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HOUSE BILL NO. 21

Offered January 9, 2008

Prefiled November 29, 2007

A *BILL to amend and reenact § 54.1-3446 of the Code of Virginia, relating to inclusion of salvia divinorum and salvinorin A as Schedule I hallucinogenic drugs; penalty.*

Patron—O'Bannon

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3446 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3446. Schedule I.

The controlled substances listed in this section are included in Schedule I:

1. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

Acetylmethadol;

Allylprodine;

Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

Alphameprodine;

Alphamethadol;

Benzethidine;

Betacetylmethadol;

Betameprodine;

Betamethadol;

Betaprodine;

Clonitazene;

Dextromoramide;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimepheptanol;

Dimethylthiambutene;

Dioxaphetylbutyrate;

Dipipanone;

Ethylmethylthiambutene;

Etonitazene;

Etoxidine;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacymorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphane;

Phenoperidine;

Piritramide;

Proheptazine;

Propoperidine;

Propiram;

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- 59 Racemoramide;
- 60 Tilidine;
- 61 Trimeperidine.
- 62 2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless
- 63 specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible
- 64 within the specific chemical designation:
- 65 Acetorphine;
- 66 Acetyldihydrocodeine;
- 67 Benzylmorphine;
- 68 Codeine methylbromide;
- 69 Codeine-N-Oxide;
- 70 Cyprenorphine;
- 71 Desomorphine;
- 72 Dihydromorphine;
- 73 Drotebanol;
- 74 Etorphine;
- 75 Heroin;
- 76 Hydromorphanol;
- 77 Methyldesorphine;
- 78 Methyldihydromorphine;
- 79 Morphine methylbromide;
- 80 Morphine methylsulfonate;
- 81 Morphine-N-Oxide;
- 82 Myrophine;
- 83 Nicocodeine;
- 84 Nicomorphine;
- 85 Normorphine;
- 86 Pholcodine;
- 87 Thebacon.
- 88 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
- 89 or preparation, which contains any quantity of the following hallucinogenic substances, or which
- 90 contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers,
- 91 and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision
- 92 only, the term "isomer" includes the optical, position, and geometric isomers):
- 93 Alpha-ethyltryptamine (some trade or other names: Monase;a-ethyl-1H-indole-3-ethanamine;
- 94 3—2-aminobutyl] indole; a-ET; AET);
- 95 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
- 96 2—4-bromo-2,5-dimethoxyphenyl]-1-aminoethane;alpha-desmethyl DOB;2C-B; Nexus);
- 97 3,4-methylenedioxy amphetamine;
- 98 5-methoxy-3,4-methylenedioxy amphetamine;
- 99 3,4,5-trimethoxy amphetamine;
- 100 Alpha-methyltryptamine (other name: AMT);
- 101 Bufotenine;
- 102 Diethyltryptamine;
- 103 Dimethyltryptamine;
- 104 4-methyl-2,5-dimethoxyamphetamine;
- 105 2,5-dimethoxy-4-ethylamphetamine (DOET);
- 106 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);
- 107 Ibogaine;
- 108 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);
- 109 Lysergic acid diethylamide;
- 110 Mescaline;
- 111 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,
- 112 9-trimethyl-6H-dibenzo —b,d] pyran; Synhexyl);
- 113 Peyote;
- 114 N-ethyl-3-piperidyl benzilate;
- 115 N-methyl-3-piperidyl benzilate;
- 116 Psilocybin;
- 117 Psilocyn;
- 118 *Salvia divinorum*;
- 119 *Salvinorum A*;
- 120 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated

- 121 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;
- 122 Hashish oil (some trade or other names: hash oil; liquid marijuana; liquid hashish);
- 123 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine;
- 124 2,5-DMA);
- 125 3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts
- 126 and salts of isomers;
- 127 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4
- 128 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- 129 N-hydroxy-3,4-methylenedioxyamphetamine (some other names:
- 130 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA);
- 131 4-bromo-2,5-dimethoxyamphetamine (some trade or other names:
- 132 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
- 133 4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine;
- 134 paramethoxyamphetamine; PMA);
- 135 Ethylamine analog of phencyclidine (some other names: N-ethyl-1-phenylcyclohexylamine,
- 136 (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);
- 137 Pyrrolidine analog of phencyclidine (some other names: 1-(1-phenylcyclohexyl) -pyrrolidine, PCPy,
- 138 PHP);
- 139 Thiophene analog of phencyclidine (some other names: 1—1-(2-thienyl) -cyclohexyl]-piperidine,
- 140 2-thienyl analog of phencyclidine, TPCP, TCP);
- 141 1—1-(2-thienyl)cyclohexyl]pyrrolidine (other name: TCPy).
- 142 4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
- 143 or preparation which contains any quantity of the following substances having a depressant effect on the
- 144 central nervous system, including its salts, isomers and salts of isomers whenever the existence of such
- 145 salts, isomers and salts of isomers is possible within the specific chemical designation:
- 146 Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate;
- 147 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);
- 148 Mecloqualone;
- 149 Methaqualone.
- 150 5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture
- 151 or preparation which contains any quantity of the following substances having a stimulant effect on the
- 152 central nervous system, including its salts, isomers and salts of isomers:
- 153 Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,
- 154 5-dihydro-5-phenyl-2-oxazolamine);
- 155 N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);
- 156 Fenethylline;
- 157 Ethylamphetamine;
- 158 Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
- 159 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;
- 160 Methcathinone (some other names: 2-(methylamino)-propiofenone; alpha-(methylamino)
- 161 propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone;
- 162 monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR
- 163 1432);
- 164 Cis-4-methylaminorex (other name: cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 165 N,N-dimethylamphetamine (other names: N,N-alpha-trimethyl-benzeneethanamine,
- 166 N,N-alpha-trimethylphenethylamine).
- 167 6. Any material, compound, mixture or preparation containing any quantity of the following
- 168 substances:
- 169 N—3-methyl-1-(2-phenethyl)-4-piperidyl]-N-phenylpropanamide (other name: 3-methylfentanyl), its
- 170 optical and geometric isomers, salts, and salts of isomers;
- 171 1-methyl-4-phenyl-4-propionoxypiperidine (other name: MPPP), its optical isomers, salts and salts of
- 172 isomers;
- 173 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (other name: PEPAP), its optical isomers, salts and
- 174 salts of isomers;
- 175 N---1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide (other names:
- 176 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine), alpha-methylfentanyl);
- 177 N---1-(1-methyl-2-phenethyl)-4-piperidyl]-N-phenylacetamide (other name:
- 178 acetyl-alpha-methylfentanyl), its optical isomers, salts and salts of isomers;
- 179 N---1-(1-methyl-2-2-thienyl)ethyl-4 piperidyl]-N-phenylpropanamide (other name:
- 180 alpha-methylthiofentanyl), its optical isomers, salts and salts of isomers;
- 181 N—1-benzyl-4-piperidyl]N-phenylpropanamide (other name: benzylfentanyl), its optical isomers,

182 salts and salts of isomers;
183 N---1-(2-hydroxy-2-phenyl ethyl-4-piperidyl]-N-phenylpropanamide (other name:
184 beta-hydroxyfentanyl), its optical isomers, salts and salts of isomers;
185 N---3-methyl-1-(2-hydroxy-2-phenethyl)4-piperidyl]Nphenylpropanamide (other name:
186 betahydroxy3methylfentanyl), its optical and geometric isomers, salts and salts of isomers;
187 N---(3-methyl-1-(2-thienyl)ethyl-4-piperidiny]l]-N- phenylpropanamide (other name:
188 3-methylthiofentanyl), its optical and geometric isomers, salts and salts of isomers;
189 N---1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (other name: thenylfentanyl), its optical
190 isomers, salts and salts of isomers;
191 N-phenyl-N---1-(2-thienyl)ethyl-4-piperidiny]l]-propanamide (other name: thiofentanyl), its optical
192 isomers, salts and salts of isomers;
193 N-(4-fluorophenyl)-N---1-(2-phenethyl)-4-piperidiny]l] propanamide (other name: para-fluorofentanyl),
194 its optical isomers, salts and salts of isomers.
195 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
196 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
197 **be determined for periods of imprisonment in state adult correctional facilities and cannot be**
198 **determined for periods of commitment to the custody of the Department of Juvenile Justice.**