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HOUSE BILL NO. 21

House Amendments in [] — January 14, 2008

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 Prior to Engrossment—Delegate 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;

Levophenacetylmorphan;

Morpheridine;

Noracymethadol;

Norlevorphanol;

Normethadone;

Norpipanone;

Phenadoxone;

Phenampromide;

Phenomorphin;

Phenoperidine;

Piritramide;

Proheptazine;

Propiridine;

Propiram;

Racemoramide;

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59 Tilidine;

60 Trimeperidine.

61 2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless
62 specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible
63 within the specific chemical designation:

64 Acetorphine;

65 Acetyldihydrocodeine;

66 Benzylmorphine;

67 Codeine methylbromide;

68 Codeine-N-Oxide;

69 Cyprenorphine;

70 Desomorphine;

71 Dihydromorphine;

72 Drotebanol;

73 Etorphine;

74 Heroin;

75 Hydromorphanol;

76 Methyldesorphine;

77 Methyldihydromorphine;

78 Morphine methylbromide;

79 Morphine methylsulfonate;

80 Morphine-N-Oxide;

81 Myrophine;

82 Nicocodeine;

83 Nicomorphine;

84 Normorphine;

85 Pholcodine;

86 Thebacon.

87 3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture,
88 or preparation, which contains any quantity of the following hallucinogenic substances, or which
89 contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers,
90 and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision
91 only, the term "isomer" includes the optical, position, and geometric isomers):

92 Alpha-ethyltryptamine (some trade or other names: Monase;a-ethyl-1H-indole-3-ethanamine;
93 3—2-aminobutyl] indole; a-ET; AET);

94 4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names:
95 2—4-bromo-2,5-dimethoxyphenyl]-1-aminoethane;alpha-desmethyl DOB;2C-B; Nexus);

96 3,4-methylenedioxy amphetamine;

97 5-methoxy-3,4-methylenedioxy amphetamine;

98 3,4,5-trimethoxy amphetamine;

99 Alpha-methyltryptamine (other name: AMT);

100 Bufotenine;

101 Diethyltryptamine;

102 Dimethyltryptamine;

103 4-methyl-2,5-dimethoxyamphetamine;

104 2,5-dimethoxy-4-ethylamphetamine (DOET);

105 2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);

106 Ibogaine;

107 5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);

108 Lysergic acid diethylamide;

109 Mescaline;

110 Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6,
111 9-trimethyl-6H-dibenzo —b,d] pyran; Synhexyl);

112 Peyote;

113 N-ethyl-3-piperidyl benzilate;

114 N-methyl-3-piperidyl benzilate;

115 Psilocybin;

116 Psilocyn;

117 [*Salvia divinorum*;

118 *Salvinorum* *Salvinorin*] A;

119 Tetrahydrocannabinols, except as present in marijuana and dronabinol in sesame oil and encapsulated
120 in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration;

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

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