

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 792

Introduced by Coash, 27.

Read first time January 07, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to controlled substances; to amend section
2 28-405, Revised Statutes Supplement, 2009; to add to and
3 change schedules of controlled substances; and to repeal
4 the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-405, Revised Statutes Supplement,
2 2009, is amended to read:

3 28-405 The following are the schedules of controlled
4 substances referred to in the Uniform Controlled Substances Act:

5 Schedule I

6 (a) Any of the following opiates, including their
7 isomers, esters, ethers, salts, and salts of isomers, esters, and
8 ethers, unless specifically excepted, whenever the existence of
9 such isomers, esters, ethers, and salts is possible within the
10 specific chemical designation:

11 (1) Acetylmethadol;

12 (2) Allylprodine;

13 (3) Alphacetylmethadol, except levo-alphacetylmethadol
14 which is also known as levo-alpha-acetylmethadol, levomethadyl
15 acetate, and LAAM;

16 (4) Alphameprodine;

17 (5) Alphamethadol;

18 (6) Benzethidine;

19 (7) Betacetylmethadol;

20 (8) Betameprodine;

21 (9) Betamethadol;

22 (10) Betaprodine;

23 (11) Clonitazene;

24 (12) Dextromoramide;

25 (13) Difenoxyin;

- 1 (14) Diampromide;
- 2 (15) Diethylthiambutene;
- 3 (16) Dimenoxadol;
- 4 (17) Dimepheptanol;
- 5 (18) Dimethylthiambutene;
- 6 (19) Dioxaphetyl butyrate;
- 7 (20) Dipipanone;
- 8 (21) Ethylmethylthiambutene;
- 9 (22) Etonitazene;
- 10 (23) Etoxeridine;
- 11 (24) Furethidine;
- 12 (25) Hydroxypethidine;
- 13 (26) Ketobemidone;
- 14 (27) Levomoramide;
- 15 (28) Levophenacylmorphan;
- 16 (29) Morpheridine;
- 17 (30) Noracymethadol;
- 18 (31) Norlevorphanol;
- 19 (32) Normethadone;
- 20 (33) Norpipanone;
- 21 (34) Phenadoxone;
- 22 (35) Phenampromide;
- 23 (36) Phenomorphan;
- 24 (37) Phenoperidine;
- 25 (38) Piritramide;

- 1 (39) Proheptazine;
- 2 (40) Properidine;
- 3 (41) Propiram;
- 4 (42) Racemoramide;
- 5 (43) Trimeperidine;
- 6 (44) Alpha-methylfentanyl,
- 7 N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl) propionanilide,
- 8 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine;
- 9 (45) Tilidine;
- 10 (46) 3-Methylfentanyl,
- 11 N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide, its
- 12 optical and geometric isomers, salts, and salts of isomers;
- 13 (47) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP), its
- 14 optical isomers, salts, and salts of isomers;
- 15 (48) PEPAP, 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine,
- 16 its optical isomers, salts, and salts of isomers;
- 17 (49) Acetyl-alpha-methylfentanyl,
- 18 N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide, its
- 19 optical isomers, salts, and salts of isomers;
- 20 (50) Alpha-methylthiofentanyl,
- 21 N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide,
- 22 its optical isomers, salts, and salts of isomers;
- 23 (51) Benzylfentanyl,
- 24 N-(1-benzyl-4-piperidyl)-N-phenylpropanamide, its optical
- 25 isomers, salts, and salts of isomers;

1 (52) Beta-hydroxyfentanyl,
2 N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide,
3 its optical isomers, salts, and salts of isomers;

4 (53) Beta-hydroxy-3-methylfentanyl, (other name:
5 N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide),
6 its optical and geometric isomers, salts, and salts of isomers;

7 (54) 3-methylthiofentanyl,
8 N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide,
9 its optical and geometric isomers, salts, and salts of isomers;

10 (55)
11 N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide
12 (thenylfentanyl), its optical isomers, salts, and salts of isomers;

13 (56) Thiofentanyl,
14 N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide, its
15 optical isomers, salts, and salts of isomers; and

16 (57) Para-fluorofentanyl,
17 N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide,
18 its optical isomers, salts, and salts of isomers.

19 (b) Any of the following opium derivatives, their salts,
20 isomers, and salts of isomers, unless specifically excepted,
21 whenever the existence of such salts, isomers, and salts of
22 isomers is possible within the specific chemical designation:

23 (1) Acetorphine;

24 (2) Acetyldihydrocodeine;

25 (3) Benzylmorphine;

- 1 (4) Codeine methylbromide;
- 2 (5) Codeine-N-Oxide;
- 3 (6) Cyprenorphine;
- 4 (7) Desomorphine;
- 5 (8) Dihydromorphine;
- 6 (9) Drotebanol;
- 7 (10) Etorphine, except hydrochloride salt;
- 8 (11) Heroin;
- 9 (12) Hydromorphinol;
- 10 (13) Methyldesorphine;
- 11 (14) Methyldihydromorphine;
- 12 (15) Morphine methylbromide;
- 13 (16) Morphine methylsulfonate;
- 14 (17) Morphine-N-Oxide;
- 15 (18) Myrophine;
- 16 (19) Nicocodeine;
- 17 (20) Nicomorphine;
- 18 (21) Normorphine;
- 19 (22) Pholcodine; and
- 20 (23) Thebacon.
- 21 (c) Any material, compound, mixture, or preparation which
- 22 contains any quantity of the following hallucinogenic substances,
- 23 their salts, isomers, and salts of isomers, unless specifically
- 24 excepted, whenever the existence of such salts, isomers, and salts
- 25 of isomers is possible within the specific chemical designation,

1 and, for purposes of this subdivision only, isomer shall include
 2 the optical, position, and geometric isomers:

3 (1) Bufotenine. Trade and other names shall include, but
 4 are not limited to: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole;
 5 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin;
 6 5-hydroxy-N,N-dimethyltryptamine; and mappine;

7 (2) Diethyltryptamine. Trade and other names shall
 8 include, but are not limited to: N,N-Diethyltryptamine; and DET;

9 (3) Dimethyltryptamine. Trade and other names shall
 10 include, but are not limited to: DMT;

11 (4) 4-bromo-2,5-dimethoxyamphetamine. Trade
 12 and other names shall include, but are not limited
 13 to: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; and
 14 4-bromo-2,5-DMA;

15 (5) 4-methoxyamphetamine. Trade and other
 16 names shall include, but are not limited to:
 17 4-methoxy-alpha-methylphenethylamine; and paramethoxyamphetamine,
 18 PMA;

19 (6) 4-methyl-2,5-dimethoxyamphetamine. Trade and
 20 other names shall include, but are not limited to:
 21 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; DOM; and STP;

22 (7) ~~5-methoxy-N,N-~~ dimethyltryptamine;
 23 5-methoxy-N,N-dimethyltryptamine;

24 (8) Ibogaine. Trade and other names
 25 shall include, but are not limited to:

1 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido
2 (1',2':1,2) azepino (5,4-b) indole; and Tabernanthe iboga;
3 (9) Lysergic acid diethylamide;
4 (10) Marijuana;
5 (11) Mescaline;
6 (12) Peyote. Peyote shall mean all parts of the plant
7 presently classified botanically as *Lophophora williamsii* Lemaire,
8 whether growing or not, the seeds thereof, any extract from
9 any part of such plant, and every compound, manufacture, salts,
10 derivative, mixture, or preparation of such plant or its seeds or
11 extracts;
12 (13) Psilocybin;
13 (14) Psilocyn;
14 (15) Tetrahydrocannabinols, including, but not limited
15 to, synthetic equivalents of the substances contained in the plant
16 or in the resinous extractives of cannabis, sp. or synthetic
17 substances, derivatives, and their isomers with similar chemical
18 structure and pharmacological activity such as the following: Delta
19 1 cis or trans tetrahydrocannabinol and their optical isomers,
20 excluding dronabinol in sesame oil and encapsulated in a soft
21 gelatin capsule in a drug product approved by the federal Food
22 and Drug Administration; Delta 6 cis or trans tetrahydrocannabinol
23 and their optical isomers; and Delta 3,4 cis or trans
24 tetrahydrocannabinol and its optical isomers. Since nomenclature
25 of these substances is not internationally standardized, compounds

1 of these structures shall be included regardless of the numerical
2 designation of atomic positions covered;

3 (16) 3,4-methylenedioxy amphetamine;

4 (17) 5-methoxy-3,4-methylenedioxy-amphetamine;

5 (18) 3,4,5-trimethoxy amphetamine;

6 (19) N-ethyl-3-piperidyl benzilate;

7 (20) N-methyl-3-piperidyl benzilate;

8 (21) Thiophene analog of phencyclidine. Trade
9 and other names shall include, but are not limited to:
10 1-(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of
11 phencyclidine; TCP; and TCP;

12 (22) 2,5-dimethoxyamphetamine. Trade and
13 other names shall include, but are not limited to:
14 2,5-dimethoxy-alpha-methylphenethylamine; and 2,5-DMA;

15 (23) Hashish or concentrated cannabis;

16 (24) Parahexyl. Trade and other
17 names shall include, but are not limited to:
18 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo(b,d)pyran;
19 and Synhexyl;

20 (25) Ethylamine analog of phencyclidine. Trade
21 and other names shall include, but are not limited to:
22 N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine;
23 N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; and PCE;

24 (26) Pyrrolidine analog of phencyclidine. Trade
25 and other names shall include, but are not limited to:

1 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; and PHP;

2 (27) 3,4-methylenedioxyamphetamine (MDMA), its
3 optical, positional, and geometric isomers, salts, and salts of
4 isomers;

5 (28) 4-Bromo-2,5-dimethoxyphenethylamine. Some trade
6 or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;
7 alpha-desmethyl DOB; 2C-B; and Nexus;

8 (29) Alpha-ethyltryptamine. Some trade or other
9 names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;
10 3-(2-aminobutyl) indole; alpha-ET; and AET;

11 (30) 2,5-dimethoxy-4-ethylamphet-amine; and DOET;

12 (31) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine; and TCPy;

13 (32) Alpha-methyltryptamine, which is also known as AMT;

14 (33) 5-Methoxy-N,N-diisopropyltryptamine, which is also
15 known as 5-MeO-DIPT; and

16 (34) Salvia divinorum or Salvinorin A. Salvia divinorum
17 or Salvinorin A includes all parts of the plant presently
18 classified botanically as Salvia divinorum, whether growing or not,
19 the seeds thereof, any extract from any part of such plant, and
20 every compound, manufacture, derivative, mixture, or preparation of
21 such plant, its seeds, or its extracts, including salts, isomers,
22 and salts of isomers whenever the existence of such salts, isomers,
23 and salts of isomers is possible within the specific chemical
24 designation.

25 (d) Unless specifically excepted or unless listed in

1 another schedule, any material, compound, mixture, or preparation
2 which contains any quantity of the following substances having
3 a depressant effect on the central nervous system, including its
4 salts, isomers, and salts of isomers whenever the existence of
5 such salts, isomers, and salts of isomers is possible within the
6 specific chemical designation:

7 (1) Mecloqualone;

8 (2) Methaqualone; and

9 (3) Gamma-Hydroxybutyric Acid. Some other names include:
10 GHB; Gamma-hydroxybutyrate; 4-Hydroxybutyrate; 4-Hydroxybutanoic
11 Acid; Sodium Oxybate; and Sodium Oxybutyrate.

12 (e) Unless specifically excepted or unless listed in
13 another schedule, any material, compound, mixture, or preparation
14 which contains any quantity of the following substances having
15 a stimulant effect on the central nervous system, including its
16 salts, isomers, and salts of isomers:

17 (1) Fenethylamine;

18 (2) N-ethylamphetamine;

19 (3) Aminorex; aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
20 or 4,5-dihydro-5-phenyl-2-oxazolamine;

21 (4) Cathinone; 2-amino-1-phenyl-1-propanone;
22 alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrine;

23 (5) Methcathinone, its salts, optical isomers,
24 and salts of optical isomers. Some other names:
25 2-(methylamino)-propiofenone; alpha-(methylamino)propiofenone;

1 2-(methylamino)-1-phenylpropan-1-one;
 2 alpha-N-methylaminopropiophenone; methylcathinone;
 3 monomethylpropion; ephedrone; N-methylcathinone; AL-464; AL-422;
 4 AL-463; and UR1432;
 5 (6) (+/-) cis-4-methylaminorex; and
 6 (+/-) cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine;
 7 ~~and~~
 8 (7) N,N-dimethylamphetamine;
 9 N,N-alpha-trimethyl-benzeneethanamine; and
 10 N,N-alpha-trimethylphenethylamine; ~~and-~~

11 (8) Benzylpiperazine, 1-benzylpiperazine.

12 (f) Any controlled substance analogue to the extent
 13 intended for human consumption.

14 Schedule II

15 (a) Any of the following substances except those narcotic
 16 drugs listed in other schedules whether produced directly or
 17 indirectly by extraction from substances of vegetable origin,
 18 independently by means of chemical synthesis, or by combination of
 19 extraction and chemical synthesis:

20 (1) Opium and opiate, and any salt, compound, derivative,
 21 or preparation of opium or opiate, excluding apomorphine,
 22 buprenorphine, thebaine-derived butorphanol, dextrorphan,
 23 nalbuphine, nalmeffene, naloxone, and naltrexone and their
 24 salts, but including the following:

25 (i) Raw opium;

- 1 (ii) Opium extracts;
- 2 (iii) Opium fluid;
- 3 (iv) Powdered opium;
- 4 (v) Granulated opium;
- 5 (vi) Tincture of opium;
- 6 (vii) Codeine;
- 7 (viii) Ethylmorphine;
- 8 (ix) Etorphine hydrochloride;
- 9 (x) Hydrocodone;
- 10 (xi) Hydromorphone;
- 11 (xii) Metopon;
- 12 (xiii) Morphine;
- 13 (xiv) Oxycodone;
- 14 (xv) Oxymorphone;
- 15 (xvi) Oripavine;
- 16 (xvii) Thebaine; and
- 17 (xviii) Dihydroetorphine;
- 18 (2) Any salt, compound, derivative, or preparation
- 19 thereof which is chemically equivalent to or identical with any of
- 20 the substances referred to in subdivision (1) of this subdivision,
- 21 except that these substances shall not include the isoquinoline
- 22 alkaloids of opium;
- 23 (3) Opium poppy and poppy straw;
- 24 (4) Coca leaves and any salt, compound, derivative, or
- 25 preparation of coca leaves, and any salt, compound, derivative,

1 or preparation thereof which is chemically equivalent to or
2 identical with any of these substances, including cocaine and
3 its salts, optical isomers, and salts of optical isomers, except
4 that the substances shall not include decocainized coca leaves or
5 extractions which do not contain cocaine or ecgonine; and

6 (5) Concentrate of poppy straw, the crude extract of
7 poppy straw in either liquid, solid, or powder form which contains
8 the phenanthrene alkaloids of the opium poppy.

9 (b) Unless specifically excepted or unless in another
10 schedule any of the following opiates, including their isomers,
11 esters, ethers, salts, and salts of their isomers, esters, and
12 ethers whenever the existence of such isomers, esters, ethers,
13 and salts is possible within the specific chemical designation,
14 dextrorphan excepted:

15 (1) Alphaprodine;

16 (2) Anileridine;

17 (3) Bezitramide;

18 (4) Diphenoxylate;

19 (5) Fentanyl;

20 (6) Isomethadone;

21 (7) Levomethorphan;

22 (8) Levorphanol;

23 (9) Metazocine;

24 (10) Methadone;

25 (11) Methadone-intermediate,

- 1 4-cyano-2-dimethylamino-4,4-diphenyl butane;
- 2 (12) Moramide-intermediate,
- 3 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
- 4 (13) Pethidine or meperidine;
- 5 (14) Pethidine-Intermediate-A,
- 6 4-cyano-1-methyl-4-phenylpiperidine;
- 7 (15) Pethidine-Intermediate-B,
- 8 ethyl-4-phenylpiperidine-4-carboxylate;
- 9 (16) Pethidine-Intermediate-C,
- 10 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 11 (17) Phenazocine;
- 12 (18) Piminodine;
- 13 (19) Racemethorphan;
- 14 (20) Racemorphan;
- 15 (21) Dihydrocodeine;
- 16 (22) Bulk ~~Dextropropoxyphene~~ Propoxyphene in nondosage
- 17 forms;
- 18 (23) Sufentanil;
- 19 (24) Alfentanil;
- 20 (25) Levo-alpha-acetylmethadol which is also known as
- 21 levo-alpha-acetylmethadol, levomethadyl acetate, and LAAM;
- 22 (26) Carfentanil; and
- 23 (27) Remifentanil; and-
- 24 (28) Tapentadol.
- 25 (c) Any material, compound, mixture, or preparation

1 which contains any quantity of the following substances having
2 a potential for abuse associated with a stimulant effect on the
3 central nervous system:

4 (1) Amphetamine, its salts, optical isomers, and salts of
5 its optical isomers;

6 (2) Phenmetrazine and its salts;

7 (3) Methamphetamine, its salts, isomers, and salts of its
8 isomers; and

9 (4) Methylphenidate.

10 (d) Any material, compound, mixture, or preparation
11 which contains any quantity of the following substances having
12 a potential for abuse associated with a depressant effect on the
13 central nervous system, including their salts, isomers, and salts
14 of isomers whenever the existence of such salts, isomers, and salts
15 of isomers is possible within the specific chemical designations:

16 (1) Amobarbital;

17 (2) Secobarbital;

18 (3) Pentobarbital;

19 (4) Phencyclidine; and

20 (5) Glutethimide.

21 (e) Hallucinogenic substances known as:

22 (1) Nabilone. Another name for

23 nabilone: (+/-)-trans-3-(1,1-dimethylheptyl)-

24 6,6a,7,8,10,10a-Hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one.

25 (f) Unless specifically excepted or unless listed in

1 another schedule, any material, compound, mixture, or preparation
2 which contains any quantity of the following substances:

3 (1) Immediate precursor to amphetamine and
4 methamphetamine: Phenylacetone. Trade and other names shall
5 include, but are not limited to: Phenyl-2-propanone; P2P; benzyl
6 methyl ketone; and methyl benzyl ketone; or

7 (2) Immediate precursors to phencyclidine, PCP:

8 (i) 1-phenylcyclohexylamine; or

9 (ii) 1-piperidinocyclohexanecarbonitrile, PCC.

10 Schedule III

11 (a) Any material, compound, mixture, or preparation
12 which contains any quantity of the following substances having
13 a potential for abuse associated with a stimulant effect on the
14 central nervous system, including their salts, isomers, whether
15 optical, position, or geometric, and salts of such isomers whenever
16 the existence of such salts, isomers, and salts of isomers is
17 possible within the specific chemical designation:

18 (1) Benzphetamine;

19 (2) Chlorphentermine;

20 (3) Clortermine; and

21 (4) Phendimetrazine.

22 (b) Any material, compound, mixture, or preparation
23 which contains any quantity of the following substances having
24 a potential for abuse associated with a depressant effect on the
25 central nervous system:

1 (1) Any substance which contains any quantity of a
2 derivative of barbituric acid or any salt of a derivative of
3 barbituric acid, except those substances which are specifically
4 listed in other schedules of this section;

5 (2) Chlorhexadol;

6 (3) Lysergic acid;

7 (4) Lysergic acid amide;

8 (5) Methyprylon;

9 (6) Sulfondiethylmethane;

10 (7) Sulfonethylmethane;

11 (8) Sulfonmethane;

12 (9) Nalorphine;

13 (10) Any compound, mixture, or preparation containing
14 amobarbital, secobarbital, pentobarbital, or any salt thereof and
15 one or more other active medicinal ingredients which are not listed
16 in any schedule;

17 (11) Any suppository dosage form containing amobarbital,
18 secobarbital, pentobarbital, or any salt of any of these drugs and
19 approved by the Food and Drug Administration for marketing only as
20 a suppository;

21 (12) Any drug product containing gamma-hydroxybutyric
22 acid, including its salts, isomers, and salts of isomers, for which
23 an application is approved under section 505 of the Federal Food,
24 Drug, and Cosmetic Act, 21 U.S.C. 355, as such section existed on
25 July 20, 2002;

1 (13) Ketamine, its salts, isomers, and
2 salts of isomers. Some other names for ketamine:
3 (+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone; and

4 (14) Tiletamine and zolazepam or any salt thereof.
5 Trade or other names for a tiletamine-zolazepam combination
6 product shall include, but are not limited to: telazol. Trade
7 or other names for tiletamine shall include, but are not
8 limited to: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Trade or
9 other names for zolazepam shall include, but are not limited
10 to: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e)
11 (1,4)-diazepin-7(1H)-one, and flupyrazapon.

12 (c) Unless specifically excepted or unless listed in
13 another schedule:

14 (1) Any material, compound, mixture, or preparation
15 containing limited quantities of any of the following narcotic
16 drugs, or any salts calculated as the free anhydrous base or
17 alkaloid, in limited quantities as set forth below:

18 (i) Not more than one and eight-tenths grams of codeine
19 per one hundred milliliters or not more than ninety milligrams per
20 dosage unit, with an equal or greater quantity of an isoquinoline
21 alkaloid of opium;

22 (ii) Not more than one and eight-tenths grams of codeine
23 per one hundred milliliters or not more than ninety milligrams per
24 dosage unit, with one or more active, nonnarcotic ingredients in
25 recognized therapeutic amounts;

1 (iii) Not more than three hundred milligrams of
2 dihydrocodeinone which is also known as hydrocodone per one hundred
3 milliliters or not more than fifteen milligrams per dosage unit,
4 with a fourfold or greater quantity of an isoquinoline alkaloid of
5 opium;

6 (iv) Not more than three hundred milligrams of
7 dihydrocodeinone which is also known as hydrocodone per one hundred
8 milliliters or not more than fifteen milligrams per dosage unit,
9 with one or more active, nonnarcotic ingredients in recognized
10 therapeutic amounts;

11 (v) Not more than one and eight-tenths grams of
12 dihydrocodeine per one hundred milliliters or not more than ninety
13 milligrams per dosage unit, with one or more active, nonnarcotic
14 ingredients in recognized therapeutic amounts;

15 (vi) Not more than three hundred milligrams of
16 ethylmorphine per one hundred milliliters or not more than fifteen
17 milligrams per dosage unit, with one or more active, nonnarcotic
18 ingredients in recognized therapeutic amounts;

19 (vii) Not more than five hundred milligrams of opium per
20 one hundred milliliters or per one hundred grams, or not more than
21 twenty-five milligrams per dosage unit, with one or more active,
22 nonnarcotic ingredients in recognized therapeutic amounts; and

23 (viii) Not more than fifty milligrams of morphine per
24 one hundred milliliters or per one hundred grams with one or more
25 active, nonnarcotic ingredients in recognized therapeutic amounts;

1 and

2 (2) Any material, compound, mixture, or preparation
3 containing any of the following narcotic drug or its salts, as
4 set forth below:

5 (i) Buprenorphine.

6 (d) Unless contained on the administration's list of
7 exempt anabolic steroids as the list existed on June 1, 2007,
8 any anabolic steroid, which shall include any material, compound,
9 mixture, or preparation containing any quantity of the following
10 substances, including its salts, isomers, and salts of isomers
11 whenever the existence of such salts of isomers is possible within
12 the specific chemical designation:

13 (1) Boldenone;

14 (2) Boldione;

15 ~~(2)~~ (3) Chlorotestosterone (4-chlortestosterone);

16 ~~(3)~~ (4) Clostebol;

17 ~~(4)~~ (5) Dehydrochloromethyltestosterone;

18 (6) Desoxymethyltestosterone;

19 ~~(5)~~ (7) Dihydrotestosterone (4-dihydrotestosterone);

20 ~~(6)~~ (8) Drostanolone;

21 ~~(7)~~ (9) Ethylestrenol;

22 ~~(8)~~ (10) Fluoxymesterone;

23 ~~(9)~~ (11) Formebolone (formebolone);

24 ~~(10)~~ (12) Mesterolone;

25 ~~(11)~~ (13) Methandienone;

- 1 ~~(12)~~ (14) Methandranone;
- 2 ~~(13)~~ (15) Methandriol;
- 3 ~~(14)~~ (16) Methandrostenolone;
- 4 ~~(15)~~ (17) Methenolone;
- 5 ~~(16)~~ (18) Methyltestosterone;
- 6 ~~(17)~~ (19) Mibolerone;
- 7 ~~(18)~~ (20) Nandrolone;
- 8 ~~(19)~~ (21) Norethandrolone;
- 9 ~~(20)~~ (22) Oxandrolone;
- 10 ~~(21)~~ (23) Oxymesterone;
- 11 ~~(22)~~ (24) Oxymetholone;
- 12 ~~(23)~~ (25) Stanolone;
- 13 ~~(24)~~ (26) Stanozolol;
- 14 ~~(25)~~ (27) Testolactone;
- 15 ~~(26)~~ (28) Testosterone;
- 16 ~~(27)~~ (29) Trenbolone; and
- 17 (30) 19-nor-4,9(10)-androstadienedione;
- 18 ~~(28)~~ (31) Any salt, ester, or ether of a drug or
- 19 substance described or listed in this subdivision if the salt,
- 20 ester, or ether promotes muscle growth.

21 (e) Hallucinogenic substances known as:

22 (1) Dronabinol, synthetic, in sesame oil and encapsulated

23 in a soft gelatin capsule in a Food and Drug Administration

24 approved drug product. Some other names for dronabinol are

25 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo

1 (b,d)pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol.

2 Schedule IV

3 (a) Any material, compound, mixture, or preparation which
4 contains any quantity of the following substances, including their
5 salts, isomers, and salts of isomers whenever the existence of
6 such salts, isomers, and salts of isomers is possible within the
7 specific chemical designation:

8 (1) Barbital;

9 (2) Chloral betaine;

10 (3) Chloral hydrate;

11 (4) Chlordiazepoxide, but not including librax
12 (chlordiazepoxide hydrochloride and clindinium bromide) or menrium
13 (chlordiazepoxide and water soluble esterified estrogens);

14 (5) Clonazepam;

15 (6) Clorazepate;

16 (7) Diazepam;

17 (8) Ethchlorvynol;

18 (9) Ethinamate;

19 (10) Flurazepam;

20 (11) Mebutamate;

21 (12) Meproamate;

22 (13) Methohexital;

23 (14) Methylphenobarbital;

24 (15) Oxazepam;

25 (16) Paraldehyde;

- 1 (17) Petrichloral;
- 2 (18) Phenobarbital;
- 3 (19) Prazepam;
- 4 (20) Alprazolam;
- 5 (21) Bromazepam;
- 6 (22) Camazepam;
- 7 (23) Clobazam;
- 8 (24) Clotiazepam;
- 9 (25) Cloxazolam;
- 10 (26) Delorazepam;
- 11 (27) Estazolam;
- 12 (28) Ethyl loflazepate;
- 13 (29) Fludiazepam;
- 14 (30) Flunitrazepam;
- 15 (31) Halazepam;
- 16 (32) Haloxazolam;
- 17 (33) Ketazolam;
- 18 (34) Loprazolam;
- 19 (35) Lorazepam;
- 20 (36) Lormetazepam;
- 21 (37) Medazepam;
- 22 (38) Nimetazepam;
- 23 (39) Nitrazepam;
- 24 (40) Nordiazepam;
- 25 (41) Oxazolam;

- 1 (42) Pinazepam;
- 2 (43) Temazepam;
- 3 (44) Tetrazepam;
- 4 (45) Triazolam;
- 5 (46) Midazolam;
- 6 (47) Quazepam;
- 7 (48) Zolpidem;
- 8 (49) Dichloralphenazone; and
- 9 (50) Zaleplon.

10 (b) Any material, compound, mixture, or preparation which
11 contains any quantity of the following substance, including its
12 salts, isomers, whether optical, position, or geometric, and salts
13 of such isomers, whenever the existence of such salts, isomers, and
14 salts of isomers is possible: Fenfluramine.

15 (c) Unless specifically excepted or unless listed in
16 another schedule, any material, compound, mixture, or preparation
17 which contains any quantity of the following substances having a
18 stimulant effect on the central nervous system, including their
19 salts, isomers, whether optical, position, or geometric, and salts
20 of such isomers whenever the existence of such salts, isomers,
21 and salts of isomers is possible within the specific chemical
22 designation:

- 23 (1) Diethylpropion;
- 24 (2) Phentermine;
- 25 (3) Pemoline, including organometallic complexes and

1 chelates thereof;

2 (4) Mazindol;

3 (5) Pipradrol;

4 (6) SPA, ((-)-1-dimethylamino- 1,2-diphenylethane);

5 (7) Cathine. Another name for cathine is

6 ((+)-norpseudoephedrine);

7 (8) Fencamfamin;

8 (9) Fenproporex;

9 (10) Mefenorex;

10 (11) Modafinil; and

11 (12) Sibutramine.

12 (d) Unless specifically excepted or unless listed in
13 another schedule, any material, compound, mixture, or preparation
14 which contains any quantity of the following narcotic drugs, or
15 their salts or isomers calculated as the free anhydrous base or
16 alkaloid, in limited quantities as set forth below:

17 (1) ~~Dextropropoxyphene~~ Propoxyphene in manufactured
18 dosage forms; and

19 (2) Not more than one milligram of difenoxin and not less
20 than twenty-five micrograms of atropine sulfate per dosage unit.

21 (e) Unless specifically excepted or unless listed in
22 another schedule, any material, compound, mixture, or preparation
23 which contains any quantity of the following substance, including
24 its salts: Pentazocine.

25 (f) Unless specifically excepted or unless listed in

1 another schedule, any material, compound, mixture, or preparation
2 which contains any quantity of the following substance, including
3 its salts, isomers, and salts of such isomers: Butorphanol.

4 (g) (1) Unless specifically excepted or unless listed in
5 another schedule, any material, compound, mixture, or preparation
6 which contains any quantity of the following substance, including
7 its salts, optical isomers, and salts of such optical isomers:
8 Ephedrine.

9 (2) The following drug products containing ephedrine, its
10 salts, optical isomers, and salts of such optical isomers, are
11 excepted from subdivision (g) (1) of Schedule IV if they (A) are
12 stored behind a counter, in an area not accessible to customers,
13 or in a locked case so that a customer needs assistance from an
14 employee to access the drug product; (B) are sold by a person,
15 eighteen years of age or older, in the course of his or her
16 employment to a customer eighteen years of age or older with the
17 following restrictions: No customer shall be allowed to purchase,
18 receive, or otherwise acquire more than three and six-tenths grams
19 of ephedrine base during a twenty-four-hour period; no customer
20 shall purchase, receive, or otherwise acquire more than nine grams
21 of ephedrine base during a thirty-day period; and the customer
22 shall display a valid driver's or operator's license, a Nebraska
23 state identification card, a military identification card, an alien
24 registration card, or a passport as proof of identification; (C)
25 are labeled and marketed in a manner consistent with the pertinent

1 OTC Tentative Final or Final Monograph; (D) are manufactured and
2 distributed for legitimate medicinal use in a manner that reduces
3 or eliminates the likelihood of abuse; and (E) are not marketed,
4 advertised, or represented in any manner for the indication of
5 stimulation, mental alertness, euphoria, ecstasy, a buzz or high,
6 heightened sexual performance, or increased muscle mass:

- 7 (i) Primatene Tablets;
8 (ii) Bronkaid Dual Action Caplets; and
9 (iii) Pazo Hemorrhoidal Ointment.

10 Schedule V

11 (a) Any compound, mixture, or preparation containing any
12 of the following limited quantities of narcotic drugs or salts
13 calculated as the free anhydrous base or alkaloid, which shall
14 include one or more nonnarcotic active medicinal ingredients in
15 sufficient proportion to confer upon the compound, mixture, or
16 preparation valuable medicinal qualities other than those possessed
17 by the narcotic drug alone:

18 (1) Not more than two hundred milligrams of codeine per
19 one hundred milliliters or per one hundred grams;

20 (2) Not more than one hundred milligrams of
21 dihydrocodeine per one hundred milliliters or per one hundred
22 grams;

23 (3) Not more than one hundred milligrams of ethylmorphine
24 per one hundred milliliters or per one hundred grams;

25 (4) Not more than two and five-tenths milligrams of

1 diphenoxylate and not less than twenty-five micrograms of atropine
2 sulfate per dosage unit;

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

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

8 (b) Unless specifically exempted or excluded or unless
9 listed in another schedule, any material, compound, mixture, or
10 preparation which contains any quantity of the following substances
11 having a stimulant effect on the central nervous system, including
12 its salts, isomers, and salts of isomers: Pyrovalerone.

13 Sec. 2. Original section 28-405, Revised Statutes
14 Supplement, 2009, is repealed.