

Introduced by

Judiciary Committee

(At the request of the State Board of Pharmacy)

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

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

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

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

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

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

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

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

18 b. Acetylmethadol.

19 c. Allylprodine.

20 d. Alphacetylmethadol.

21 e. Alphameprodine.

22 f. Alphamethadol.

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

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

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

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

1 salts of isomers. The term "isomer" includes the optical, position, and geometric
2 isomers.

3 (1) Naphthoylindoles. Any compound containing a 3-(1-naphthoyl)indole
4 structure with substitution at the nitrogen atom of the indole ring by an alkyl,
5 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl,
7 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
8 (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the
9 indole ring to any extent and whether or not substituted in the naphthyl ring
10 to any extent. Examples include:

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

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

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

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

16 (e) 1-Propyl-2-methyl-3-(1-naphthoyl)indole - Other names: JWH-015.

17 (f) 1-Hexyl-3-(1-naphthoyl)indole - Other names: JWH-019.

18 (g) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole - Other names: JWH-122.

19 (h) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole - Other names: JWH-210.

20 (i) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole - Other names: JWH-398.

21 (j) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole - Other names: AM-2201.

22 (2) Naphthylmethylindoles. Any compound containing a
23 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen
24 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
25 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
26 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
27 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group
28 whether or not further substituted in the indole ring to any extent and
29 whether or not substituted in the naphthyl ring to any extent. Examples
30 include:

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

- 1 (b) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane - Other names:
2 JWH-184.
- 3 (3) Naphthoylpyrroles. Any compound containing a 3-(1-naphthoyl)pyrrole
4 structure with substitution at the nitrogen atom of the pyrrole ring by an
5 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl or, 2-(4-morpholinyl)ethyl,
7 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
8 (tetrahydropyran-4-yl)methyl group whether or not further substituted in the
9 pyrrole ring to any extent, whether or not substituted in the naphthyl ring to
10 any extent. Examples include:
11 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone - Other
12 names: JWH-307.
- 13 (4) Naphthylmethylindenes. Any compound containing a naphthylideneindene
14 structure with substitution at the 3-position of the indene ring by an alkyl,
15 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
16 1-(N-methyl-2-piperidinyl)methyl or, 2 (4 morpholinyl)ethyl,
17 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
18 (tetrahydropyran-4-yl)methyl group whether or not further substituted in the
19 indene ring to any extent, whether or not substituted in the naphthyl ring to
20 any extent. Examples include:
21 E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane - Other names:
22 JWH-176.
- 23 (5) Phenylacetylindoles. Any compound containing a 3-phenylacetylindole
24 structure with substitution at the nitrogen atom of the indole ring by an alkyl,
25 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
26 1-(N-methyl-2-piperidinyl)methyl or, 2-(4-morpholinyl)ethyl,
27 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
28 (tetrahydropyran-4-yl)methyl group whether or not further substituted in the
29 indole ring to any extent, whether or not substituted in the phenyl ring to any
30 extent. Examples include:

- 1 (a) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole - Other names:
2 RCS-8.
- 3 (b) 1-Pentyl-3-(2-methoxyphenylacetyl)indole - Other names: JWH-250.
- 4 (c) 1-Pentyl-3-(2-methylphenylacetyl)indole - Other names: JWH-251.
- 5 (d) 1-Pentyl-3-(2-chlorophenylacetyl)indole - Other names: JWH-203.
- 6 (6) Cyclohexylphenols. Any compound containing a
7 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of
8 the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
9 cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl,
10 1-(N-methyl-2-pyrrolidiny)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
11 (tetrahydropyran-4-yl)methyl group whether or not substituted in the
12 cyclohexyl ring to any extent. Examples include:
- 13 (a) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other
14 names: CP 47,497.
- 15 (b) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol - Other
16 names: Cannabicyclohexanol and CP 47,497 C8 homologue.
- 17 (c) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-
18 hydroxypropyl)cyclohexyl]-phenol - Other names: CP 55,940.
- 19 (7) Benzoylindoles. Any compound containing a 3-(benzoyl)indole structure with
20 substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
21 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
22 1-(N-methyl-2-piperidiny)methyl or 2-(4-morpholinyl)ethyl,
23 1-(N-methyl-2-pyrrolidiny)methyl, 1-(N-methyl-3-morpholinyl)methyl, or
24 (tetrahydropyran-4-yl)methyl group whether or not further substituted in the
25 indole ring to any extent and whether or not substituted in the phenyl ring to
26 any extent. Examples include:
- 27 (a) 1-Pentyl-3-(4-methoxybenzoyl)indole - Other names: RCS-4.
- 28 (b) (1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole) - Other names: AM-694.
- 29 (c) (4-Methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-
30 yl]methanone - Other names: WIN 48,098 and Pravadoline.

- 1 (8) Tetramethylcyclopropanoylindoles. Any compound containing a
2 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen
3 atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
4 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
5 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
6 morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group whether or not
7 further substituted in the indole ring to any extent and whether or not
8 substituted in the tetramethylcyclopropanoyl ring to any extent.
9 (a) (1-Pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone -
10 Other names: UR-144.
11 (b) (1-(5-fluoropentyl)indol-3-yl)-(2,2,3,3-
12 tetramethylcyclopropyl)methanone - Other names: XLR-11.
13 (c) (1-(2-morpholin-4-ylethyl)-1H-indol-3-yl)-(2,2,3,3-
14 tetramethylcyclopropyl)methanone - Other names: A-796,260.
15 (9) Others specifically named:
16 (a) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
17 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol - Other names: HU-210.
18 (b) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a
19 ,7,10,10a-tetrahydrobenzo[c]chromen-1-ol - Other names:
20 Dexanabinol and HU-211.
21 (c) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-
22 benzoxazin-6-yl]-1-naphthalenylmethanone - Other names:
23 WIN 55,212-2.
24 (d) 1-[(N-methylpiperidin-2-yl)methyl]-3-(adamant-1-oyl)indole - Other
25 names: AM-1248.
26 (e) N-Adamantyl-1-pentyl-1H-indole-3-carboxamide - Other names:
27 JWH-018 adamantyl carboxamide.
28 (f) N-Adamantyl-1-fluoropentylindole-3-carboxamide - Other names:
29 STS-135.
30 (g) N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide - Other names:
31 AKB 48.

- 1 (h) 1-Pentyl-3-(1-adamantoyl)indole - Other names: AB-001 and
2 JWH-018 adamantyl analog.
- 3 (i) Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone - Other
4 names: CB-13.
- 5 p. Substituted phenethylamines. This includes any compound, unless specifically
6 excepted, specifically named in this schedule, or listed under a different
7 schedule, structurally derived from phenylethan-2-amine by substitution on the
8 phenyl ring in any of the following ways, that is to say, by substitution with a fused
9 methylenedioxy ring, fused furan ring, or fused tetrahydrofuran ring; by
10 substitution with two alkoxy groups; by substitution with one alkoxy and either
11 one fused furan, tetrahydrofuran, or tetrahydropyran ring system; or by
12 substitution with two fused ring systems from any combination of the furan,
13 tetrahydrofuran, or tetrahydropyran ring systems.
- 14 (1) Whether or not the compound is further modified in any of the following
15 ways, that is to say:
- 16 (a) By substitution of phenyl ring by any halo, hydroxyl, alkyl,
17 trifluoromethyl, alkoxy, or alkylthio groups;
- 18 (b) By substitution at the 2-position by any alkyl groups; or
- 19 (c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl,
20 hydroxybenzyl, methylenedioxybenzyl, or methoxybenzyl groups.
- 21 (2) Examples include:
- 22 (a) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (also known as 2C-C or
23 2,5-Dimethoxy-4-chlorophenethylamine).
- 24 (b) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (also known as 2C-D or
25 2,5-Dimethoxy-4-methylphenethylamine).
- 26 (c) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (also known as 2C-E or
27 2,5-Dimethoxy-4-ethylphenethylamine).
- 28 (d) 2-(2,5-Dimethoxyphenyl)ethanamine (also known as 2C-H or 2,5-
29 Dimethoxyphenethylamine).
- 30 (e) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-I or
31 2,5-Dimethoxy-4-iodophenethylamine).

- 1 (f) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (also known as 2C-N or
2 2,5-Dimethoxy-4-nitrophenethylamine).
- 3 (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (also known as 2C-
4 P or 2,5-Dimethoxy-4-propylphenethylamine).
- 5 (h) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (also known as 2C-
6 T-2 or 2,5-Dimethoxy-4-ethylthiophenethylamine).
- 7 (i) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (also known as
8 2C-T-4 or 2,5-Dimethoxy-4-isopropylthiophenethylamine).
- 9 (j) 2-(4-bromo-2,5-dimethoxyphenyl)ethanamine (also known as 2C-B or
10 2,5-Dimethoxy-4-bromophenethylamine).
- 11 (k) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine (also known as
12 2C-T or 4-methylthio-2,5-dimethoxyphenethylamine).
- 13 (l) 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine (also known as DOI
14 or 2,5-Dimethoxy-4-iodoamphetamine).
- 15 (m) 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane (also known as
16 DOB or 2,5-Dimethoxy-4-bromoamphetamine).
- 17 (n) 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine (also known as
18 DOC or 2,5-Dimethoxy-4-chloroamphetamine).
- 19 (o) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-
20 methoxyphenyl)methyl]ethanamine (also known as 2C-B-NBOMe;
21 2,5B-NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-
22 methoxybenzyl)phenethylamine).
- 23 (p) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2 -
24 methoxyphenyl)methyl]ethanamine (also known as 2C-I-NBOMe;
25 2,5I-NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-
26 methoxybenzyl)phenethylamine).
- 27 (q) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine (also
28 known as mescaline-NBOMe or 3,4,5-trimethoxy-N-(2-
29 methoxybenzyl)phenethylamine).
- 30 (r) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-
31 methoxyphenyl)methyl]ethanamine (also known as 2C-C-NBOMe;

- 1 2,5C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-
2 methoxybenzyl)phenethylamine).
- 3 (s) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine
4 (also known as 2CB-5-hemiFLY).
- 5 (t) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-
6 yl)ethanamine (also known as 2C-B-FLY).
- 7 (u) 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-
8 yl)ethanamine (also known as 2C-B-butterFLY).
- 9 (v) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-tetrahydrobenzo[1,2-b:4,5-
10 b']difuran-4-yl)-2-aminoethane (also known as 2C-B-FLY-NBOMe).
- 11 (w) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine (also known
12 as bromo-benzodifuranyl-isopropylamine or bromo-dragonFLY).
- 13 (x) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine (also
14 known as 2C-I-NBOH or 2.5I-NBOH).
- 15 (y) 5-(2-Aminopropyl)benzofuran (also known as 5-APB).
- 16 (z) 6-(2-Aminopropyl)benzofuran (also known as 6-APB).
- 17 (aa) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (also known as 5-APDB).
- 18 (bb) 6-(2-Aminopropyl)-2,3,-dihydrobenzofuran (also known as 6-APDB).
- 19 (cc) 2,5-dimethoxy-amphetamine (also known as 2,5-dimethoxy-a-
20 methylphenethylamine; 2,5-DMA).
- 21 (dd) 2,5-dimethoxy-4-ethylamphetamine (also known as DOET).
- 22 (ee) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (also known as 2C-T-
23 7).
- 24 (ff) 5-methoxy-3,4-methylenedioxy-amphetamine.
- 25 (gg) 4-methyl-2,5-dimethoxy-amphetamine (also known as 4-methyl-2,5-
26 dimethoxy-a-methylphenethylamine; DOM and STP).
- 27 (hh) 3,4-methylenedioxy amphetamine (also known as MDA).
- 28 (ii) 3,4-methylenedioxymethamphetamine (also known as MDMA).
- 29 (jj) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-
30 alpha-methyl-3,4(methylenedioxy)phenethylamine, MDE, MDEA).
- 31 (kk) 3,4,5-trimethoxy amphetamine.

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

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

10 (1) 5-methoxy-N,N-diallyltryptamine (also known as 5-MeO-DALT).

11 (2) 4-acetoxy-N,N-dimethyltryptamine (also known as 4-AcO-DMT or O-
12 Acetylpsilocin).

13 (3) 4-hydroxy-N-methyl-N-ethyltryptamine (also known as 4-HO-MET).

14 (4) 4-hydroxy-N,N-diisopropyltryptamine (also known as 4-HO-DIPT).

15 (5) 5-methoxy-N-methyl-N-isopropyltryptamine (also known as 5-MeO-MiPT).

16 (6) 5-methoxy-N,N-dimethyltryptamine (also known as 5-MeO-DMT).

17 (7) Bufotenine (also known as 3-(Beta-Dimethyl-aminoethyl)-5-hydroxyindole;
18 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-
19 dimethyltryptamine; mappine).

20 (8) 5-methoxy-N,N-diisopropyltryptamine (also known as 5-MeO-DiPT).

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

22 (10) Dimethyltryptamine (also known as DMT).

23 (11) Psilocyn.

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

25 s. 1-[4-(trifluoromethylphenyl)]piperazine.

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

28 u. 2-(Ethylamino)-2-(3-methoxyphenyl)cyclohexanone (also known as
29 Methoxetamine or MXE).

- 1 hh-v. Ethylamine analog of phencyclidine (also known as
2 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine,
3 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE).
- 4 ii-w. Pyrrolidine analog of phencyclidine (also known as
5 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP).
- 6 jj-x. Thiophene analog of phencyclidine (also known as (1-[1-(2-thienyl) cyclohexyl]
7 piperidine; 2-Thienyl analog of phencyclidine; TCP, TCP).
- 8 kk-y. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (also known as TCPy).
- 9 ll-z. Salvia divinorum, salvinorin A, or any of the active ingredients of salvia divinorum.
- 10 6. Depressants. Unless specifically excepted or unless listed in another schedule, any
11 material compound, mixture, or preparation which contains any quantity of the
12 following substances having a depressant effect on the central nervous system,
13 whenever the existence of such salts, isomers, and salts of isomers is possible within
14 the specific chemical designation:
- 15 a. Flunitrazepam.
16 b. Gamma-hydroxybutyric acid.
17 c. Mecloqualone.
18 d. Methaqualone.
- 19 7. Stimulants. Unless specifically excepted or unless listed in another schedule, any
20 material, compound, mixture, or preparation which contains any quantity of the
21 following substances having a stimulant effect on the central nervous system,
22 including its salts, isomers, and salts of isomers:
- 23 a. Aminorex (also known as 2-amino-5-phenyl-2-oxazoline, or
24 4,5-dihydro-5-phenyl-2-oxazolamine).
- 25 b. Cathinone (~~also known as 2-amino-1-phenyl-1-propanone,~~
26 ~~alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone).~~
- 27 c. Substituted cathinones. Any compound, material, mixture, preparation, or other
28 product, unless listed in another schedule or an approved food and drug
29 administration drug (e.g., bupropion, pyrovalerone), structurally derived from 2-
30 aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl,

1 or thiophene ring systems, whether or not the compound is further modified in
2 any of the following ways:

- 3 (1) By substitution in the ring system to any extent with alkyl, alkylenedioxy,
4 alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further
5 substituted in the ring system by one or more other univalent substituents;
6 (2) By substitution at the 3-position with an acyclic alkyl substituent;
7 (3) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
8 methoxybenzyl groups; or
9 (4) By inclusion of the 2-amino nitrogen atom in a cyclic structure.

10 Some trade or other names:

- 11 (a) 3,4-Methylenedioxy-alpha-pyrrolidinopropiophenone (also known as
12 MDPPP).
13 (b) 3,4-Methylenedioxy-N-ethylcathinone (also known as Ethylone,
14 MDEC, or bk-MDEA).
15 (c) 3,4-Methylenedioxy-N-methylcathinone (also known as Methylone or
16 bk-MDMA).
17 (d) 3,4-Methylenedioxypropylvalerone (also known as MDPV).
18 (e) 3,4-Dimethylmethcathinone (also known as 3,4-DMMC).
19 (f) 2-(methylamino)-1-phenylpentan-1-one (also known as Pentadrone).
20 (g) 2-Fluoromethcathinone.
21 (h) 3-Fluoromethcathinone.
22 (i) 4-Methylethcathinone (also known as 4-MEC).
23 (j) 4-Fluoromethcathinone (also known as Flephedrone).
24 (k) 4-Methoxy-alpha-pyrrolidinopropiophenone (also known as MOPPP).
25 (l) 4-Methoxymethcathinone (also known as Methedrone; bk-PMMA).
26 (m) 4'-Methyl-alpha-pyrrolidinobutiophenone (also known as MPBP).
27 (n) Alpha-methylamino-butyrophenone (also known as Buphedrone or
28 MABP).
29 (o) Alpha-pyrrolidinobutiophenone (also known as alpha-PBP).
30 (p) Alpha-pyrrolidinopropiophenone (also known as alpha-PPP).

- 1 (q) Alpha-pyrrolidinopentiophenone (also known as Alpha-
2 pyrrolidinovalerophenone or alpha-PVP).
- 3 (r) Beta-keto-N-methylbenzodioxolylbutanamine (also known as Butylone
4 or bk-MBDB).
- 5 (s) Ethcathinone (also known as N-Ethylcathinone).
- 6 (t) 4-Methylmethcathinone (also known as Mephedrone or 4-MMC).
- 7 (u) Methcathinone.
- 8 (v) N,N-dimethylcathinone (also known as metamfepramone).
- 9 (w) Naphthylpyrovalerone (naphyrone).
- 10 d. Fenethylline.
- 11 e. Fluoroamphetamine.
- 12 f. Fluoromethamphetamine.
- 13 d. ~~Mephedrone (2-methylamino-1-p-tolylpropan-1-one) also known as~~
14 ~~4-methylmethcathinone (4-MMC), 4-methylephedrone.~~
- 15 e.g. (±)cis-4-methylaminorex (also known as
16 (±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).
- 17 f. ~~3,4-Methylenedioxypropylvalerone (MDPV).~~
- 18 g. ~~Methcathinone (also known as (2-methylamino-1-phenylpropan-1-one).~~
- 19 h. N-Benzylpiperazine (also known as BZP, 1-benzylpiperazine).
- 20 i. N-ethylamphetamine.
- 21 j. N, N-dimethylamphetamine (also known as
22 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine).

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

25 **19-03.1-09. Schedule III.**

- 26 1. The controlled substances listed in this section are included in schedule III.
- 27 2. Schedule III consists of the drugs and other substances, by whatever official name,
28 common or usual name, chemical name, or brand name designated, listed in this
29 section.
- 30 3. Stimulants. Unless specifically excepted or unless listed in another schedule, any
31 material, compound, mixture, or preparation which contains any quantity of the

- 1 following substances having a stimulant effect on the central nervous system,
2 including its salts, isomers (whether optical, position, or geometric), and salts of such
3 isomers whenever the existence of such salts, isomers, and salts of isomers is
4 possible within the specific chemical designation:
- 5 a. Those compounds, mixtures, or preparations in dosage unit form containing any
6 stimulant substances listed in schedule II and any other drug of the quantitative
7 composition shown in that schedule for those drugs or which is the same except
8 that it contains a lesser quantity of controlled substances.
 - 9 b. Benzphetamine.
 - 10 c. Chlorphentermine.
 - 11 d. Clortermine.
 - 12 e. Phendimetrazine.
- 13 4. Depressants. Unless specifically excepted or unless listed in another schedule, any
14 material, compound, mixture, or preparation that contains any quantity of the following
15 substances having a depressant effect on the central nervous system:
- 16 a. Any compound, mixture, or preparation containing:
 - 17 (1) Amobarbital;
 - 18 (2) Secobarbital;
 - 19 (3) Pentobarbital;or any salt thereof and one or more other active medicinal ingredients which are
20 not listed in any schedule.
 - 21 b. Any suppository dosage form containing:
 - 22 (1) Amobarbital;
 - 23 (2) Secobarbital;
 - 24 (3) Pentobarbital;or any salt of any of these drugs and approved by the food and drug
25 administration for marketing only as a suppository.
 - 26 c. Any substance that contains any quantity of a derivative of barbituric acid, or any
27 salt of a derivative of barbituric acid, except those substances which are
28 specifically listed in other schedules thereof.
 - 29 d. Chlorhexadol.
 - 30
 - 31

Sixty-third
Legislative Assembly

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

- 1 (4) Not more than 300 milligrams of hydrocodone per 100 milliliters or not more
2 than 15 milligrams per dosage unit, with one or more active, nonnarcotic
3 ingredients in recognized therapeutic amounts.
- 4 (5) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more
5 than 90 milligrams per dosage unit, with one or more active, nonnarcotic
6 ingredients in recognized therapeutic amounts.
- 7 (6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not
8 more than 15 milligrams per dosage unit, with one or more active,
9 nonnarcotic ingredients in recognized therapeutic amounts.
- 10 (7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
11 or not more than 25 milligrams per dosage unit, with one or more active,
12 nonnarcotic ingredients in recognized therapeutic amounts.
- 13 (8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
14 with one or more active, nonnarcotic ingredients in recognized therapeutic
15 amounts.
- 16 b. Buprenorphine.
- 17 7. Anabolic steroids. Unless specifically excepted or unless listed in another schedule,
18 any material, compound, mixture, or preparation that contains any of the following
19 anabolic steroids:
- 20 a. 3beta,17-dihydroxy-5a-androstane;
- 21 b. 3alpha,17beta-dihydroxy-5a-androstane;
- 22 c. 5alpha-androstan-3,17-dione;
- 23 d. 1-androstenediol (3beta,17beta-dihydroxy-5alpha-androst-1-ene);
- 24 e. 1-androstenediol (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
- 25 f. 4-androstenediol (3beta,17beta-dihydroxy-4-ene);
- 26 g. 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);
- 27 h. 1-androstenedione ([5alpha]-androst-1-en-3,17-dione);
- 28 i. 4-androstenedione (androst-4-en-3,17-dione);
- 29 j. 5-androstenedione (androst-5-en-3,17-dione);
- 30 k. Bolasterone (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- 31 l. Boldenone (17beta-hydroxyandrost-1,4,-diene-3-one);

Sixty-third
Legislative Assembly

- 1 m. Boldione (androsta-1,4-diene-3,17-dione);
- 2 n. Calusterone (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- 3 o. Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);
- 4 p. Dehydrochloromethyltestosterone
- 5 (4-chloro-17beta-hydroxy-17alpha-methyl-androst-1,4-dien-3-one);
- 6 q. Delta-1-dihydrotestosterone (also known as '1-testosterone')
- 7 (17beta-hydroxy-5alpha-androst-1-en-3-one);
- 8 r. Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-17ol) (also known as
- 9 madol);
- 10 s. 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);
- 11 t. Drostanolone (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);
- 12 u. Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);
- 13 v. Fluoxymesterone (9-fluoro-17alpha-methyl-11beta,
- 14 17beta-dihydroxyandrost-4-en-3-one);
- 15 w. Formebolone (2-formyl-17alpha-methyl-11alpha,
- 16 17beta-dihydroxyandrost-1,4-dien-3-one);
- 17 x. Furazabol (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);
- 18 y. 13beta-ethyl-17alpha-hydroxygon-4-en-3-one;
- 19 z. 4-hydroxytestosterone (4,17beta-dihydroxy-androst-4-en-3-one);
- 20 aa. 4-hydroxy-19-nortestosterone (4,17beta-dihydroxy-estr-4-en-3-one);
- 21 bb. Mestanolone (17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
- 22 cc. Mesterolone (1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
- 23 dd. Methandienone (17alpha-methyl-17beta-dihydroxyandrost-1,4-dien-3-one);
- 24 ee. Methandriol (17alpha-methyl-3beta,17beta-dihydroxyandrost-5-ene);
- 25 ff. Methasterone (2[alpha],17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one);
- 26 gg. Methenolone (1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
- 27 ~~gg-hh.~~ 17alpha-methyl-3beta,17beta-dihydroxy-5a-androstane;
- 28 ~~hh-ii.~~ 17alpha-methyl-3alpha,17beta-dihydroxy-5a-androstane;
- 29 ~~ii-jj.~~ 17alpha-methyl-3beta,17beta-dihydroxyandrost-4-ene;
- 30 ~~jj-kk.~~ 17alpha-methyl-4-hydroxynandrolone
- 31 (17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);

Sixty-third
Legislative Assembly

- 1 kk-ll. Methyldienolone (17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
- 2 ll-mm. Methyltrienolone (17alpha-methyl-17beta-hydroxyestra-4,9(11)-trien-3-one);
- 3 mm-nn. Methyltestosterone (17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
- 4 nn-oo. Mibolerone (7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
- 5 oo-pp. 17alpha-methyl-delta1-dihydrotestosterone
- 6 (17bbeta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known as
- 7 '17-alpha-methyl-1-testosterone');
- 8 pp-qq. Nandrolone (17beta-hydroxyestr-4-en-3-one);
- 9 qq-rr. 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
- 10 rr-ss. 19-nor-4-androstenediol (3alpha,17beta-dihydroxyestr-4-ene);
- 11 ss-tt. 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
- 12 tt-uu. 19-nor-5-androstenediol (3alpha,17-beta-dihydroxyester-5-ene);
- 13 uu-vv. 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 14 vv-ww. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- 15 ww-xx. 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 16 xx-yy. Norbolethone (13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
- 17 yy-zz. Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
- 18 zz-aaa. Norethandrolone (17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
- 19 aaa-bbb. Normethandrolone (17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
- 20 bbb-ccc. Oxandrolone
- 21 (17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
- 22 ccc-ddd. Oxymesterone (17alpha-methyl-4-17beta-dihydroxyandrost-4-en-3-one);
- 23 ddd-eee. Oxymetholone (17alpha-methyl-2-hydroxymethylene-17beta-hydroxy
- 24 [5alpha]-androstan-3-one);
- 25 eee-fff. Stanozolol
- 26 (17alpha-methyl-17beta-hydroxy[5alpha]-androst-2-eno[3,2-c]-pyrazole);
- 27 fff-ggg. Stenbolone (17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);
- 28 ggg-hhh. Prostanazol (17[beta]-hydroxy-5[alpha]-androstan[3,2-c]pyrazole);
- 29 iii. Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid
- 30 lactone);
- 31 hhh-jjj. Testosterone (17beta-hydroxyandrost-4-en-3-one);

- 1 iii-~~kkk~~. Tetrahydrogestrinone
2 (13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
3 jjj-~~lll~~. Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one);
4 or any salt, ester, or isomer of a drug or substance described or listed in this
5 subsection, if that salt, ester, or isomer promotes muscle growth.

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

11 8. Hallucinogenic substances.

- 12 a. Dronabinol (synthetic) [(-)-delta-9-(trans)-tetrahydrocannabinol] in sesame oil and
13 encapsulated in a soft gelatin capsule in a United States food and drug
14 administration-approved drug product.
15 b. Any product in hard or soft gelatin capsule form containing natural dronabinol
16 (derived from the cannabis plant) or synthetic dronabinol (produced from
17 synthetic materials) in sesame oil, for which an abbreviated new drug application
18 has been approved by the food and drug administration under section 505(j) of
19 the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355(j)] which references as
20 its listed drug the drug product referred to in subdivision a.

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

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

1 **19-03.1-11. Schedule IV.**

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

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

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

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

12 b. Dextropropoxyphene (also known as alpha-(+)-4-dimethylamino-
13 1,2-diphenyl-3-methyl-2-propionoxybutane).

14 c. Tramadol.

15 4. Depressants. Unless specifically excepted or unless listed in another schedule, any
16 material, compound, mixture, or preparation containing any quantity of the following
17 substances, including their salts, isomers, and salts of isomers whenever the
18 existence of those salts, isomers, and salts of isomers is possible within the specific
19 chemical designation:

20 a. Alprazolam.

21 b. Barbital.

22 c. Bromazepam.

23 d. Camazepam.

24 e. Carisoprodol.

25 f. Chloral betaine.

26 g. Chloral hydrate.

27 h. Chlordiazepoxide.

28 i. Clobazam.

29 j. Clonazepam.

30 k. Clorazepate.

31 l. Clotiazepam.

Sixty-third
Legislative Assembly

- 1 m. Cloxazolam.
- 2 n. Delorazepam.
- 3 o. Diazepam.
- 4 p. Dichloralphenazone.
- 5 q. Estazolam.
- 6 r. Ethchlorvynol.
- 7 s. Ethinamate.
- 8 t. Ethyl loflazepate.
- 9 u. Fludiazepam.
- 10 v. Flurazepam.
- 11 w. Fospropofol.
- 12 x. Halazepam.
- 13 y. Haloxazolam.
- 14 z. Indiplon.
- 15 aa. Ketazolam.
- 16 bb. Loprazolam.
- 17 cc. Lorazepam.
- 18 dd. Lorcaserin.
- 19 ee. Lormetazepam.
- 20 ~~ee~~.ff. Mebutamate.
- 21 ~~ff~~.gg. Medazepam.
- 22 ~~gg~~.hh. Meprobamate.
- 23 ~~hh~~.ii. Methohexital.
- 24 ~~ii~~.jj. Methylphenobarbital (also known as mephobarbital).
- 25 ~~jj~~.kk. Midazolam.
- 26 ~~kk~~.ll. Nimetazepam.
- 27 ~~ll~~.mm. Nitrazepam.
- 28 ~~mm~~.nn. Nordiazepam.
- 29 ~~nn~~.oo. Oxazepam.
- 30 ~~oo~~.pp. Oxazolam.
- 31 ~~pp~~.qq. Paraldehyde.

- 1 ~~qq~~.rr. Petrichloral.
- 2 ~~rr~~.ss. Phenobarbital.
- 3 ~~ss~~.tt. Pinazepam.
- 4 ~~tt~~.uu. Propofol.
- 5 ~~uu~~.vv. Prazepam.
- 6 ~~vv~~.ww. Quazepam.
- 7 ~~ww~~.xx. Temazepam.
- 8 ~~xx~~.yy. Tetrazepam.
- 9 ~~yy~~.zz. Triazolam.
- 10 ~~zz~~.aaa. Zaleplon.
- 11 ~~aaa~~.bbb.———Zolpidem.
- 12 ~~bbb~~.ccc.———Zopiclone.
- 13 5. Fenfluramine. Any material, compound, mixture, or preparation which contains any
- 14 quantity of the following substances, including its salts, isomers (whether optical,
- 15 position, or geometric), and salts of such isomers, whenever the existence of such
- 16 salts, isomers, and salts of isomers is possible: Fenfluramine.
- 17 6. Stimulants. Unless specifically excepted or unless listed in another schedule, any
- 18 material, compound, mixture, or preparation which contains any quantity of the
- 19 following substances having a stimulant effect on the central nervous system,
- 20 including its salts, isomers, and salts of isomers:
- 21 a. Cathine.
- 22 b. Diethylpropion.
- 23 c. Fencamfamin.
- 24 d. Fenproporex.
- 25 e. Mazindol.
- 26 f. Mefenorex.
- 27 g. Modafinil.
- 28 h. Pemoline (including organometallic complexes and chelates thereof).
- 29 i. Phentermine.
- 30 j. Pipradrol.
- 31 k. Sibutramine.

- 1 I. SPA ((-)-1-dimethylamino-1, 2-diphenylethane).
- 2 7. Other substances. Unless specifically excepted or unless listed in another schedule,
- 3 any material, compound, mixture, or preparation which contains any quantity of:
- 4 a. Pentazocine, including its salts.
- 5 b. Butorphanol, including its optical isomers.
- 6 8. The board may except by rule any compound, mixture, or preparation containing any
- 7 depressant substance listed in subsection 2 from the application of all or any part of
- 8 this chapter if the compound, mixture, or preparation contains one or more active
- 9 medicinal ingredients not having a depressant effect on the central nervous system,
- 10 and if the admixtures are included therein in combinations, quantity, proportion, or
- 11 concentration that vitiate the potential for abuse of the substances which have a
- 12 depressant effect on the central nervous system.

13 **SECTION 4. AMENDMENT.** Section 19-03.1-13 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **19-03.1-13. Schedule V.**

- 16 1. The controlled substances listed in this section are included in schedule V.
- 17 2. Schedule V consists of the drugs and other substances, by whatever official name,
- 18 common or usual name, chemical name, or brand name designated, listed in this
- 19 section.
- 20 3. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any
- 21 material, compound, mixture, or preparation containing any of the following narcotic
- 22 drugs and their salts.
- 23 4. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound,
- 24 mixture, or preparation containing any of the following narcotic drugs, or their salts
- 25 calculated as the free anhydrous base or alkaloid, in limited quantities as set forth
- 26 below, which includes one or more nonnarcotic active medicinal ingredients in
- 27 sufficient proportion to confer upon the compound, mixture, or preparation valuable
- 28 medicinal qualities other than those possessed by narcotic drugs alone.
- 29 a. Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.
- 30 b. Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per
- 31 100 grams.

- 1 c. Not more than 100 milligrams of ethylmorphine per 100 milliliters or per
2 100 grams.
- 3 d. Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms
4 of atropine sulfate per dosage unit.
- 5 e. Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- 6 f. Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
7 atropine sulfate per dosage unit.
- 8 5. Depressants. Unless specifically exempted or excluded or unless listed in another
9 schedule, any material, compound, mixture, or preparation that contains any quantity
10 of the following substances having a depressant effect on the central nervous system,
11 including its salts, isomers, and salts of isomers whenever the existence of such salts,
12 isomers, and salts of isomers is possible:
- 13 a. Ezogabine N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester.
14 b. Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].
15 ~~b.c.~~ Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].
- 16 6. Stimulants. Unless specifically exempted or excluded or unless listed in another
17 schedule, any material, compound, mixture, or preparation containing any quantity of
18 the following substances having a stimulant effect on the central nervous system,
19 including their salts, isomers, and salts of isomers: Pyrovalerone.

20 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.