As Passed by the House

127th General Assembly Regular Session 2007-2008

Am. H. B. No. 215

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Representative Collier

Cosponsors: Representatives Evans, Latta, Brown, Chandler, Stebelton, Combs, Setzer, Aslanides, Bacon, Batchelder, Blessing, Book, Boyd, Core, Daniels, DeBose, DeGeeter, Dodd, Domenick, Dyer, Flowers, Gibbs, Hagan, J., Hagan, R., Mallory, Patton, Schindel, Schlichter, Sears, Wagner, Williams, B., Williams, S., Yuko

A BILL

To amend section 3719.41 of the Revised Code to list

Salvia divinorum as a controlled substance.	2
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:	
Section 1. That section 3719.41 of the Revised Code be	3
amended to read as follows:	4
Sec. 3719.41. Controlled substance schedules I, II, III, IV,	5
and V are hereby established, which schedules include the	6
following, subject to amendment pursuant to section 3719.43 or	7
3719.44 of the Revised Code.	8
SCHEDULE I	9
(A) Narcotics-opiates	10
Any of the following opiates, including their isomers,	11

esters, ethers, salts, and salts of isomers, esters, and ethers,

laws, whenever the existence of these isomers, esters, ethers, and

unless specifically excepted under federal drug abuse control

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salts is possible within the specific chemical designation:	15
(1) Acetyl-alpha-methylfentanyl	16
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);	17
(2) Acetylmethadol;	18
(3) Allylprodine;	19
(4) Alphacetylmethadol (except levo-alphacetylmethadol, also	20
known as levo-alpha-acetylmethadol, levomethadyl acetate, or	21
LAAM);	22
(5) Alphameprodine;	23
(6) Alphamethadol;	24
(7) Alpha-methylfentanyl	25
(N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;	26
1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	27
(8) Alpha-methylthiofentanyl	28
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-	29
phenylpropanamide);	30
(9) Benzethidine;	31
(10) Betacetylmethadol;	32
(11) Beta-hydroxyfentanyl	33
(N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N- phenylpropanamide);	34
(12) Beta-hydroxy-3-methylfentanyl (other name:	35
N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-	36
phenylpropanamide);	37
(13) Betameprodine;	38
(14) Betamethadol;	39
(15) Betaprodine;	40
(16) Clonitazene;	41
(17) Dextromoramide;	42

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(18) Diampromide;	43
(19) Diethylthiambutene;	44
(20) Difenoxin;	45
(21) Dimenoxadol;	46
(22) Dimepheptanol;	47
(23) Dimethylthiambutene;	48
(24) Dioxaphetyl butyrate;	49
(25) Dipipanone;	50
(26) Ethylmethylthiambutene;	51
(27) Etonitazene;	52
(28) Etoxeridine;	53
(29) Furethidine;	54
(30) Hydroxypethidine;	55
(31) Ketobemidone;	56
(32) Levomoramide;	57
(33) Levophenacylmorphan;	58
(34) 3-methylfentanyl	59
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-	60
phenylpropanamide)÷;	61
(35) 3-methylthiofentanyl	62
(N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-	63
phenylpropanamide);	64
(36) Morpheridine;	65
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	66
(38) Noracymethadol;	67
(39) Norlevorphanol;	68

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(40) Normethadone;	69
(41) Norpipanone;	70
(42) Para-fluorofentanyl	71
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	72
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	73
(44) Phenadoxone;	74
(45) Phenampromide;	75
(46) Phenomorphan;	76
(47) Phenoperidine;	77
(48) Piritramide;	78
(49) Proheptazine;	79
(50) Properidine;	80
(51) Propiram;	81
(52) Racemoramide;	82
(53) Thiofentanyl	83
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	84
(54) Tilidine;	85
(55) Trimeperidine.	86
(B) Narcotics-opium derivatives	87
Any of the following opium derivatives, including their	88
salts, isomers, and salts of isomers, unless specifically excepted	89
under federal drug abuse control laws, whenever the existence of	90
these salts, isomers, and salts of isomers is possible within the	91
specific chemical designation:	92
(1) Acetorphine;	93
(2) Acetyldihydrocodeine;	94
(3) Benzylmorphine;	95

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(4) Codeine methylbromide;	96
(5) Codeine-n-oxide;	97
(6) Cyprenorphine;	98
(7) Desomorphine;	99
(8) Dihydromorphine;	100
(9) Drotebanol;	101
(10) Etorphine (except hydrochloride salt);	102
(11) Heroin;	103
(12) Hydromorphinol;	104
(13) Methyldesorphine;	105
(14) Methyldihydromorphine;	106
(15) Morphine methylbromide;	107
(16) Morphine methylsulfonate;	108
(17) Morphine-n-oxide;	109
(18) Myrophine;	110
(19) Nicocodeine;	111
(20) Nicomorphine;	112
(21) Normorphine;	113
(22) Pholcodine;	114
(23) Thebacon.	115
(C) Hallucinogens	116
Any material, compound, mixture, or preparation that contains	117
any quantity of the following hallucinogenic substances, including	118
their salts, isomers, and salts of isomers, unless specifically	119
excepted under federal drug abuse control laws, whenever the	120
existence of these salts, isomers, and salts of isomers is	121
possible within the specific chemical designation. For the	122

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purposes of this division only, "isomer" includes the optical	123
isomers, position isomers, and geometric isomers.	124
(1) Alpha-ethyltryptamine (some trade or other names:	125
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;	126
3-(2-aminobutyl) indole; alpha-ET; and AET);	127
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other	128
names: 4-bromo-2,5-dimethoxy-alpha-methyphenethylamine;	129
4-bromo-2,5-DMA);	130
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other	131
names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;	132
alpha-desmethyl DOB; 2C-B, Nexus);	133
(4) 2,5-dimethoxyamphetamine (some trade or other names:	134
2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	135
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other	136
names: DOET);	137
(6) 4-methoxyamphetamine (some trade or other names:	138
4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine;	139
PMA);	140
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	141
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other	142
names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"	143
and "STP");	144
(9) 3,4-methylenedioxy amphetamine;	145
(10) 3,4-methylenedioxymethamphetamine (MDMA);	146
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as	147
N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl	148
MDA, MDE, MDEA);	149
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as	150
N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and	151

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N-hydroxy MDA);	152
(13) 3,4,5-trimethoxy amphetamine;	153
(14) Bufotenine (some trade or other names:	154
3-(beta-dimethylaminoethyl)-5-hydroxyindole $\div \underline{i}$	155
3-(2-dimethylaminoethyl)-5-indolol $\div_{\underline{i}}$ N, N-dimethylserotonin;	156
5-hydroxy-N, N-dimethyltryptamine; mappine);	157
(15) Diethyltryptamine (some trade or other names: N,	158
N-diethyltryptamine; DET);	159
(16) Dimethyltryptamine (some trade or other names: DMT);	160
(17) Ibogaine (some trade or other names:	161
7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-	162
5H-pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	163
(18) Lysergic acid diethylamide;	164
(19) Marihuana;	165
(20) Mescaline;	166
(21) Parahexyl (some trade or other names: 3-hexyl-1-	167
hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;	168
synhexyl);	169
(22) Peyote (meaning all parts of the plant presently	170
classified botanically as "Lophophora williamsii Lemaire," whether	171
growing or not, the seeds of that plant, any extract from any part	172
of that plant, and every compound, manufacture, salts, derivative,	173
mixture, or preparation of that plant, its seeds, or its	174
extracts);	175
(23) N-ethyl-3-piperidyl benzilate;	176
(24) N-methyl-3-piperidyl benzilate;	177
(25) Psilocybin;	178
(26) Psilocyn;	179

isomers, and salts of isomers, unless specifically excepted under

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federal drug abuse control laws, whenever the existence of these	210
salts, isomers, and salts of isomers is possible within the	211
specific chemical designation:	212
(1) Mecloqualone;	213
(2) Methaqualone.	214
(E) Stimulants	215
Unless specifically excepted or unless listed in another	216
schedule, any material, compound, mixture, or preparation that	217
contains any quantity of the following substances having a	218
stimulant effect on the central nervous system, including their	219
salts, isomers, and salts of isomers:	220
(1) Aminorex (some other names: aminoxaphen;	221
2-amino-5-phenyl-2-oxazoline; or	222
4,5-dihydro-5-phenyl-2-oxazolamine);	223
(2) Cathinone (some trade or other names:	224
2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,	225
2-aminopropiophenone, and norephedrone);	226
(3) Fenethylline;	227
(4) Methcathinone (some other names:	228
2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone;	229
2-methylamino)-1-phenylpropan-1-one;	230
alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone;	231
N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and	232
UR1432+, its salts, optical isomers, and salts of optical isomers;	233
(5) (+/-)cis-4-methylaminorex	234
((+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);	235
(6) N-ethylamphetamine;	236
(7) N,N-dimethylamphetamine (also known as	237
N,N-alpha-trimethyl-benzeneethanamine;	238
N, N-alpha-trimethylphenethylamine).	239

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SCHEDULE II	240
(A) Narcotics-opium and opium derivatives	241
Unless specifically excepted under federal drug abuse control	242
laws or unless listed in another schedule, any of the following	243
substances whether produced directly or indirectly by extraction	244
from substances of vegetable origin, independently by means of	245
chemical synthesis, or by a combination of extraction and chemical	246
synthesis:	247
(1) Opium and opiate, and any salt, compound, derivative, or	248
preparation of opium or opiate, excluding apomorphine,	249
thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene,	250
naloxone, and naltrexone, and their respective salts, but	251
including the following:	252
(a) Raw opium;	253
(b) Opium extracts;	254
(c) Opium fluid extracts;	255
(d) Powdered opium;	256
(e) Granulated opium;	257
(f) Tincture of opium;	258
(g) Codeine;	259
(h) Ethylmorphine;	260
(i) Etorphine hydrochloride;	261
(j) Hydrocodone;	262
(k) Hydromorphone;	263
(1) Metopon;	264
<pre>(m) Morphine;</pre>	265
(n) Oxycodone;	266
(o) Oxymorphone;	267

Unless specifically excepted under federal drug abuse control

laws or unless listed in another schedule, any of the following

opiates, including their isomers, esters, ethers, salts, and salts

of isomers, esters, and ethers, whenever the existence of these

isomers, esters, ethers, and salts is possible within the specific

chemical designation, but excluding dextrorphan and

levopropoxyphene:

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(1)	Alfentanil;	294
(2)	Alphaprodine;	295
(3)	Anileridine;	296

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(4) Bezitramide;

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(5) Bulk dextropropoxyphene (non-dosage forms);	298
(6) Carfentanil;	299
(7) Dihydrocodeine;	300
(8) Diphenoxylate;	301
(9) Fentanyl;	302
(10) Isomethadone;	303
(11) Levo-alphacetylmethadol (some other names:	304
<pre>levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);</pre>	305
(12) Levomethorphan;	306
(13) Levorphanol;	307
(14) Metazocine;	308
(15) Methadone;	309
(16) Methadone-intermediate,	310
4-cyano-2-dimethylamino-4,4-diphenyl butane;	311
(17) Moramide-intermediate,	312
2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	313
(18) Pethidine (meperidine);	314
(19) Pethidine-intermediate-A,	315
4-cyano-1-methyl-4-phenylpiperidine;	316
(20) Pethidine-intermediate-B,	317
ethyl-4-phenylpiperidine-4-carboxylate;	318
(21) Pethidine-intermediate-C,	319
1-methyl-4-phenylpiperidine-4-carboxylic acid;	320
(22) Phenazocine;	321
(23) Piminodine;	322
(24) Racemethorphan;	323
(25) Racemorphan;	324

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(26) Remifentanil;	325
(27) Sufentanil.	326
(C) Stimulants	327
Unless specifically excepted under federal drug abuse control	328
laws or unless listed in another schedule, any material, compound,	329
mixture, or preparation that contains any quantity of the	330
following substances having a stimulant effect on the central	331
nervous system:	332
(1) Amphetamine, its salts, its optical isomers, and salts of	333
its optical isomers;	334
(2) Methamphetamine, its salts, its isomers, and salts of its	335
isomers;	336
(3) Methylphenidate;	337
(4) Phenmetrazine and its salts.	338
(D) Depressants	339
Unless specifically excepted under federal drug abuse control	340
laws or unless listed in another schedule, any material, compound,	341
mixture, or preparation that contains any quantity of the	342
following substances having a depressant effect on the central	343
nervous system, including their salts, isomers, and salts of	344
isomers, whenever the existence of these salts, isomers, and salts	345
of isomers is possible within the specific chemical designation:	346
(1) Amobarbital;	347
(2) Gamma-hydroxy-butyrate;	348
(3) Glutethimide;	349
(4) Pentobarbital;	350
(5) Phencyclidine (some trade or other names:	351
1-(1-phenylcyclohexyl)piperidine; PCP);	352

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(6) Secobarbital;	353
(7) 1-aminophenylcyclohexane and all N-mono-substituted	354
and/or all N-N-disubstituted analogs including, but not limited	355
to, the following:	356
(a) 1-phenylcyclohexylamine;	357
(b) (1-phenylcyclohexyl) methylamine;	358
(c) (1-phenylcyclohexyl) dimethylamine;	359
(d) (1-phenylcyclohexyl) methylethylamine;	360
(e) (1-phenylcyclohexyl) isopropylamine;	361
(f) 1-(1-phenylcyclohexyl) morpholine.	362
(E) Hallucinogenic substances	363
(1) Nabilone (another name for nabilone:	364
(+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-	365
hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one).	366
(F) Immediate precursors	367
Unless specifically excepted under federal drug abuse control	368
laws or unless listed in another schedule, any material, compound,	369
mixture, or preparation that contains any quantity of the	370
following substances:	371
(1) Immediate precursor to amphetamine and methamphetamine:	372
(a) Phenylacetone (some trade or other names:	373
phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl	374
ketone);	375
(2) Immediate precursors to phencyclidine (PCP):	376
(a) 1-phenylcyclohexylamine;	377
(b) 1-piperidinocyclohexanecarbonitrile (PCC).	378
SCHEDULE III	379
(A) Stimulants	380

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Unless specifically excepted under federal drug abuse control	381
laws or unless listed in another schedule, any material, compound,	382
mixture, or preparation that contains any quantity of the	383
following substances having a stimulant effect on the central	384
nervous system, including their salts, their optical isomers,	385
position isomers, or geometric isomers, and salts of these	386
isomers, whenever the existence of these salts, isomers, and salts	387
of isomers is possible within the specific chemical designation:	388
(1) All stimulant compounds, mixtures, and preparations	389
included in schedule III pursuant to the federal drug abuse	390
control laws and regulations adopted under those laws;	391
(2) Benzphetamine;	392
(3) Chlorphentermine;	393
(4) Clortermine;	394
(5) Phendimetrazine.	395
(B) Depressants	396
Unless specifically excepted under federal drug abuse control	397
laws or unless listed in another schedule, any material, compound,	398
mixture, or preparation that contains any quantity of the	399
following substances having a depressant effect on the central	400
nervous system:	401
(1) Any compound, mixture, or preparation containing	402
amobarbital, secobarbital, pentobarbital, or any salt of any of	403
these drugs, and one or more other active medicinal ingredients	404
that are not listed in any schedule;	405
(2) Any suppository dosage form containing amobarbital,	406
secobarbital, pentobarbital, or any salt of any of these drugs and	407
approved by the food and drug administration for marketing only as	408
a suppository;	409

(3) Any substance that contains any quantity of a derivative

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(2) Not more than 1.8 grams of codeine per 100 milliliters or	440
not more than 90 milligrams per dosage unit, with one or more	441
active, nonnarcotic ingredients in recognized therapeutic amounts;	442
(3) Not more than 300 milligrams of dihydrocodeinone per 100	443
milliliters or not more than 15 milligrams per dosage unit, with a	444
fourfold or greater quantity of an isoquinoline alkaloid of opium;	445
(4) Not more than 300 milligrams of dihydrocodeinone per 100	446
milliliters or not more than 15 milligrams per dosage unit, with	447
one or more active, nonnarcotic ingredients in recognized	448
therapeutic amounts;	449
(5) Not more than 1.8 grams of dihydrocodeine per 100	450
milliliters or not more than 90 milligrams per dosage unit, with	451
one or more active, nonnarcotic ingredients in recognized	452
therapeutic amounts;	453
(6) Not more than 300 milligrams of ethylmorphine per 100	454
milliliters or not more than 15 milligrams per dosage unit, with	455
one or more active, nonnarcotic ingredients in recognized	456
therapeutic amounts;	457
(7) Not more than 500 milligrams of opium per 100 milliliters	458
or per 100 grams or not more than 25 milligrams per dosage unit,	459
with one or more active, nonnarcotic ingredients in recognized	460
therapeutic amounts;	461
(8) Not more than 50 milligrams of morphine per 100	462
milliliters or per 100 grams, with one or more active, nonnarcotic	463
ingredients in recognized therapeutic amounts.	464
(E) Anabolic steroids	465
Unless specifically excepted under federal drug abuse control	466
laws or unless listed in another schedule, any material, compound,	467
mixture, or preparation that contains any quantity of the	468
following substances, including their salts, esters, isomers, and	469

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(n) Methandrostenolone;	498
(o) Methenolone;	499
(p) Methyltestosterone;	500
(q) Mibolerone;	501
(r) Nandrolone;	502
(s) Norethandrolone;	503
(t) Oxandrolone;	504
(u) Oxymesterone;	505
(v) Oxymetholone;	506
(w) Stanolone;	507
(x) Stanozolol;	508
(y) Testolactone;	509
(z) Testosterone;	510
(aa) Trenbolone;	511
(bb) Any salt, ester, isomer, or salt of an ester or isomer	512
of a drug or hormonal substance described or listed in division	513
(E)(1) of schedule III if the salt, ester, or isomer promotes	514
muscle growth.	515
(F) Hallucinogenic substances	516
(1) Dronabinol (synthetic) in sesame oil and encapsulated in	517
a soft gelatin capsule in a United States food and drug	518
administration approved drug product (some other names for	519
dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-	520
6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or	521
(-)-delta-9-(trans)-tetrahydrocannabinol).	522
SCHEDULE IV	523
(A) Narcotic drugs	524

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(11) Clotiazepam;

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(12) Cloxazolam;	553
(13) Delorazepam;	554
(14) Diazepam;	555
(15) Estazolam;	556
(16) Ethchlorvynol;	557
(17) Ethinamate;	558
(18) Ethyl loflazepate;	559
(19) Fludiazepam;	560
(20) Flunitrazepam;	561
(21) Flurazepam;	562
(22) Halazepam;	563
(23) Haloxazolam;	564
(24) Ketazolam;	565
(25) Loprazolam;	566
(26) Lorazepam;	567
(27) Lormetazepam;	568
(28) Mebutamate;	569
(29) Medazepam;	570
(30) Meprobamate;	571
(31) Methohexital;	572
(32) Methylphenobarbital (mephobarbital);	573
(33) Midazolam;	574
(34) Nimetazepam;	575
(35) Nitrazepam;	576
(36) Nordiazepam;	577

mixture, or preparation that contains any of the following

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(1) Ephedrine, except as provided in division (K) of section	663
3719.44 of the Revised Code;	664
(2) Pyrovalerone.	665
Section 2. That existing section 3719.41 of the Revised Code	666
is hereby repealed.	667