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Chapter No. 378
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SENATE BILL NO. 2193

Originated in Senate *Lizwele* Secretary

SENATE BILL NO. 2193

AN ACT TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO REVISE SCHEDULE III TO INCLUDE THE ANABOLIC STEROIDS METHASTERONE AND PROSTANOZOL; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO REVISE SCHEDULE V TO INCLUDE THE DEPRESSANT EZOGABINE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 41-29-117, Mississippi Code of 1972, is amended as follows:

41-29-117. (A) The controlled substances listed in this section are included in Schedule III.

SCHEDULE III

(a) **Stimulants.** Any material, compound, mixture, or preparation which contains any quantity of the following substances or their salts, isomers, or salts of isomers, of the following substances:

- (1) Benzphetamine;
- (2) Chlorphentermine;
- (3) Clortermine;
- (4) Phendimetrazine.

(b) **Depressants.** Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Any substance which 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;

(2) Unless specifically excepted or unless listed in another schedule, any compound, mixture or preparation containing any of the following substances or any salt of the substances specifically included in this subsection (2) and one or more other active medicinal ingredients which are not listed in any other schedule:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

(3) Any suppository dosage form containing any of the following substances or any salt of any of the substances specifically included in this subsection (3) approved by the Food and Drug Administration for marketing only as a suppository:

- (i) Amobarbital;
 - (ii) Secobarbital;
 - (iii) Pentobarbital;
- (4) Chlorhexadol;
- (5) Embutramide;

(6) Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers and salts of isomers, for which an application is approved under Section 505 of the Federal Food, Drug and Cosmetic Act;

(7) Ketamine; its salts, isomers, and salts of isomers; other names include

(+)-2-(2-chlorophenyl)-2-(methylamino)cyclohexanone;

(8) Lysergic acid;

(9) Lysergic acid amide;

(10) Methyprylon;

(11) Sulfondiethylmethane;

(12) Sulfonethylmethane;

(13) Sulfonmethane;

(14) Tiletamine and zolazepam or any salt thereof;

other names for the tiletamine and zolazepam combination product include: telazol; other names for tiletamine include:

2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for

zolazepam include: 4-(2-fluorophenyl)-6,8-dihydro 1,3,

8-trimethylpyrazolo-[3,4-e] (1,4)-diazepin-7(1H)-one, flupyrazapon.

(c) Nalorphine.

(d) Any material, compound, mixture or preparation which contains any quantity of ephedrine or pseudoephedrine.

(e) **Narcotic drugs.** Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than three hundred (300) milligrams of dihydrocodeinone (also known as hydrocodone), or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) Not more than three hundred (300) milligrams of dihydrocodeinone (also known as hydrocodone), or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than one and eight-tenths (1.8) grams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than three hundred (300) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) Not more than fifty (50) milligrams of morphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) **Anabolic steroids.** Unless specifically exempted or listed in another schedule, any material, compound, mixture or preparation containing any quantity of any of the following anabolic steroids * * * (any drug or hormonal substance chemically and pharmacologically related to testosterone * * * other than estrogens, progestins, corticosteroids and dehydroepiandrosterone) * * *:

- (1) 3beta,17-dihydroxy-5a-androstane;
- (2) 3alpha,17beta-dihydroxy-5a-androstane;
- (3) 5alpha-androstan-3,17-dione;

- (4) 1-androstenediol
(3beta,17beta-dihydroxy-5alpha-androst-1-ene);
- (5) 1-androstenediol
(3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
- (6) 4-androstenediol
(3beta,17beta-dihydroxy-androst-4-ene);
- (7) 5-androstenediol
(3beta,17beta-dihydroxy-androst-5-ene);
- (8) 1-androstenedione ([5alpha]-androst-1-en-3,
17-dione);
- (9) 4-androstenedione (androst-4-en-3,17-dione);
- (10) 5-androstenedione (androst-5-en-3,17-dione);
- (11) Bolasterone
(7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (12) Boldenone
(17beta-hydroxyandrost-1,4,-diene-3-one);
- (13) Boldione (androsta-1,4-diene-3,17-dione);
- (14) Calusterone
(7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (15) Clostebol
(4-chloro-17beta-hydroxyandrost-4-en-3-one);
- (16) Dehydrochloromethyltestosterone
(4-chloro-17beta-hydroxy-17alpha-methylandrost-1,4-dien-3-one);

(17) Desoxymethyltestosterone
(17alpha-methyl-5alpha-androst-2-en-17beta-ol, also known as
madol);

(* * *18) Delta1-dihydrotestosterone (also known
as 1-testosterone) (17beta-hydroxy-5alpha-androst-1-en-3-one);

(* * *19) 4-dihydrotestosterone
(17beta-hydroxy-androstan-3-one);

(* * *20) Drostanolone
(17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);

(* * *21) Ethylestrenol
(17alpha-ethyl-17beta-hydroxyestr-4-ene);

(* * *22) Fluoxymesterone
(9-fluoro-17alpha-methyl-11beta,
17beta-dihydroxyandrost-4-en-3-one);

(* * *23) Formebolone
(2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1,
4-dien-3-one);

(* * *24) Furazabol
(17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);

(* * *25)
13beta-ethyl-17alpha-hydroxygon-4-en-3-one;

(* * *26) 4-hydroxytestosterone
(4,17beta-dihydroxyandrost-4-en-3-one);

(* * *27) 4-hydroxy-19-nortestosterone
(4,17beta-dihydroxy-estr-4-en-3-one);

* * *

(28) Mestanolone

(17alpha-methyl-17beta-hydroxy-5-androstan-3-one);

(29) Mesterolone

(1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);

(30) Methandienone

(17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);

(31) Methandriol (17alpha-methyl-3beta,
17beta-dihydroxyandrost-5-ene);

(32) Methasterone (2[alpha],

17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one;

(* * *33) Methenolone

(1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);

(* * *34) 17alpha-methyl-3beta,

17beta-dihydroxy-5a-androstane;

(* * *35) 17alpha-methyl-3alpha,

17beta-dihydroxy-5a-androstane;

(* * *36) 17alpha-methyl-3beta,

17beta-dihydroxyandrost-4-ene;

(* * *37) 17alpha-methyl-4-hydroxynandrolone

(17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);

(* * *38) Methyldienolone

(17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);

(* * *39) Methyltrienolone

(17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);

(* * *40) Methyltestosterone
(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);

(* * *41) Mibolerone
(7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);

(* * *42)
17alpha-methyl-Delta1-dihydrotestosterone (17b
beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known
as 17-alpha-methyl-1-testosterone);

(* * *43) Nandrolone
(17beta-hydroxyestr-4-en-3-one);

(* * *44) 19-nor-4-androstenediol
(3beta,17beta-dihydroxyestr-4-ene);

(* * *45) 19-nor-4-androstenediol
(3a,17beta-dihydroxyestr-4-ene);

(* * *46) 19-nor-5-androstenediol
(3beta,17beta-dihydroxyestr-5-ene);

(* * *47) 19-nor-5-androstenediol
(3alpha,17beta-dihydroxyestr-5-ene);

(* * *48) 19-nor-4,9(10)-androstadienedione
(estra-4,9(10)-diene3,17-dione,
19-norandrosta-4,9(10)-diene-3,17-dione);

(* * *49) 19-nor-4-androstenedione
(estr-4-en-3,17-dione);

(* * *50) 19-nor-5-androstenedione
(estr-5-en-3,17-dione);

(* * *51) Norbolethone
(13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);

(* * *52) Norclostebol
(4-chloro-17beta-hydroxyestr-4-en-3-one);

(* * *53) Norethandrolone
(17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);

(* * *54) Normethandrolone
(17alpha-methyl-17beta-hydroxyestr-4-en-3-one);

(* * *55) Oxandrolone
(17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstano-3-one);

(* * *56) Oxymesterone
(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);

(* * *57) Oxymetholone
(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]-androstano-3-one);

(* * *58) Prostanozolol
(17[beta]-hydroxy-5[alpha]-androstano[3,2-c]pyrazole)

(* * *59) Stanozolol
(17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]-pyrazole);

(* * *60) Stenbolone
(17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

(* * *61) Testolactone
(13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone);

(* * * 62) Testosterone

(17beta-hydroxyandrost-4-en-3-one);

(* * * 63) Tetrahydrogestrinone

(13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);

(* * * 64) Trenbolone

(17beta-hydroxyestr-4,9,11-trien-3-one);

(* * * 65) Any salt, ester, or ether of a drug or substance described in this paragraph. Except such term does not include an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and that has been approved by the Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use, the person shall be considered to have prescribed, dispensed or distributed an anabolic steroid within the meaning of this paragraph * * *.

* * *

(g) Any material, compound, mixture or preparation which contains any quantity of buprenorphine or its salts.

(h) Any material, compound, mixture or preparation which contains any quantity of pentazocine or its salts in oral dosage form.

(i) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule III controlled substance other than butalbital, and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 2. Section 41-29-121, Mississippi Code of 1972, is amended as follows:

41-29-121. (A) The controlled substances listed in this section are included in Schedule V:

SCHEDULE V

(a) **Narcotic drugs containing nonnarcotic active medicinal ingredients.** Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation, valuable, medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than two hundred (200) milligrams of codeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(2) Not more than one hundred (100) milligrams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(3) Not more than one hundred (100) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(4) Not more than two and five-tenths (2.5) milligrams of diphenoxylate and not less than twenty-five (25) micrograms of atropine sulphate per dosage unit;

(5) Not more than one hundred (100) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams;

(6) Not more than five-tenths (0.5) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit.

(b) **Stimulants.** Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substance, including its salts, isomers and salts of isomers:
Pyrovalerone.

(c) **Depressants.** Unless specifically * * * exempted or excluded 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, including their salts, isomers and salts of isomers:

(1) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester];

(* * *2) Lacosamide

[(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];

(* * *3) Pregabalin

[(S)-3-(aminomethyl)-5-methylhexanoic acid].

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule V controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 3. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE SENATE
February 7, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 7, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/20/13

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