

ENROLLED SENATE
BILL NO. 1467

By: Helton and Herbert of the
Senate

and

Askins, Nance, Lindley and
Collins of the House

An Act relating to public health and safety; amending 63 O.S. 1991, Section 2-204, as last amended by Section 1, Chapter 100, O.S.L. 1998 (63 O.S. Supp. 1999, Section 2-204), which relates to Schedule I controlled dangerous substances; expanding list; excluding specified uses of certain controlled substance from all schedules of controlled substances; providing for additional exemption of specified product under certain conditions; specifying items to be considered in making certain determination; requiring hearing to be held in accordance with the Administrative Procedures Act; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-204, as last amended by Section 1, Chapter 100, O.S.L. 1998 (63 O.S. Supp. 1999, Section 2-204), is amended to read as follows:

Section 2-204. The controlled substances listed in this section are included in Schedule I.

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

1. Acetylmethadol.
2. Allylprodine.
3. Alphacetylmethadol.
4. Alphameprodine.
5. Alphamethadol.
6. Benzethidine.
7. Betacetylmethadol.

8. Betameprodine.
9. Betamethadol.
10. Betaprodine.
11. Clonitazene.
12. Dextromoramide.
13. Dextrorphan (except its methyl ether).
14. Diampromide.
15. Diethylthiambutene.
16. Dimenoxadol.
17. Dimepheptanol.
18. Dimethylthiambutene.
19. Dioxaphetyl butyrate.
20. Dipipanone.
21. Ethylmethylthiambutene.
22. Etonitazene.
23. Etoxeridine.
24. Furethidine.
25. Hydroxypethidine.
26. Ketobemidone.
27. Levomoramide.
28. Levophenacylmorphane.
29. Morpheridine.
30. Noracymethadol.
31. Norlevorphanol.
32. Normethadone.
33. Norpipanone.
34. Phenadoxone.
35. Phenampromide.

36. Phenomorphan.
37. Phenoperidine.
38. Piritramide.
39. Proheptazine.
40. Properidine.
41. Racemoramide.
42. Trimeperidine.
43. Flunitrazepam.

B. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Acetorphine.
2. Acetyldihydrocodeine.
3. Benzylmorphine.
4. Codeine methylbromide.
5. Codeine-N-Oxide.
6. Cyprenorphine.
7. Desomorphine.
8. Dihydromorphine.
9. Etorphine.
10. Heroin.
11. Hydromorphenol.
12. Methyldesorphine.
13. Methylhydromorphine.
14. Morphine methylbromide.
15. Morphine methylsulfonate.
16. Morphine-N-Oxide.
17. Myrophine.
18. Nicocodeine.

19. Nicomorphine.
20. Normorphine.
21. Phoclodine.
22. Thebacon.

C. Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Methcathinone.
2. 3, 4-methylenedioxy amphetamine.
3. 5-methoxy-3, 4-methylenedioxy amphetamine.
4. 3, 4, 5-trimethoxy amphetamine.
5. Bufotenine.
6. Diethyltryptamine.
7. Dimethyltryptamine.
8. 4-methyl-2, 5-dimethoxyamphetamine.
9. Ibogaine.
10. Lysergic acid diethylamide.
11. Marihuana.
12. Mescaline.
13. N-ethyl-3-piperidyl benzilate.
14. N-methyl-3-piperidyl benzilate.
15. Psilocybin.
16. Psilocyn.
17. 2, 5 dimethoxyamphetamine.
18. 4 Bromo-2, 5-dimethoxyamphetamine.
19. 4 methoxyamphetamine.
20. Cyclohexamine.
21. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TCP, TCP.

22. Phencyclidine (PCP).

23. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-Phencyclohexyl) - Pyrrolidine, PCPy, PHP.

D. Unless specifically excepted or unless listed in a different schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having stimulant or depressant effect on the central nervous system:

1. Fenethylamine.
2. Mecloqualone.
3. N-ethylamphetamine.
4. Methaqualone.
5. Gammahydroxybuterate.

6. Gamma-Butyrolactone (GBL) as packaged, marketed, manufactured or promoted for human consumption.

E. 1. The following industrial uses of Gamma-Butyrolactone are excluded from all schedules of controlled substances under this title:

- a. pesticides,
- b. photochemical etching,
- c. electrolytes of small batteries or capacitors,
- d. viscosity modifiers in polyurethane,
- e. surface etching of metal coated plastics,
- f. organic paint disbursements for water soluble inks,
- g. pH regulators in the dyeing of wool and polyamide fibers,
- h. foundry chemistry as a catalyst during curing, and
- i. curing agents in many coating systems based on urethanes and amides.

2. At the request of any person, the Director may exempt any other product containing Gamma-Butyrolactone from being included as a Schedule I controlled substance if such product is labeled, marketed, manufactured and distributed for legitimate industrial use in a manner that reduces or eliminates the likelihood of abuse.

3. In making a determination regarding an industrial product, the Director, after notice and hearing, shall consider the following:

- a. the history and current pattern of abuse,
- b. the name and labeling of the product,
- c. the intended manner of distribution, advertising and promotion of the product, and
- d. other factors as may be relevant to and consistent with the public health and safety.

4. The hearing shall be held in accordance with the procedures of the Administrative Procedures Act.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 6th day of March, 2000.

President of the Senate

Passed the House of Representatives the 28th day of March, 2000.

Speaker of the House of Representatives

