subsection 8 of section 19-24.1-01, subsection 26 of section 19-24.1-01, subsection 47 of section 19-24.1-01, and sections 19-24.1-03, 19-24.1-11, and 19-24.1-37 of the North Dakota Century Code, relating to allowable amounts of usable medical marijuana, medical marijuana recordkeeping, cannabinoid edible products, patient qualifications, and disclosure of information.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

[79] **SECTION 1. AMENDMENT.** Subsection 3 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

3. "Allowable amount of usable marijuana" means the amount of usable marijuana a registered qualifying patient or registered designated caregiver may purchase in a thirty-day period under this chapter.

   a. Except as provided under subdivision b:

      (1) During a thirty-day period, a registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than two and one-half ounces [70.87 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

      (2) At any time a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than three ounces [85.05 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

      (3) At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than five hundred milligrams of a cannabinoid edible product.

   b. Notwithstanding subdivision a, if a registered qualifying patient has a registry identification card authorizing an enhanced allowable amount:

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[79] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2293, chapter 213, section 2 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, section 4 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

(1) During a thirty-day period a registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than six ounces [170.01 grams] of dried leaves or flowers of the plant of genus cannabis in a combustible delivery form.

(2) At any time a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than seven and one-half ounces [212.62 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

(3) At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than five hundred milligrams of a cannabinoid edible product.

c. A registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than the maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period. The maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period for a cannabinoid concentrate or medical cannabinoid product, or the cumulative total of both, is six thousand milligrams. At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not purchase more than three hundred ten milligrams of tetrahydrocannabinol in the form of a cannabinoid edible product.

[80] **SECTION 2. AMENDMENT.** Subsection 4 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

4. "Bona fide provider-patient relationship" means a treatment or counseling relationship between a health care provider and patient in which all the following are present:

a. The health care provider has reviewed the patient's relevant medical records and completed a full assessment of the patient's medical history and current medical condition, including a relevant~~, in person,~~ medical evaluation of the patient.

b. The health care provider has created and maintained records of the patient's condition in accordance with medically accepted standards.

c. The patient is under the health care provider's continued care for the debilitating medical condition that qualifies the patient for the medical use of marijuana.

d. The health care provider has a reasonable expectation that provider will continue to provide followup care to the patient to monitor the medical use of marijuana as a treatment of the patient's debilitating medical condition.

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[80] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2293, chapter 213, section 1 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, section 4 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

e. The relationship is not for the sole purpose of providing written certification for the medical use of marijuana.

[81] **SECTION 3. AMENDMENT.** Subsection 8 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

8. "Cannabinoid edible product" means a ~~food or potable liquid~~soft or hard lozenge in a geometric square shape into which a cannabinoid concentrate or the dried leaves or flowers of the plant of the genus cannabis is incorporated. The maximum concentration or amount of tetrahydrocannabinol permitted in a serving of a cannabinoid edible product is five milligrams and in a package is fifty milligrams.

[82] **SECTION 4. AMENDMENT.** Subsection 26 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

26. "Medical cannabinoid product" means a product intended for human consumption or use which contains cannabinoids.

a. Medical cannabinoid products are limited to the following forms:

(1) Cannabinoid solution;

(2) Cannabinoid capsule;

(3) Cannabinoid transdermal patch; ~~and~~

(4) Cannabinoid topical~~.~~; and

(5) Cannabinoid edible product.

b. "Medical cannabinoid product" does not include:

(1) ~~A cannabinoid edible product;~~

~~(2)~~ A cannabinoid concentrate by itself; or

~~(3)~~(2)The dried leaves or flowers of the plant of the genus cannabis by itself.

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[81] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2293, chapter 213, section 1 of Senate Bill No. 2294, chapter 214, section 2 of Senate Bill No. 2294, chapter 214, section 4 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

[82] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2293, chapter 213, section 1 of Senate Bill No. 2294, chapter 214, section 2 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

[83] **SECTION 5. AMENDMENT.** Subsection 47 of section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

47. "Usable marijuana" means a medical marijuana product or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form. ~~However, the term does not include a cannabinoid edible product.~~ In the case of a registered qualifying patient who is a minor, "usable marijuana" is limited to pediatric medical marijuana.

[84] **SECTION 6. AMENDMENT.** Section 19-24.1-03 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-03. Qualifying patients - Registration.

1. A qualifying patient is not eligible to purchase, use, or possess usable marijuana under the medical marijuana program unless the qualifying patient has a valid registry identification card.

2. A qualifying patient application for a registry identification card is complete and eligible for review if an applicant submits to the department:

   a. A nonrefundable application fee in an amount not to exceed ~~twenty five dollars~~forty dollars for a registry identification card valid for two years.

   b. An original written certification, which must include:

      (1) The name, address, and telephone number of the practice location of the applicant's health care provider;

      (2) The health care provider's North Dakota license number;

      (3) The health care provider's medical or nursing specialty;

      (4) The applicant's name and date of birth;

      (5) The applicant's debilitating medical condition and the medical justification for the health care provider's certification of the patient's debilitating medical condition;

      (6) Attestation the written certification is made in the course of a bona fide provider-patient relationship;

      (7) Whether the health care provider authorizes the patient to use an enhanced amount of the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form to treat or alleviate the patient's debilitating medical condition of cancer; and

      (8) The health care provider's signature and the date.

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[83] Section 19-24.1-01 was also amended by section 1 of House Bill No. 1203, chapter 215, section 1 of Senate Bill No. 2293, chapter 213, section 1 of Senate Bill No. 2294, chapter 214, section 2 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, and section 4 of Senate Bill No. 2294, chapter 214.

[84] Section 19-24.1-03 was also amended by section 2 of Senate Bill No. 2293, chapter 213.

c. An original qualifying patient application for a registry identification card form established by the department which must include all of the following:

(1) The applicant's name, address, and date of birth.

(2) The name, address, and date of birth of the applicant's proposed designated caregiver, if any.

(3) A photographic copy of the applicant's North Dakota identification. The North Dakota identification must be available for inspection and verification upon request of the department. If the applicant is a minor, a certified copy of a birth record or a photographic copy of the minor's North Dakota identification is required.

(4) The applicant's or guardian's signature and the date, or in the case of a minor, the signature of the minor's parent or legal guardian with responsibility for health care decisions and the date.

(5) A disclosure that possession of a firearm by a person who possesses marijuana may be a violation of federal law.

d. A signed consent for release of medical information related to the applicant's debilitating medical condition, on a form provided by the department.

e. A recent two-by-two inch [5.08-by-5.08 centimeter] photograph of the applicant.

f. Any other information or material required by rule adopted under this chapter.

3. If the applicant is unable to submit the required application information due to age or medical condition, the individual responsible for making medical decisions for the applicant may submit the application on behalf of the applicant. The individual responsible for making medical decisions:

a. Must be identified on the qualifying patient application for a registry identification card; and

b. Shall provide a photographic copy of the individual's department-approved identification. The identification must be available for inspection and verification upon the request of the department.

4. If the applicant is a minor, the department may waive the application or renewal fee if:

a. The parent or legal guardian of the applicant is the applicant's registered designated caregiver; and

b. The applicant resides with the applicant's registered designated caregiver.

SECTION 7. A new section to chapter 19-24.1 of the North Dakota Century Code is created and enacted as follows:

Qualifying patients - Nonresidents.

In lieu of the written certification required under section 19-24.1-03, a nonresident who holds a valid out-of-state medical marijuana card issued by the state in which the nonresident resides, may submit to the department a copy of the nonresident's out-of-state department-approved identification and a copy of an out-of-state medical marijuana card. The department-approved identification and out-of-state medical marijuana card must be issued by the same state. The department may use the out-of-state department-approved identification and out-of-state medical marijuana card in place of a written certification to approve or deny the application under section 19-24.1-05. The department shall issue a registry identification card within thirty calendar days of approving an application under this section. The issued registry identification card is valid for sixty days.

SECTION 8. AMENDMENT. Section 19-24.1-11 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-11. Registry identification cards.

1. The contents of a registry identification card must include:
   a. The name of the cardholder;
   b. A designation as to whether the cardholder is a qualifying patient, designated caregiver, or compassion center agent;
   c. A designation as to whether a qualifying patient is a minor;
   d. A designation as to whether a qualifying patient or a designated caregiver's qualifying patient is authorized to use an enhanced amount of dried leaves or flowers of the plant of the genus cannabis to treat or alleviate the patient's debilitating medical condition of cancer;
   e. The date of issuance and expiration date;
   f. A random ten-digit alphanumeric identification number containing at least four numbers and at least four letters which is unique to the cardholder;
   g. If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver is authorized to assist;
   h. A photograph of the cardholder; and
   i. The phone number or website address at which the card can be verified.
2. Except as otherwise provided in this section or rule adopted under this chapter, a registry identification card ~~expiration date must be~~is valid for ~~one year after~~two years from the date of issuance.
3. ~~If a health care provider limits the written certification until a specified date, less than one year, the registry identification card expires on that date.~~

SECTION 9. AMENDMENT. Section 19-24.1-37 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-37. Confidentiality.

1. Except as provided under subsection 2, information kept or maintained by the department is confidential, including information in a registration application or renewal and supporting information submitted by a qualifying patient, designated caregiver, compassion center, proposed compassion center, or compassion center agent, including information on designated caregivers and health care providers.

2. Information kept or maintained by the department may be disclosed as necessary for:

   a. The verification of registration certificates and registry identification cards under this chapter;

   b. Submission of the annual report required by this chapter;

   c. Submission to the North Dakota prescription drug monitoring program;

   d. Notification of state or local law enforcement of apparent criminal violation;

   e. Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card;

   f. Notification of the North Dakota board of medicine or North Dakota board of nursing if there is a reason to believe a health care provider provided a written certification and the department has reason to believe the health care provider otherwise violated this chapter; or

   g. Data for statistical purposes in a manner such that an individual or compassion center is not identified.

3. Upon a cardholder's written request, the department may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.

4. Information submitted to a local government to demonstrate compliance with any security requirements required by local zoning ordinances or regulations is confidential.

5. Upon written request of a compassion center or a compassion center's designee, the department shall comply with a request for information to a third party when necessary for the business operation of a compassion center.

Approved April 29, 2025

Filed April 30, 2025

CHAPTER 215

HOUSE BILL NO. 1203

(Representatives Vetter, Dobervich, M. Ruby, Steiner, Frelich, Christianson, Christy, Bahl)
(Senators Cory, Meyer)

AN ACT to create and enact section 19-24.1-24.1 and a new subsection to section 19-24.1-36 of the North Dakota Century Code, relating to regulating edible medical marijuana products; and to amend and reenact section 19-24.1-01 of the North Dakota Century Code, relating to definitions of medical marijuana products.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

[85] **SECTION 1. AMENDMENT.** Section 19-24.1-01 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-01. Definitions.

As used in this chapter, unless the context indicates otherwise:

1. "Advanced practice registered nurse" means an advanced practice registered nurse defined under section 43-12.1-02.

2. "Agent" means an individual who is authorized to act for, in place of, or on behalf of a compassion center.

3. "Allowable amount of usable marijuana" means the amount of usable marijuana a registered qualifying patient or registered designated caregiver may purchase in a thirty-day period under this chapter.

   a. Except as provided under subdivision b:

      (1) During a thirty-day period, a registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than two and one-half ounces [70.87 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

      (2) At any time a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than three ounces [85.05 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

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[85] Section 19-24.1-01 was also amended by section 1 of Senate Bill No. 2293, chapter 213, section 1 of Senate Bill No. 2294, chapter 214, section 2 of Senate Bill No. 2294, chapter 214, section 3 of Senate Bill No. 2294, chapter 214, section 4 of Senate Bill No. 2294, chapter 214, and section 5 of Senate Bill No. 2294, chapter 214.

(3) At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than five hundred milligrams of a cannabinoid edible product.

b. Notwithstanding subdivision a, if a registered qualifying patient has a registry identification card authorizing an enhanced allowable amount:

(1) During a thirty-day period a registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than six ounces [170.01 grams] of dried leaves or flowers of the plant of genus cannabis in a combustible delivery form.

(2) At any time a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than seven and one-half ounces [212.62 grams] of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form.

(3) At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not possess more than five hundred milligrams of a cannabinoid edible product.

c. A registered qualifying patient may not purchase or have purchased by a registered designated caregiver more than the maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period. The maximum concentration or amount of tetrahydrocannabinol permitted in a thirty-day period for a cannabinoid concentrate or medical cannabinoid product, or the cumulative total of both, is six thousand milligrams. At any time, a registered qualifying patient, or a registered designated caregiver on behalf of a registered qualifying patient, may not purchase more than three hundred ten milligrams of tetrahydrocannabinol in the form of a cannabinoid edible product.

4. "Bona fide provider-patient relationship" means a treatment or counseling relationship between a health care provider and patient in which all the following are present:

a. The health care provider has reviewed the patient's relevant medical records and completed a full assessment of the patient's medical history and current medical condition, including a relevant~~, in person,~~ medical evaluation of the patient.

b. The health care provider has created and maintained records of the patient's condition in accordance with medically accepted standards.

c. The patient is under the health care provider's continued care for the debilitating medical condition that qualifies the patient for the medical use of marijuana.

d. The health care provider has a reasonable expectation that provider will continue to provide followup care to the patient to monitor the medical use of marijuana as a treatment of the patient's debilitating medical condition.

e. The relationship is not for the sole purpose of providing written certification for the medical use of marijuana.

5. "Cannabinoid" means a chemical compound that is one of the active constituents of marijuana.

6. "Cannabinoid capsule" means a small, soluble container, usually made of gelatin, which encloses a dose of a cannabinoid product or a cannabinoid concentrate intended for consumption. The maximum concentration of amount of tetrahydrocannabinol permitted in a serving of a cannabinoid capsule is fifty milligrams.

7. "Cannabinoid concentrate" means a concentrate or extract obtained by separating cannabinoids from marijuana by a mechanical, chemical, or other process.

8. "Cannabinoid edible product" means a ~~food or potable liquid~~soft or hard lozenge in a geometric square shape into which a cannabinoid concentrate or the dried leaves or flowers of the plant of the genus cannabis is incorporated.

   a. The maximum concentration or amount of tetrahydrocannabinol permitted in a serving of a cannabinoid edible product is five milligrams and in a package is fifty milligrams.

   b. The term does not include a hard or soft lozenge in a geometric square shape into which a cannabinoid concentrate or the dried leaves or flowers of the plant of the genus cannabis is incorporated if the form, packaging, or labeling is target marketed to minors.

9. "Cannabinoid solution" means a solution consisting of a mixture created from cannabinoid concentrate and other ingredients. A container holding a cannabinoid solution for dispensing may not exceed thirty milliliters.

10. "Cannabinoid topical" means a cannabinoid product intended to be applied to the skin or hair. The maximum concentration or amount of tetrahydrocannabinol permitted in a cannabinoid topical is six percent.

11. "Cannabinoid transdermal patch" means an adhesive substance applied to the skin which contains a cannabinoid product or cannabinoid concentrate for absorption into the bloodstream. The maximum concentration or amount of tetrahydrocannabinol permitted in a serving of a cannabinoid transdermal patch is fifty milligrams.

12. "Cardholder" means a qualifying patient, designated caregiver, or compassion center agent who has been issued and possesses a valid registry identification card.

13. "Compassion center" means a manufacturing facility or dispensary.

14. "Compassion center agent" means a principal officer, board member, member, manager, governor, employee, volunteer, or agent of a compassion center. The term does not include a lawyer representing a compassion center in civil or criminal litigation or in an adversarial administrative proceeding.

15. "Contaminated" means made impure or inferior by extraneous substances.

16. "Debilitating medical condition" means one of the following:

a. Cancer;

b. Positive status for human immunodeficiency virus;

c. Acquired immune deficiency syndrome;

d. Decompensated cirrhosis caused by hepatitis C;

e. Amyotrophic lateral sclerosis;

f. Posttraumatic stress disorder;

g. Agitation of Alzheimer's disease or related dementia;

h. Crohn's disease;

i. Fibromyalgia;

j. Spinal stenosis or chronic back pain, including neuropathy or damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity;

k. Glaucoma;

l. Epilepsy;

m. Anorexia nervosa;

n. Bulimia nervosa;

o. Anxiety disorder;

p. Tourette syndrome;

q. Ehlers-Danlos syndrome;

r. Endometriosis;

s. Interstitial cystitis;

t. Neuropathy;

u. Migraine;

v. Rheumatoid arthritis;

w. Autism spectrum disorder;

x. A brain injury;

y. A terminal illness; or

z. A chronic or debilitating disease or medical condition or treatment for such disease or medical condition that produces one or more of the following:

(1) Cachexia or wasting syndrome;

(2) Severe debilitating pain that has not responded to previously prescribed medication or surgical measures for more than three months or for which other treatment options produced serious side effects;

(3) Intractable nausea;

(4) Seizures; or

(5) Severe and persistent muscle spasms, including those characteristic of multiple sclerosis.

17. "Department" means the department of health and human services.

18. "Designated caregiver" means an individual who agrees to manage the well-being of a registered qualifying patient with respect to the qualifying patient's medical use of marijuana.

19. "Dispensary" means an entity registered by the department as a compassion center authorized to dispense usable marijuana to a registered qualifying patient and a registered designated caregiver.

20. "Enclosed, locked facility" means a closet, room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access limited to individuals authorized under this chapter or rules adopted under this chapter.

21. "Health care provider" means a physician, a physician assistant, or an advanced practice registered nurse.

22. "Manager" means an individual who administers or supervises the day-to-day operations and affairs of a compassion center.

23. "Manufacturing facility" means an entity registered by the department as a compassion center authorized to produce and process and to sell usable marijuana to a dispensary.

24. "Marijuana" means all parts of the plant of the genus cannabis; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, the seeds of the plant, or the resin extracted from any part of the plant. The term marijuana does not include:

    a. Hemp as regulated under section 4.1-18.1-01; or

    b. A prescription drug approved by the United States food and drug administration under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355].

25. "Maximum concentration or amount of tetrahydrocannabinol" means the total amount of tetrahydrocannabinol and tetrahydrocannabinolic acid in a medical cannabinoid product or a cannabinoid concentrate.

26. "Medical cannabinoid product" means a product intended for human consumption or use which contains cannabinoids.

a. Medical cannabinoid products are limited to the following forms:

(1) Cannabinoid solution;

(2) Cannabinoid capsule;

(3) Cannabinoid transdermal patch; ~~and~~

(4) Cannabinoid topical; and

(5) Cannabinoid edible products.

b. "Medical cannabinoid product" does not include:

(1) ~~A cannabinoid edible product;~~

~~(2)~~ A cannabinoid concentrate by itself; or

~~(3)~~(2)The dried leaves or flowers of the plant of the genus cannabis by itself.

27. "Medical marijuana product" means a cannabinoid concentrate or a medical cannabinoid product.

28. "Medical marijuana waste" means unused, surplus, returned, or out-of-date usable marijuana; recalled usable marijuana; unused marijuana; or plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots.

29. "Medical use of marijuana" means the acquisition, use, and possession of usable marijuana to treat or alleviate a qualifying patient's debilitating medical condition.

30. "Member" means an individual who has a ten percent or more ownership interest in the compassion center limited liability company, limited liability partnership, or partnership.

31. "Minor" means an individual under the age of nineteen.

32. "North Dakota identification" means a North Dakota driver's license or comparable state of North Dakota or federal issued photo identification card verifying North Dakota residence.

33. "Owner" means an individual or an organization with an ownership interest in a compassion center.

34. "Ownership interest" means an aggregate ownership interest of five percent or more in a compassion center, unless the interest is solely a security, lien, or encumbrance, or an individual who will be participating in the direction, control, or management of the compassion center.

35. "Pediatric medical marijuana" means a medical marijuana product containing cannabidiol which may not contain a maximum concentration or amount of tetrahydrocannabinol of more than six percent.

36. "Physician" means a physician licensed under chapter 43-17 to practice medicine in the state of North Dakota.

37. "Physician assistant" means an individual licensed under chapter 43-17 to practice as a physician assistant in the state.

38. "Posttraumatic stress disorder" means a patient meets the diagnostic criteria for posttraumatic stress disorder under the "Diagnostic and Statistical Manual of Mental Disorders", American psychiatric association, fifth edition, text revision (2013).

39. "Processing" or "process" means the compounding or conversion of marijuana into a medical marijuana product.

40. "Producing", "produce", or "production" mean the planting, cultivating, growing, trimming, or harvesting of the plant of the genus cannabis or the drying of the leaves or flowers of the plant of the genus cannabis.

41. "Qualifying patient" means an individual who has been diagnosed by a health care provider as having a debilitating medical condition.

42. "Registry identification card" means a document issued by the department which identifies an individual as a registered qualifying patient, registered designated caregiver, or registered compassion center agent.

43. "Substantial corporate change" means:

    a. For a corporation, a change of ten percent or more of the officers or directors, or a transfer of ten percent or more of the stock of the corporation, or an existing stockholder obtaining ten percent or more of the stock of the corporation;

    b. For a limited liability company, a change of ten percent or more of the managing members of the company, or a transfer of ten percent or more of the ownership interest in the company, or an existing member obtaining a cumulative of ten percent or more of the ownership interest in the company; or

    c. For a partnership, a change of ten percent or more of the managing partners of the company, or a transfer of ten percent or more of the ownership interest in the company, or an existing member obtaining a cumulative of ten percent or more of the ownership interest in the company.

44. "Terminal illness" means a disease, illness, or condition of a patient:

    a. For which there is not a reasonable medical expectation of recovery;

    b. Which as a medical probability, will result in the death of the patient, regardless of the use or discontinuance of medical treatment implemented for the purpose of sustaining life or the life processes; and

    c. As a result of which, the patient's health care provider would not be surprised if death were to occur within six months.

45. "Tetrahydrocannabinol" means tetrahydrocannabinols naturally contained in a plant of the genus cannabis, and synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of the plant,

including synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, including:

a. (1) Delta-1 cis or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-9-tetrahydrocannabinol.

(2) Delta-6 or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-8 tetrahydrocannabinol.

(3) Delta-3, 4 cis or trans tetrahydrocannabinol, and its optical isomers.

(Since nomenclature of these substances is not intentionally standardized, compounds of these structures, regardless of numerical designation or atomic positions covered.)

b. Tetrahydrocannabinol does not include:

(1) The allowable amount of total tetrahydrocannabinol found in hemp as defined in chapter 4.1-18.1; or

(2) A prescription drug approved by the United States food and drug administration under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355].

46. "Total tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by eight hundred seventy-seven thousandths plus the percentage of weight of tetrahydrocannabinol.

47. "Usable marijuana" means a medical marijuana product or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form. ~~However, the term does not include a cannabinoid edible product.~~ In the case of a registered qualifying patient who is a minor, "usable marijuana" is limited to pediatric medical marijuana.

48. "Verification system" means the system maintained by the department under section 19-24.1-31 for verification of registry identification cards.

49. "Written certification" means a form established by the department which is executed, dated, and signed by a health care provider within ninety calendar days of the date of application, stating the patient has a debilitating medical condition. A health care provider may authorize an enhanced amount of dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form to treat or alleviate the patient's debilitating medical condition of cancer. A written certification may not be made except in the course of a bona fide provider-patient relationship.

SECTION 2. Section 19-24.1-24.1 of the North Dakota Century Code is created and enacted as follows:

19-24.1-24.1. Compassion centers - Cannabinoid edible products.

1. A manufacturing facility may not manufacture a cannabinoid edible product unless the manufacturing facility has received the prior approval of the department.

2. A dispensary may not possess, market, or sell a cannabinoid edible product unless the dispensary has received the prior approval of the department.

3. The department may not approve the manufacturing, possession, marketing, or sale of a cannabinoid edible product unless the department has reviewed and approved the form, manufacturing, packaging, labeling, and marketing of the cannabinoid edible product.

   a. Packaging of a cannabinoid edible product must be resealable, must be child resistant, and may not be transparent. The maximum concentration or amount of tetrahydrocannabinol permitted in a package is fifty milligrams.

   b. Labeling of a cannabinoid edible product must be in black arial font which provides the name of the product, manufacturer's information, ingredient list, milligrams of tetrahydrocannabinol per serving, and number of servings per package. The labeling may not include an image other than text.

   c. Marketing may not target market to minors.

SECTION 3. A new subsection to section 19-24.1-36 of the North Dakota Century Code is created and enacted as follows:

The department shall adopt rules to regulate the form, manufacturing, packaging, labeling, and marketing of a cannabinoid edible product. The rules must prohibit the marketing of a cannabinoid edible product to a minor.

Approved April 21, 2025

Filed April 22, 2025