

As Introduced

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H. B. No. 544

Representatives Ruhl, Burke

**Cosponsors: Representatives Boose, Adams, J., Domenick, Derickson,
Grossman, Harris, McClain, Chandler, Maag, Amstutz, Blair, Evans, Brown**

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A B I L L

To amend sections 2925.02, 2925.03, 2925.11, and 1
3719.41 of the Revised Code to add synthetic 2
cannabinoids commonly known as K2 or Spice to the 3
list of Schedule I controlled substances, prohibit 4
the possession of Spice, prohibit trafficking in 5
Spice, and provide that if Spice is the drug 6
involved in a violation of the offense of 7
corrupting another with drugs the penalty for the 8
violation will be the same as if marihuana was the 9
drug involved in the offense. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2925.02, 2925.03, 2925.11, and 11
3719.41 of the Revised Code be amended to read as follows: 12

Sec. 2925.02. (A) No person shall knowingly do any of the 13
following: 14

(1) By force, threat, or deception, administer to another or 15
induce or cause another to use a controlled substance; 16

(2) By any means, administer or furnish to another or induce 17
or cause another to use a controlled substance with purpose to 18

cause serious physical harm to the other person, or with purpose 19
to cause the other person to become drug dependent; 20

(3) By any means, administer or furnish to another or induce 21
or cause another to use a controlled substance, and thereby cause 22
serious physical harm to the other person, or cause the other 23
person to become drug dependent; 24

(4) By any means, do any of the following: 25

(a) Furnish or administer a controlled substance to a 26
juvenile who is at least two years the offender's junior, when the 27
offender knows the age of the juvenile or is reckless in that 28
regard; 29

(b) Induce or cause a juvenile who is at least two years the 30
offender's junior to use a controlled substance, when the offender 31
knows the age of the juvenile or is reckless in that regard; 32

(c) Induce or cause a juvenile who is at least two years the 33
offender's junior to commit a felony drug abuse offense, when the 34
offender knows the age of the juvenile or is reckless in that 35
regard; 36

(d) Use a juvenile, whether or not the offender knows the age 37
of the juvenile, to perform any surveillance activity that is 38
intended to prevent the detection of the offender or any other 39
person in the commission of a felony drug abuse offense or to 40
prevent the arrest of the offender or any other person for the 41
commission of a felony drug abuse offense. 42

(B) Division (A)(1), (3), or (4) of this section does not 43
apply to manufacturers, wholesalers, licensed health professionals 44
authorized to prescribe drugs, pharmacists, owners of pharmacies, 45
and other persons whose conduct is in accordance with Chapters 46
3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised 47
Code. 48

(C) Whoever violates this section is guilty of corrupting another with drugs. The penalty for the offense shall be determined as follows:

(1) Except as otherwise provided in this division, if the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, and (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - tetrahydrobenzo[c]chromen-1-ol, corrupting another with drugs is a felony of the second degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. If the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, or (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - tetrahydrobenzo[c]chromen-1-ol, and if the offense was committed in the vicinity of a school, corrupting another with drugs is a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(2) Except as otherwise provided in this division, if the drug involved is any compound, mixture, preparation, or substance included in schedule III, IV, or V, corrupting another with drugs is a felony of the second degree, and there is a presumption for a prison term for the offense. If the drug involved is any compound, mixture, preparation, or substance included in schedule III, IV, or V and if the offense was committed in the vicinity of a school, corrupting another with drugs is a felony of the second degree, and the court shall impose as a mandatory prison term one of the

prison terms prescribed for a felony of the second degree. 81

(3) Except as otherwise provided in this division, if the 82
drug involved is marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 83
1-Butyl-3-(1-naphthoyl)indole, or (6aR,10aR)-9-(hydroxymethyl)-6, 84
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 85
tetrahydrobenzo[c]chromen-1-ol, corrupting another with drugs is a 86
felony of the fourth degree, and division (C) of section 2929.13 87
of the Revised Code applies in determining whether to impose a 88
prison term on the offender. If the drug involved is marihuana, 89
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, or 90
(6aR,10aR)-9-(hydroxymethyl)-6, 91
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 92
tetrahydrobenzo[c]chromen-1-ol, and if the offense was committed 93
in the vicinity of a school, corrupting another with drugs is a 94
felony of the third degree, and division (C) of section 2929.13 of 95
the Revised Code applies in determining whether to impose a prison 96
term on the offender. 97

(D) In addition to any prison term authorized or required by 98
division (C) or (E) of this section and sections 2929.13 and 99
2929.14 of the Revised Code and in addition to any other sanction 100
imposed for the offense under this section or sections 2929.11 to 101
2929.18 of the Revised Code, the court that sentences an offender 102
who is convicted of or pleads guilty to a violation of division 103
(A) of this section or the clerk of that court shall do all of the 104
following that are applicable regarding the offender: 105

(1)(a) If the violation is a felony of the first, second, or 106
third degree, the court shall impose upon the offender the 107
mandatory fine specified for the offense under division (B)(1) of 108
section 2929.18 of the Revised Code unless, as specified in that 109
division, the court determines that the offender is indigent. 110

(b) Notwithstanding any contrary provision of section 3719.21 111
of the Revised Code, any mandatory fine imposed pursuant to 112

division (D)(1)(a) of this section and any fine imposed for a 113
violation of this section pursuant to division (A) of section 114
2929.18 of the Revised Code shall be paid by the clerk of the 115
court in accordance with and subject to the requirements of, and 116
shall be used as specified in, division (F) of section 2925.03 of 117
the Revised Code. 118

(c) If a person is charged with any violation of this section 119
that is a felony of the first, second, or third degree, posts 120
bail, and forfeits the bail, the forfeited bail shall be paid by 121
the clerk of the court pursuant to division (D)(1)(b) of this 122
section as if it were a fine imposed for a violation of this 123
section. 124

(2) The court shall suspend for not less than six months nor 125
more than five years the offender's driver's or commercial 126
driver's license or permit. If an offender's driver's or 127
commercial driver's license or permit is suspended pursuant to 128
this division, the offender, at any time after the expiration of 129
two years from the day on which the offender's sentence was 130
imposed or from the day on which the offender finally was released 131
from a prison term under the sentence, whichever is later, may 132
file a motion with the sentencing court requesting termination of 133
the suspension. Upon the filing of the motion and the court's 134
finding of good cause for the termination, the court may terminate 135
the suspension. 136

(3) If the offender is a professionally licensed person, in 137
addition to any other sanction imposed for a violation of this 138
section, the court immediately shall comply with section 2925.38 139
of the Revised Code. 140

(E) Notwithstanding the prison term otherwise authorized or 141
required for the offense under division (C) of this section and 142
sections 2929.13 and 2929.14 of the Revised Code, if the violation 143
of division (A) of this section involves the sale, offer to sell, 144

or possession of a schedule I or II controlled substance, with the 145
exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 146
1-Butyl-3-(1-naphthoyl)indole, and (6aR,10aR)-9-(hydroxymethyl)-6, 147
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 148
tetrahydrobenzo[c]chromen-1-ol, and if the court imposing sentence 149
upon the offender finds that the offender as a result of the 150
violation is a major drug offender and is guilty of a 151
specification of the type described in section 2941.1410 of the 152
Revised Code, the court, in lieu of the prison term that otherwise 153
is authorized or required, shall impose upon the offender the 154
mandatory prison term specified in division (D)(3)(a) of section 155
2929.14 of the Revised Code and may impose an additional prison 156
term under division (D)(3)(b) of that section. 157

Sec. 2925.03. (A) No person shall knowingly do any of the 158
following: 159

(1) Sell or offer to sell a controlled substance; 160

(2) Prepare for shipment, ship, transport, deliver, prepare 161
for distribution, or distribute a controlled substance, when the 162
offender knows or has reasonable cause to believe that the 163
controlled substance is intended for sale or resale by the 164
offender or another person. 165

(B) This section does not apply to any of the following: 166

(1) Manufacturers, licensed health professionals authorized 167
to prescribe drugs, pharmacists, owners of pharmacies, and other 168
persons whose conduct is in accordance with Chapters 3719., 4715., 169
4723., 4729., 4730., 4731., and 4741. of the Revised Code; 170

(2) If the offense involves an anabolic steroid, any person 171
who is conducting or participating in a research project involving 172
the use of an anabolic steroid if the project has been approved by 173
the United States food and drug administration; 174

(3) Any person who sells, offers for sale, prescribes, 175
dispenses, or administers for livestock or other nonhuman species 176
an anabolic steroid that is expressly intended for administration 177
through implants to livestock or other nonhuman species and 178
approved for that purpose under the "Federal Food, Drug, and 179
Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, 180
and is sold, offered for sale, prescribed, dispensed, or 181
administered for that purpose in accordance with that act. 182

(C) Whoever violates division (A) of this section is guilty 183
of one of the following: 184

(1) If the drug involved in the violation is any compound, 185
mixture, preparation, or substance included in schedule I or 186
schedule II, with the exception of marihuana, 187
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 188
(6aR,10aR)-9-(hydroxymethyl)-6, 189
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 190
tetrahydrobenzo[c]chromen-1-ol, cocaine, L.S.D., heroin, and 191
hashish, whoever violates division (A) of this section is guilty 192
of aggravated trafficking in drugs. The penalty for the offense 193
shall be determined as follows: 194

(a) Except as otherwise provided in division (C)(1)(b), (c), 195
(d), (e), or (f) of this section, aggravated trafficking in drugs 196
is a felony of the fourth degree, and division (C) of section 197
2929.13 of the Revised Code applies in determining whether to 198
impose a prison term on the offender. 199

(b) Except as otherwise provided in division (C)(1)(c), (d), 200
(e), or (f) of this section, if the offense was committed in the 201
vicinity of a school or in the vicinity of a juvenile, aggravated 202
trafficking in drugs is a felony of the third degree, and division 203
(C) of section 2929.13 of the Revised Code applies in determining 204
whether to impose a prison term on the offender. 205

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, aggravated trafficking in drugs is a felony of the third degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(e) If the amount of the drug involved equals or exceeds fifty times the bulk amount but is less than one hundred times the bulk amount and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(f) If the amount of the drug involved equals or exceeds one hundred times the bulk amount and regardless of whether the offense was committed in the vicinity of a school or in the

vicinity of a juvenile, aggravated trafficking in drugs is a 238
felony of the first degree, the offender is a major drug offender, 239
and the court shall impose as a mandatory prison term the maximum 240
prison term prescribed for a felony of the first degree and may 241
impose an additional prison term prescribed for a major drug 242
offender under division (D)(3)(b) of section 2929.14 of the 243
Revised Code. 244

(2) If the drug involved in the violation is any compound, 245
mixture, preparation, or substance included in schedule III, IV, 246
or V, whoever violates division (A) of this section is guilty of 247
trafficking in drugs. The penalty for the offense shall be 248
determined as follows: 249

(a) Except as otherwise provided in division (C)(2)(b), (c), 250
(d), or (e) of this section, trafficking in drugs is a felony of 251
the fifth degree, and division (C) of section 2929.13 of the 252
Revised Code applies in determining whether to impose a prison 253
term on the offender. 254

(b) Except as otherwise provided in division (C)(2)(c), (d), 255
or (e) of this section, if the offense was committed in the 256
vicinity of a school or in the vicinity of a juvenile, trafficking 257
in drugs is a felony of the fourth degree, and division (C) of 258
section 2929.13 of the Revised Code applies in determining whether 259
to impose a prison term on the offender. 260

(c) Except as otherwise provided in this division, if the 261
amount of the drug involved equals or exceeds the bulk amount but 262
is less than five times the bulk amount, trafficking in drugs is a 263
felony of the fourth degree, and there is a presumption for a 264
prison term for the offense. If the amount of the drug involved is 265
within that range and if the offense was committed in the vicinity 266
of a school or in the vicinity of a juvenile, trafficking in drugs 267
is a felony of the third degree, and there is a presumption for a 268
prison term for the offense. 269

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, trafficking in drugs is a felony of the third degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the second degree, and there is a presumption for a prison term for the offense.

(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty times the bulk amount, trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. If the amount of the drug involved equals or exceeds fifty times the bulk amount and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of trafficking in marihuana. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(3)(b), (c), (d), (e), (f), or (g) of this section, trafficking in marihuana is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C)(3)(c), (d), (e), (f), or (g) of this section, if the offense was committed in

the vicinity of a school or in the vicinity of a juvenile, 302
trafficking in marihuana is a felony of the fourth degree, and 303
division (C) of section 2929.13 of the Revised Code applies in 304
determining whether to impose a prison term on the offender. 305

(c) Except as otherwise provided in this division, if the 306
amount of the drug involved equals or exceeds two hundred grams 307
but is less than one thousand grams, trafficking in marihuana is a 308
felony of the fourth degree, and division (C) of section 2929.13 309
of the Revised Code applies in determining whether to impose a 310
prison term on the offender. If the amount of the drug involved is 311
within that range and if the offense was committed in the vicinity 312
of a school or in the vicinity of a juvenile, trafficking in 313
marihuana is a felony of the third degree, and division (C) of 314
section 2929.13 of the Revised Code applies in determining whether 315
to impose a prison term on the offender. 316

(d) Except as otherwise provided in this division, if the 317
amount of the drug involved equals or exceeds one thousand grams 318
but is less than five thousand grams, trafficking in marihuana is 319
a felony of the third degree, and division (C) of section 2929.13 320
of the Revised Code applies in determining whether to impose a 321
prison term on the offender. If the amount of the drug involved is 322
within that range and if the offense was committed in the vicinity 323
of a school or in the vicinity of a juvenile, trafficking in 324
marihuana is a felony of the second degree, and there is a 325
presumption that a prison term shall be imposed for the offense. 326

(e) Except as otherwise provided in this division, if the 327
amount of the drug involved equals or exceeds five thousand grams 328
but is less than twenty thousand grams, trafficking in marihuana 329
is a felony of the third degree, and there is a presumption that a 330
prison term shall be imposed for the offense. If the amount of the 331
drug involved is within that range and if the offense was 332
committed in the vicinity of a school or in the vicinity of a 333

juvenile, trafficking in marihuana is a felony of the second 334
degree, and there is a presumption that a prison term shall be 335
imposed for the offense. 336

(f) Except as otherwise provided in this division, if the 337
amount of the drug involved equals or exceeds twenty thousand 338
grams, trafficking in marihuana is a felony of the second degree, 339
and the court shall impose as a mandatory prison term the maximum 340
prison term prescribed for a felony of the second degree. If the 341
amount of the drug involved equals or exceeds twenty thousand 342
grams and if the offense was committed in the vicinity of a school 343
or in the vicinity of a juvenile, trafficking in marihuana is a 344
felony of the first degree, and the court shall impose as a 345
mandatory prison term the maximum prison term prescribed for a 346
felony of the first degree. 347

(g) Except as otherwise provided in this division, if the 348
offense involves a gift of twenty grams or less of marihuana, 349
trafficking in marihuana is a minor misdemeanor upon a first 350
offense and a misdemeanor of the third degree upon a subsequent 351
offense. If the offense involves a gift of twenty grams or less of 352
marihuana and if the offense was committed in the vicinity of a 353
school or in the vicinity of a juvenile, trafficking in marihuana 354
is a misdemeanor of the third degree. 355

(4) If the drug involved in the violation is cocaine or a 356
compound, mixture, preparation, or substance containing cocaine, 357
whoever violates division (A) of this section is guilty of 358
trafficking in cocaine. The penalty for the offense shall be 359
determined as follows: 360

(a) Except as otherwise provided in division (C)(4)(b), (c), 361
(d), (e), (f), or (g) of this section, trafficking in cocaine is a 362
felony of the fifth degree, and division (C) of section 2929.13 of 363
the Revised Code applies in determining whether to impose a prison 364
term on the offender. 365

(b) Except as otherwise provided in division (C)(4)(c), (d), 366
(e), (f), or (g) of this section, if the offense was committed in 367
the vicinity of a school or in the vicinity of a juvenile, 368
trafficking in cocaine is a felony of the fourth degree, and 369
division (C) of section 2929.13 of the Revised Code applies in 370
determining whether to impose a prison term on the offender. 371

(c) Except as otherwise provided in this division, if the 372
amount of the drug involved equals or exceeds five grams but is 373
less than ten grams of cocaine that is not crack cocaine or equals 374
or exceeds one gram but is less than five grams of crack cocaine, 375
trafficking in cocaine is a felony of the fourth degree, and there 376
is a presumption for a prison term for the offense. If the amount 377
of the drug involved is within one of those ranges and if the 378
offense was committed in the vicinity of a school or in the 379
vicinity of a juvenile, trafficking in cocaine is a felony of the 380
third degree, and there is a presumption for a prison term for the 381
offense. 382

(d) Except as otherwise provided in this division, if the 383
amount of the drug involved equals or exceeds ten grams but is 384
less than one hundred grams of cocaine that is not crack cocaine 385
or equals or exceeds five grams but is less than ten grams of 386
crack cocaine, trafficking in cocaine is a felony of the third 387
degree, and the court shall impose as a mandatory prison term one 388
of the prison terms prescribed for a felony of the third degree. 389
If the amount of the drug involved is within one of those ranges 390
and if the offense was committed in the vicinity of a school or in 391
the vicinity of a juvenile, trafficking in cocaine is a felony of 392
the second degree, and the court shall impose as a mandatory 393
prison term one of the prison terms prescribed for a felony of the 394
second degree. 395

(e) Except as otherwise provided in this division, if the 396
amount of the drug involved equals or exceeds one hundred grams 397

but is less than five hundred grams of cocaine that is not crack 398
cocaine or equals or exceeds ten grams but is less than 399
twenty-five grams of crack cocaine, trafficking in cocaine is a 400
felony of the second degree, and the court shall impose as a 401
mandatory prison term one of the prison terms prescribed for a 402
felony of the second degree. If the amount of the drug involved is 403
within one of those ranges and if the offense was committed in the 404
vicinity of a school or in the vicinity of a juvenile, trafficking 405
in cocaine is a felony of the first degree, and the court shall 406
impose as a mandatory prison term one of the prison terms 407
prescribed for a felony of the first degree. 408

(f) If the amount of the drug involved equals or exceeds five 409
hundred grams but is less than one thousand grams of cocaine that 410
is not crack cocaine or equals or exceeds twenty-five grams but is 411
less than one hundred grams of crack cocaine and regardless of 412
whether the offense was committed in the vicinity of a school or 413
in the vicinity of a juvenile, trafficking in cocaine is a felony 414
of the first degree, and the court shall impose as a mandatory 415
prison term one of the prison terms prescribed for a felony of the 416
first degree. 417

(g) If the amount of the drug involved equals or exceeds one 418
thousand grams of cocaine that is not crack cocaine or equals or 419
exceeds one hundred grams of crack cocaine and regardless of 420
whether the offense was committed in the vicinity of a school or 421
in the vicinity of a juvenile, trafficking in cocaine is a felony 422
of the first degree, the offender is a major drug offender, and 423
the court shall impose as a mandatory prison term the maximum 424
prison term prescribed for a felony of the first degree and may 425
impose an additional mandatory prison term prescribed for a major 426
drug offender under division (D)(3)(b) of section 2929.14 of the 427
Revised Code. 428

(5) If the drug involved in the violation is L.S.D. or a 429

compound, mixture, preparation, or substance containing L.S.D., 430
whoever violates division (A) of this section is guilty of 431
trafficking in L.S.D. The penalty for the offense shall be 432
determined as follows: 433

(a) Except as otherwise provided in division (C)(5)(b), (c), 434
(d), (e), (f), or (g) of this section, trafficking in L.S.D. is a 435
felony of the fifth degree, and division (C) of section 2929.13 of 436
the Revised Code applies in determining whether to impose a prison 437
term on the offender. 438

(b) Except as otherwise provided in division (C)(5)(c), (d), 439
(e), (f), or (g) of this section, if the offense was committed in 440
the vicinity of a school or in the vicinity of a juvenile, 441
trafficking in L.S.D. is a felony of the fourth degree, and 442
division (C) of section 2929.13 of the Revised Code applies in 443
determining whether to impose a prison term on the offender. 444

(c) Except as otherwise provided in this division, if the 445
amount of the drug involved equals or exceeds ten unit doses but 446
is less than fifty unit doses of L.S.D. in a solid form or equals 447
or exceeds one gram but is less than five grams of L.S.D. in a 448
liquid concentrate, liquid extract, or liquid distillate form, 449
trafficking in L.S.D. is a felony of the fourth degree, and there 450
is a presumption for a prison term for the offense. If the amount 451
of the drug involved is within that range and if the offense was 452
committed in the vicinity of a school or in the vicinity of a 453
juvenile, trafficking in L.S.D. is a felony of the third degree, 454
and there is a presumption for a prison term for the offense. 455

(d) Except as otherwise provided in this division, if the 456
amount of the drug involved equals or exceeds fifty unit doses but 457
is less than two hundred fifty unit doses of L.S.D. in a solid 458
form or equals or exceeds five grams but is less than twenty-five 459
grams of L.S.D. in a liquid concentrate, liquid extract, or liquid 460
distillate form, trafficking in L.S.D. is a felony of the third 461

degree, and the court shall impose as a mandatory prison term one 462
of the prison terms prescribed for a felony of the third degree. 463
If the amount of the drug involved is within that range and if the 464
offense was committed in the vicinity of a school or in the 465
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 466
second degree, and the court shall impose as a mandatory prison 467
term one of the prison terms prescribed for a felony of the second 468
degree. 469

(e) Except as otherwise provided in this division, if the 470
amount of the drug involved equals or exceeds two hundred fifty 471
unit doses but is less than one thousand unit doses of L.S.D. in a 472
solid form or equals or exceeds twenty-five grams but is less than 473
one hundred grams of L.S.D. in a liquid concentrate, liquid 474
extract, or liquid distillate form, trafficking in L.S.D. is a 475
felony of the second degree, and the court shall impose as a 476
mandatory prison term one of the prison terms prescribed for a 477
felony of the second degree. If the amount of the drug involved is 478
within that range and if the offense was committed in the vicinity 479
of a school or in the vicinity of a juvenile, trafficking in 480
L.S.D. is a felony of the first degree, and the court shall impose 481
as a mandatory prison term one of the prison terms prescribed for 482
a felony of the first degree. 483

(f) If the amount of the drug involved equals or exceeds one 484
thousand unit doses but is less than five thousand unit doses of 485
L.S.D. in a solid form or equals or exceeds one hundred grams but 486
is less than five hundred grams of L.S.D. in a liquid concentrate, 487
liquid extract, or liquid distillate form and regardless of 488
whether the offense was committed in the vicinity of a school or 489
in the vicinity of a juvenile, trafficking in L.S.D. is a felony 490
of the first degree, and the court shall impose as a mandatory 491
prison term one of the prison terms prescribed for a felony of the 492
first degree. 493

(g) If the amount of the drug involved equals or exceeds five thousand unit doses of L.S.D. in a solid form or equals or exceeds five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree and may impose an additional mandatory prison term prescribed for a major drug offender under division (D)(3)(b) of section 2929.14 of the Revised Code.

(6) If the drug involved in the violation is heroin or a compound, mixture, preparation, or substance containing heroin, whoever violates division (A) of this section is guilty of trafficking in heroin. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(6)(b), (c), (d), (e), (f), or (g) of this section, trafficking in heroin is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C)(6)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, trafficking in heroin is a felony of the

fourth degree, and there is a presumption for a prison term for 526
the offense. If the amount of the drug involved is within that 527
range and if the offense was committed in the vicinity of a school 528
or in the vicinity of a juvenile, trafficking in heroin is a 529
felony of the third degree, and there is a presumption for a 530
prison term for the offense. 531

(d) Except as otherwise provided in this division, if the 532
amount of the drug involved equals or exceeds fifty unit doses but 533
is less than one hundred unit doses or equals or exceeds five 534
grams but is less than ten grams, trafficking in heroin is a 535
felony of the third degree, and there is a presumption for a 536
prison term for the offense. If the amount of the drug involved is 537
within that range and if the offense was committed in the vicinity 538
of a school or in the vicinity of a juvenile, trafficking in 539
heroin is a felony of the second degree, and there is a 540
presumption for a prison term for the offense. 541

(e) Except as otherwise provided in this division, if the 542
amount of the drug involved equals or exceeds one hundred unit 543
doses but is less than five hundred unit doses or equals or 544
exceeds ten grams but is less than fifty grams, trafficking in 545
heroin is a felony of the second degree, and the court shall 546
impose as a mandatory prison term one of the prison terms 547
prescribed for a felony of the second degree. If the amount of the 548
drug involved is within that range and if the offense was 549
committed in the vicinity of a school or in the vicinity of a 550
juvenile, trafficking in heroin is a felony of the first degree, 551
and the court shall impose as a mandatory prison term one of the 552
prison terms prescribed for a felony of the first degree. 553

(f) If the amount of the drug involved equals or exceeds five 554
hundred unit doses but is less than two thousand five hundred unit 555
doses or equals or exceeds fifty grams but is less than two 556
hundred fifty grams and regardless of whether the offense was 557

committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(g) If the amount of the drug involved equals or exceeds two thousand five hundred unit doses or equals or exceeds two hundred fifty grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree and may impose an additional mandatory prison term prescribed for a major drug offender under division (D)(3)(b) of section 2929.14 of the Revised Code.

(7) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates division (A) of this section is guilty of trafficking in hashish. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(7)(b), (c), (d), (e), or (f) of this section, trafficking in hashish is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C)(7)(c), (d), (e), or (f) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the

amount of the drug involved equals or exceeds ten grams but is 589
less than fifty grams of hashish in a solid form or equals or 590
exceeds two grams but is less than ten grams of hashish in a 591
liquid concentrate, liquid extract, or liquid distillate form, 592
trafficking in hashish is a felony of the fourth degree, and 593
division (C) of section 2929.13 of the Revised Code applies in 594
determining whether to impose a prison term on the offender. If 595
the amount of the drug involved is within that range and if the 596
offense was committed in the vicinity of a school or in the 597
vicinity of a juvenile, trafficking in hashish is a felony of the 598
third degree, and division (C) of section 2929.13 of the Revised 599
Code applies in determining whether to impose a prison term on the 600
offender. 601

(d) Except as otherwise provided in this division, if the 602
amount of the drug involved equals or exceeds fifty grams but is 603
less than two hundred fifty grams of hashish in a solid form or 604
equals or exceeds ten grams but is less than fifty grams of 605
hashish in a liquid concentrate, liquid extract, or liquid 606
distillate form, trafficking in hashish is a felony of the third 607
degree, and division (C) of section 2929.13 of the Revised Code 608
applies in determining whether to impose a prison term on the 609
offender. If the amount of the drug involved is within that range 610
and if the offense was committed in the vicinity of a school or in 611
the vicinity of a juvenile, trafficking in hashish is a felony of 612
the second degree, and there is a presumption that a prison term 613
shall be imposed for the offense. 614

(e) Except as otherwise provided in this division, if the 615
amount of the drug involved equals or exceeds two hundred fifty 616
grams but is less than one thousand grams of hashish in a solid 617
form or equals or exceeds fifty grams but is less than two hundred 618
grams of hashish in a liquid concentrate, liquid extract, or 619
liquid distillate form, trafficking in hashish is a felony of the 620

third degree, and there is a presumption that a prison term shall
be imposed for the offense. If the amount of the drug involved is
within that range and if the offense was committed in the vicinity
of a school or in the vicinity of a juvenile, trafficking in
hashish is a felony of the second degree, and there is a
presumption that a prison term shall be imposed for the offense.

(f) Except as otherwise provided in this division, if the
amount of the drug involved equals or exceeds one thousand grams
of hashish in a solid form or equals or exceeds two hundred grams
of hashish in a liquid concentrate, liquid extract, or liquid
distillate form, trafficking in hashish is a felony of the second
degree, and the court shall impose as a mandatory prison term the
maximum prison term prescribed for a felony of the second degree.
If the amount of the drug involved is within that range and if the
offense was committed in the vicinity of a school or in the
vicinity of a juvenile, trafficking in hashish is a felony of the
first degree, and the court shall impose as a mandatory prison
term the maximum prison term prescribed for a felony of the first
degree.

(8) If the drug involved in the violation is
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, or
(6aR,10aR)-9-(hydroxymethyl)-6,
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a -
tetrahydrobenzo[c]chromen-1-ol or a compound, mixture,
preparation, or substance containing
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, or
(6aR,10aR)-9-(hydroxymethyl)-6,
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a -
tetrahydrobenzo[c]chromen-1-ol, whoever violates division (A) of
this section is guilty of trafficking in spice. The penalty for
the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(8)(b) of

this section, trafficking in spice is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 653
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(b) If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in spice is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 657
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(D) In addition to any prison term authorized or required by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section shall do all of the following that are applicable regarding the offender: 662
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(1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. Except as otherwise provided in division (H)(1) of this section, a mandatory fine or any other fine imposed for a violation of this section is subject to division (F) of this section. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk of the court shall pay the forfeited bail pursuant to divisions (D)(1) and (F) of this section, as if the forfeited bail was a fine imposed for a violation of this section. If any amount of the forfeited bail remains after that payment and if a fine is imposed 670
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under division (H)(1) of this section, the clerk of the court 685
shall pay the remaining amount of the forfeited bail pursuant to 686
divisions (H)(2) and (3) of this section, as if that remaining 687
amount was a fine imposed under division (H)(1) of this section. 688

(2) The court shall suspend the driver's or commercial 689
driver's license or permit of the offender in accordance with 690
division (G) of this section. 691

(3) If the offender is a professionally licensed person, the 692
court immediately shall comply with section 2925.38 of the Revised 693
Code. 694

(E) When a person is charged with the sale of or offer to 695
sell a bulk amount or a multiple of a bulk amount of a controlled 696
substance, the jury, or the court trying the accused, shall 697
determine the amount of the controlled substance involved at the 698
time of the offense and, if a guilty verdict is returned, shall 699
return the findings as part of the verdict. In any such case, it 700
is unnecessary to find and return the exact amount of the 701
controlled substance involved, and it is sufficient if the finding 702
and return is to the effect that the amount of the controlled 703
substance involved is the requisite amount, or that the amount of 704
the controlled substance involved is less than the requisite 705
amount. 706

(F)(1) Notwithstanding any contrary provision of section 707
3719.21 of the Revised Code and except as provided in division (H) 708
of this section, the clerk of the court shall pay any mandatory 709
fine imposed pursuant to division (D)(1) of this section and any 710
fine other than a mandatory fine that is imposed for a violation 711
of this section pursuant to division (A) or (B)(5) of section 712
2929.18 of the Revised Code to the county, township, municipal 713
corporation, park district, as created pursuant to section 511.18 714
or 1545.04 of the Revised Code, or state law enforcement agencies 715
in this state that primarily were responsible for or involved in 716

making the arrest of, and in prosecuting, the offender. However, 717
the clerk shall not pay a mandatory fine so imposed to a law 718
enforcement agency unless the agency has adopted a written 719
internal control policy under division (F)(2) of this section that 720
addresses the use of the fine moneys that it receives. Each agency 721
shall use the mandatory fines so paid to subsidize the agency's 722
law enforcement efforts that pertain to drug offenses, in 723
accordance with the written internal control policy adopted by the 724
recipient agency under division (F)(2) of this section. 725

(2)(a) Prior to receiving any fine moneys under division 726
(F)(1) of this section or division (B) of section 2925.42 of the 727
Revised Code, a law enforcement agency shall adopt a written 728
internal control policy that addresses the agency's use and 729
disposition of all fine moneys so received and that provides for 730
the keeping of detailed financial records of the receipts of those 731
fine moneys, the general types of expenditures made out of those 732
fine moneys, and the specific amount of each general type of 733
expenditure. The policy shall not provide for or permit the 734
identification of any specific expenditure that is made in an 735
ongoing investigation. All financial records of the receipts of 736
those fine moneys, the general types of expenditures made out of 737
those fine moneys, and the specific amount of each general type of 738
expenditure by an agency are public records open for inspection 739
under section 149.43 of the Revised Code. Additionally, a written 740
internal control policy adopted under this division is such a 741
public record, and the agency that adopted it shall comply with 742
it. 743

(b) Each law enforcement agency that receives in any calendar 744
year any fine moneys under division (F)(1) of this section or 745
division (B) of section 2925.42 of the Revised Code shall prepare 746
a report covering the calendar year that cumulates all of the 747
information contained in all of the public financial records kept 748

by the agency pursuant to division (F)(2)(a) of this section for 749
that calendar year, and shall send a copy of the cumulative 750
report, no later than the first day of March in the calendar year 751
following the calendar year covered by the report, to the attorney 752
general. Each report received by the attorney general is a public 753
record open for inspection under section 149.43 of the Revised 754
Code. Not later than the fifteenth day of April in the calendar 755
year in which the reports are received, the attorney general shall 756
send to the president of the senate and the speaker of the house 757
of representatives a written notification that does all of the 758
following: 759

(i) Indicates that the attorney general has received from law 760
enforcement agencies reports of the type described in this 761
division that cover the previous calendar year and indicates that 762
the reports were received under this division; 763

(ii) Indicates that the reports are open for inspection under 764
section 149.43 of the Revised Code; 765

(iii) Indicates that the attorney general will provide a copy 766
of any or all of the reports to the president of the senate or the 767
speaker of the house of representatives upon request. 768

(3) As used in division (F) of this section: 769

(a) "Law enforcement agencies" includes, but is not limited 770
to, the state board of pharmacy and the office of a prosecutor. 771

(b) "Prosecutor" has the same meaning as in section 2935.01 772
of the Revised Code. 773

(G) When required under division (D)(2) of this section or 774
any other provision of this chapter, the court shall suspend for 775
not less than six months or more than five years the driver's or 776
commercial driver's license or permit of any person who is 777
convicted of or pleads guilty to any violation of this section or 778
any other specified provision of this chapter. If an offender's 779

driver's or commercial driver's license or permit is suspended 780
pursuant to this division, the offender, at any time after the 781
expiration of two years from the day on which the offender's 782
sentence was imposed or from the day on which the offender finally 783
was released from a prison term under the sentence, whichever is 784
later, may file a motion with the sentencing court requesting 785
termination of the suspension; upon the filing of such a motion 786
and the court's finding of good cause for the termination, the 787
court may terminate the suspension. 788

(H)(1) In addition to any prison term authorized or required 789
by division (C) of this section and sections 2929.13 and 2929.14 790
of the Revised Code, in addition to any other penalty or sanction 791
imposed for the offense under this section or sections 2929.11 to 792
2929.18 of the Revised Code, and in addition to the forfeiture of 793
property in connection with the offense as prescribed in Chapter 794
2981. of the Revised Code, the court that sentences an offender 795
who is convicted of or pleads guilty to a violation of division 796
(A) of this section may impose upon the offender an additional 797
fine specified for the offense in division (B)(4) of section 798
2929.18 of the Revised Code. A fine imposed under division (H)(1) 799
of this section is not subject to division (F) of this section and 800
shall be used solely for the support of one or more eligible 801
alcohol and drug addiction programs in accordance with divisions 802
(H)(2) and (3) of this section. 803

(2) The court that imposes a fine under division (H)(1) of 804
this section shall specify in the judgment that imposes the fine 805
one or more eligible alcohol and drug addiction programs for the 806
support of which the fine money is to be used. No alcohol and drug 807
addiction program shall receive or use money paid or collected in 808
satisfaction of a fine imposed under division (H)(1) of this 809
section unless the program is specified in the judgment that 810
imposes the fine. No alcohol and drug addiction program shall be 811

specified in the judgment unless the program is an eligible 812
alcohol and drug addiction program and, except as otherwise 813
provided in division (H)(2) of this section, unless the program is 814
located in the county in which the court that imposes the fine is 815
located or in a county that is immediately contiguous to the 816
county in which that court is located. If no eligible alcohol and 817
drug addiction program is located in any of those counties, the 818
judgment may specify an eligible alcohol and drug addiction 819
program that is located anywhere within this state. 820

(3) Notwithstanding any contrary provision of section 3719.21 821
of the Revised Code, the clerk of the court shall pay any fine 822
imposed under division (H)(1) of this section to the eligible 823
alcohol and drug addiction program specified pursuant to division 824
(H)(2) of this section in the judgment. The eligible alcohol and 825
drug addiction program that receives the fine moneys shall use the 826
moneys only for the alcohol and drug addiction services identified 827
in the application for certification under section 3793.06 of the 828
Revised Code or in the application for a license under section 829
3793.11 of the Revised Code filed with the department of alcohol 830
and drug addiction services by the alcohol and drug addiction 831
program specified in the judgment. 832

(4) Each alcohol and drug addiction program that receives in 833
a calendar year any fine moneys under division (H)(3) of this 834
section shall file an annual report covering that calendar year 835
with the court of common pleas and the board of county 836
commissioners of the county in which the program is located, with 837
the court of common pleas and the board of county commissioners of 838
each county from which the program received the moneys if that 839
county is different from the county in which the program is 840
located, and with the attorney general. The alcohol and drug 841
addiction program shall file the report no later than the first 842
day of March in the calendar year following the calendar year in 843

which the program received the fine moneys. The report shall 844
include statistics on the number of persons served by the alcohol 845
and drug addiction program, identify the types of alcohol and drug 846
addiction services provided to those persons, and include a 847
specific accounting of the purposes for which the fine moneys 848
received were used. No information contained in the report shall 849
identify, or enable a person to determine the identity of, any 850
person served by the alcohol and drug addiction program. Each 851
report received by a court of common pleas, a board of county 852
commissioners, or the attorney general is a public record open for 853
inspection under section 149.43 of the Revised Code. 854

(5) As used in divisions (H)(1) to (5) of this section: 855

(a) "Alcohol and drug addiction program" and "alcohol and 856
drug addiction services" have the same meanings as in section 857
3793.01 of the Revised Code. 858

(b) "Eligible alcohol and drug addiction program" means an 859
alcohol and drug addiction program that is certified under section 860
3793.06 of the Revised Code or licensed under section 3793.11 of 861
the Revised Code by the department of alcohol and drug addiction 862
services. 863

(I) As used in this section, "drug" includes any substance 864
that is represented to be a drug. 865

Sec. 2925.11. (A) No person shall knowingly obtain, possess, 866
or use a controlled substance. 867

(B) This section does not apply to any of the following: 868

(1) Manufacturers, licensed health professionals authorized 869
to prescribe drugs, pharmacists, owners of pharmacies, and other 870
persons whose conduct was in accordance with Chapters 3719., 871
4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code; 872

(2) If the offense involves an anabolic steroid, any person 873

who is conducting or participating in a research project involving 874
the use of an anabolic steroid if the project has been approved by 875
the United States food and drug administration; 876

(3) Any person who sells, offers for sale, prescribes, 877
dispenses, or administers for livestock or other nonhuman species 878
an anabolic steroid that is expressly intended for administration 879
through implants to livestock or other nonhuman species and 880
approved for that purpose under the "Federal Food, Drug, and 881
Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, 882
and is sold, offered for sale, prescribed, dispensed, or 883
administered for that purpose in accordance with that act; 884

(4) Any person who obtained the controlled substance pursuant 885
to a lawful prescription issued by a licensed health professional 886
authorized to prescribe drugs. 887

(C) Whoever violates division (A) of this section is guilty 888
of one of the following: 889

(1) If the drug involved in the violation is a compound, 890
mixture, preparation, or substance included in schedule I or II, 891
with the exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 892
1-Butyl-3-(1-naphthoyl)indole, (6aR,10aR)-9-(hydroxymethyl)-6, 893
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 894
tetrahydrobenzo[c]chromen-1-ol, cocaine, L.S.D., heroin, and 895
hashish, whoever violates division (A) of this section is guilty 896
of aggravated possession of drugs. The penalty for the offense 897
shall be determined as follows: 898

(a) Except as otherwise provided in division (C)(1)(b), (c), 899
(d), or (e) of this section, aggravated possession of drugs is a 900
felony of the fifth degree, and division (B) of section 2929.13 of 901
the Revised Code applies in determining whether to impose a prison 902
term on the offender. 903

(b) If the amount of the drug involved equals or exceeds the 904

bulk amount but is less than five times the bulk amount, 905
aggravated possession of drugs is a felony of the third degree, 906
and there is a presumption for a prison term for the offense. 907

(c) If the amount of the drug involved equals or exceeds five 908
times the bulk amount but is less than fifty times the bulk 909
amount, aggravated possession of drugs is a felony of the second 910
degree, and the court shall impose as a mandatory prison term one 911
of the prison terms prescribed for a felony of the second degree. 912

(d) If the amount of the drug involved equals or exceeds 913
fifty times the bulk amount but is less than one hundred times the 914
bulk amount, aggravated possession of drugs is a felony of the 915
first degree, and the court shall impose as a mandatory prison 916
term one of the prison terms prescribed for a felony of the first 917
degree. 918

(e) If the amount of the drug involved equals or exceeds one 919
hundred times the bulk amount, aggravated possession of drugs is a 920
felony of the first degree, the offender is a major drug offender, 921
and the court shall impose as a mandatory prison term the maximum 922
prison term prescribed for a felony of the first degree and may 923
impose an additional mandatory prison term prescribed for a major 924
drug offender under division (D)(3)(b) of section 2929.14 of the 925
Revised Code. 926

(2) If the drug involved in the violation is a compound, 927
mixture, preparation, or substance included in schedule III, IV, 928
or V, whoever violates division (A) of this section is guilty of 929
possession of drugs. The penalty for the offense shall be 930
determined as follows: 931

(a) Except as otherwise provided in division (C)(2)(b), (c), 932
or (d) of this section, possession of drugs is a misdemeanor of 933
the first degree or, if the offender previously has been convicted 934
of a drug abuse offense, a felony of the fifth degree. 935

(b) If the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, possession of drugs is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) If the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, possession of drugs is a felony of the third degree, and there is a presumption for a prison term for the offense.

(d) If the amount of the drug involved equals or exceeds fifty times the bulk amount, possession of drugs is a felony of the second degree, and the court shall impose upon the offender as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of possession of marihuana. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(3)(b), (c), (d), (e), or (f) of this section, possession of marihuana is a minor misdemeanor.

(b) If the amount of the drug involved equals or exceeds one hundred grams but is less than two hundred grams, possession of marihuana is a misdemeanor of the fourth degree.

(c) If the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, possession of marihuana is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(d) If the amount of the drug involved equals or exceeds one

thousand grams but is less than five thousand grams, possession of 967
marihuana is a felony of the third degree, and division (C) of 968
section 2929.13 of the Revised Code applies in determining whether 969
to impose a prison term on the offender. 970

(e) If the amount of the drug involved equals or exceeds five 971
thousand grams but is less than twenty thousand grams, possession 972
of marihuana is a felony of the third degree, and there is a 973
presumption that a prison term shall be imposed for the offense. 974

(f) If the amount of the drug involved equals or exceeds 975
twenty thousand grams, possession of marihuana is a felony of the 976
second degree, and the court shall impose as a mandatory prison 977
term the maximum prison term prescribed for a felony of the second 978
degree. 979

(4) If the drug involved in the violation is cocaine or a 980
compound, mixture, preparation, or substance containing cocaine, 981
whoever violates division (A) of this section is guilty of 982
possession of cocaine. The penalty for the offense shall be 983
determined as follows: 984

(a) Except as otherwise provided in division (C)(4)(b), (c), 985
(d), (e), or (f) of this section, possession of cocaine is a 986
felony of the fifth degree, and division (B) of section 2929.13 of 987
the Revised Code applies in determining whether to impose a prison 988
term on the offender. 989

(b) If the amount of the drug involved equals or exceeds five 990
grams but is less than twenty-five grams of cocaine that is not 991
crack cocaine or equals or exceeds one gram but is less than five 992
grams of crack cocaine, possession of cocaine is a felony of the 993
fourth degree, and there is a presumption for a prison term for 994
the offense. 995

(c) If the amount of the drug involved equals or exceeds 996
twenty-five grams but is less than one hundred grams of cocaine 997

that is not crack cocaine or equals or exceeds five grams but is 998
less than ten grams of crack cocaine, possession of cocaine is a 999
felony of the third degree, and the court shall impose as a 1000
mandatory prison term one of the prison terms prescribed for a 1001
felony of the third degree. 1002

(d) If the amount of the drug involved equals or exceeds one 1003
hundred grams but is less than five hundred grams of cocaine that 1004
is not crack cocaine or equals or exceeds ten grams but is less 1005
than twenty-five grams of crack cocaine, possession of cocaine is 1006
a felony of the second degree, and the court shall impose as a 1007
mandatory prison term one of the prison terms prescribed for a 1008
felony of the second degree. 1009

(e) If the amount of the drug involved equals or exceeds five 1010
hundred grams but is less than one thousand grams of cocaine that 1011
is not crack cocaine or equals or exceeds twenty-five grams but is 1012
less than one hundred grams of crack cocaine, possession of 1013
cocaine is a felony of the first degree, and the court shall 1014
impose as a mandatory prison term one of the prison terms 1015
prescribed for a felony of the first degree. 1016

(f) If the amount of the drug involved equals or exceeds one 1017
thousand grams of cocaine that is not crack cocaine or equals or 1018
exceeds one hundred grams of crack cocaine, possession of cocaine 1019
is a felony of the first degree, the offender is a major drug 1020
offender, and the court shall impose as a mandatory prison term 1021
the maximum prison term prescribed for a felony of the first 1022
degree and may impose an additional mandatory prison term 1023
prescribed for a major drug offender under division (D)(3)(b) of 1024
section 2929.14 of the Revised Code. 1025

(5) If the drug involved in the violation is L.S.D., whoever 1026
violates division (A) of this section is guilty of possession of 1027
L.S.D. The penalty for the offense shall be determined as follows: 1028

(a) Except as otherwise provided in division (C)(5)(b), (c), 1029
(d), (e), or (f) of this section, possession of L.S.D. is a felony 1030
of the fifth degree, and division (B) of section 2929.13 of the 1031
Revised Code applies in determining whether to impose a prison 1032
term on the offender. 1033

(b) If the amount of L.S.D. involved equals or exceeds ten 1034
unit doses but is less than fifty unit doses of L.S.D. in a solid 1035
form or equals or exceeds one gram but is less than five grams of 1036
L.S.D. in a liquid concentrate, liquid extract, or liquid 1037
distillate form, possession of L.S.D. is a felony of the fourth 1038
degree, and division (C) of section 2929.13 of the Revised Code 1039
applies in determining whether to impose a prison term on the 1040
offender. 1041

(c) If the amount of L.S.D. involved equals or exceeds fifty 1042
unit doses, but is less than two hundred fifty unit doses of 1043
L.S.D. in a solid form or equals or exceeds five grams but is less 1044
than twenty-five grams of L.S.D. in a liquid concentrate, liquid 1045
extract, or liquid distillate form, possession of L.S.D. is a 1046
felony of the third degree, and there is a presumption for a 1047
prison term for the offense. 1048

(d) If the amount of L.S.D. involved equals or exceeds two 1049
hundred fifty unit doses but is less than one thousand unit doses 1050
of L.S.D. in a solid form or equals or exceeds twenty-five grams 1051
but is less than one hundred grams of L.S.D. in a liquid 1052
concentrate, liquid extract, or liquid distillate form, possession 1053
of L.S.D. is a felony of the second degree, and the court shall 1054
impose as a mandatory prison term one of the prison terms 1055
prescribed for a felony of the second degree. 1056

(e) If the amount of L.S.D. involved equals or exceeds one 1057
thousand unit doses but is less than five thousand unit doses of 1058
L.S.D. in a solid form or equals or exceeds one hundred grams but 1059
is less than five hundred grams of L.S.D. in a liquid concentrate, 1060

liquid extract, or liquid distillate form, possession of L.S.D. is 1061
a felony of the first degree, and the court shall impose as a 1062
mandatory prison term one of the prison terms prescribed for a 1063
felony of the first degree. 1064

(f) If the amount of L.S.D. involved equals or exceeds five 1065
thousand unit doses of L.S.D. in a solid form or equals or exceeds 1066
five hundred grams of L.S.D. in a liquid concentrate, liquid 1067
extract, or liquid distillate form, possession of L.S.D. is a 1068
felony of the first degree, the offender is a major drug offender, 1069
and the court shall impose as a mandatory prison term the maximum 1070
prison term prescribed for a felony of the first degree and may 1071
impose an additional mandatory prison term prescribed for a major 1072
drug offender under division (D)(3)(b) of section 2929.14 of the 1073
Revised Code. 1074

(6) If the drug involved in the violation is heroin or a 1075
compound, mixture, preparation, or substance containing heroin, 1076
whoever violates division (A) of this section is guilty of 1077
possession of heroin. The penalty for the offense shall be 1078
determined as follows: 1079

(a) Except as otherwise provided in division (C)(6)(b), (c), 1080
(d), (e), or (f) of this section, possession of heroin is a felony 1081
of the fifth degree, and division (B) of section 2929.13 of the 1082
Revised Code applies in determining whether to impose a prison 1083
term on the offender. 1084

(b) If the amount of the drug involved equals or exceeds ten 1085
unit doses but is less than fifty unit doses or equals or exceeds 1086
one gram but is less than five grams, possession of heroin is a 1087
felony of the fourth degree, and division (C) of section 2929.13 1088
of the Revised Code applies in determining whether to impose a 1089
prison term on the offender. 1090

(c) If the amount of the drug involved equals or exceeds 1091

fifty unit doses but is less than one hundred unit doses or equals 1092
or exceeds five grams but is less than ten grams, possession of 1093
heroin is a felony of the third degree, and there is a presumption 1094
for a prison term for the offense. 1095

(d) If the amount of the drug involved equals or exceeds one 1096
hundred unit doses but is less than five hundred unit doses or 1097
equals or exceeds ten grams but is less than fifty grams, 1098
possession of heroin is a felony of the second degree, and the 1099
court shall impose as a mandatory prison term one of the prison 1100
terms prescribed for a felony of the second degree. 1101

(e) If the amount of the drug involved equals or exceeds five 1102
hundred unit doses but is less than two thousand five hundred unit 1103
doses or equals or exceeds fifty grams but is less than two 1104
hundred fifty grams, possession of heroin is a felony of the first 1105
degree, and the court shall impose as a mandatory prison term one 1106
of the prison terms prescribed for a felony of the first degree. 1107

(f) If the amount of the drug involved equals or exceeds two 1108
thousand five hundred unit doses or equals or exceeds two hundred 1109
fifty grams, possession of heroin is a felony of the first degree, 1110
the offender is a major drug offender, and the court shall impose 1111
as a mandatory prison term the maximum prison term prescribed for 1112
a felony of the first degree and may impose an additional 1113
mandatory prison term prescribed for a major drug offender under 1114
division (D)(3)(b) of section 2929.14 of the Revised Code. 1115

(7) If the drug involved in the violation is hashish or a 1116
compound, mixture, preparation, or substance containing hashish, 1117
whoever violates division (A) of this section is guilty of 1118
possession of hashish. The penalty for the offense shall be 1119
determined as follows: 1120

(a) Except as otherwise provided in division (C)(7)(b), (c), 1121
(d), (e), or (f) of this section, possession of hashish is a minor 1122

misdemeanor. 1123

(b) If the amount of the drug involved equals or exceeds five 1124
grams but is less than ten grams of hashish in a solid form or 1125
equals or exceeds one gram but is less than two grams of hashish 1126
in a liquid concentrate, liquid extract, or liquid distillate 1127
form, possession of hashish is a misdemeanor of the fourth degree. 1128

(c) If the amount of the drug involved equals or exceeds ten 1129
grams but is less than fifty grams of hashish in a solid form or 1130
equals or exceeds two grams but is less than ten grams of hashish 1131
in a liquid concentrate, liquid extract, or liquid distillate 1132
form, possession of hashish is a felony of the fifth degree, and 1133
division (B) of section 2929.13 of the Revised Code applies in 1134
determining whether to impose a prison term on the offender. 1135

(d) If the amount of the drug involved equals or exceeds 1136
fifty grams but is less than two hundred fifty grams of hashish in 1137
a solid form or equals or exceeds ten grams but is less than fifty 1138
grams of hashish in a liquid concentrate, liquid extract, or 1139
liquid distillate form, possession of hashish is a felony of the 1140
third degree, and division (C) of section 2929.13 of the Revised 1141
Code applies in determining whether to impose a prison term on the 1142
offender. 1143

(e) If the amount of the drug involved equals or exceeds two 1144
hundred fifty grams but is less than one thousand grams of hashish 1145
in a solid form or equals or exceeds fifty grams but is less than 1146
two hundred grams of hashish in a liquid concentrate, liquid 1147
extract, or liquid distillate form, possession of hashish is a 1148
felony of the third degree, and there is a presumption that a 1149
prison term shall be imposed for the offense. 1150

(f) If the amount of the drug involved equals or exceeds one 1151
thousand grams of hashish in a solid form or equals or exceeds two 1152
hundred grams of hashish in a liquid concentrate, liquid extract, 1153

or liquid distillate form, possession of hashish is a felony of 1154
the second degree, and the court shall impose as a mandatory 1155
prison term the maximum prison term prescribed for a felony of the 1156
second degree. 1157

(8) If the drug involved is 1-Pentyl-3-(1-naphthoyl)indole, 1158
1-Butyl-3-(1-naphthoyl)indole, or (6aR,10aR)-9-(hydroxymethyl)-6, 1159
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 1160
tetrahydrobenzo[c]chromen-1-ol or a compound, mixture, 1161
preparation, or substance containing 1162
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, or 1163
(6aR,10aR)-9-(hydroxymethyl)-6, 1164
6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a - 1165
tetrahydrobenzo[c]chromen-1-ol, whoever violates division (A) of 1166
this section is guilty of possession of spice, a minor 1167
misdemeanor. 1168

(D) Arrest or conviction for a minor misdemeanor violation of 1169
this section does not constitute a criminal record and need not be 1170
reported by the person so arrested or convicted in response to any 1171
inquiries about the person's criminal record, including any 1172
inquiries contained in any application for employment, license, or 1173
other right or privilege, or made in connection with the person's 1174
appearance as a witness. 1175

(E) In addition to any prison term or jail term authorized or 1176
required by division (C) of this section and sections 2929.13, 1177
2929.14, 2929.22, 2929.24, and 2929.25 of the Revised Code and in 1178
addition to any other sanction that is imposed for the offense 1179
under this section, sections 2929.11 to 2929.18, or sections 1180
2929.21 to 2929.28 of the Revised Code, the court that sentences 1181
an offender who is convicted of or pleads guilty to a violation of 1182
division (A) of this section shall do all of the following that 1183
are applicable regarding the offender: 1184

(1)(a) If the violation is a felony of the first, second, or 1185

third degree, the court shall impose upon the offender the 1186
mandatory fine specified for the offense under division (B)(1) of 1187
section 2929.18 of the Revised Code unless, as specified in that 1188
division, the court determines that the offender is indigent. 1189

(b) Notwithstanding any contrary provision of section 3719.21 1190
of the Revised Code, the clerk of the court shall pay a mandatory 1191
fine or other fine imposed for a violation of this section 1192
pursuant to division (A) of section 2929.18 of the Revised Code in 1193
accordance with and subject to the requirements of division (F) of 1194
section 2925.03 of the Revised Code. The agency that receives the 1195
fine shall use the fine as specified in division (F) of section 1196
2925.03 of the Revised Code. 1197

(c) If a person is charged with a violation of this section 1198
that is a felony of the first, second, or third degree, posts 1199
bail, and forfeits the bail, the clerk shall pay the forfeited 1200
bail pursuant to division (E)(1)(b) of this section as if it were 1201
a mandatory fine imposed under division (E)(1)(a) of this section. 1202

(2) The court shall suspend for not less than six months or 1203
more than five years the offender's driver's or commercial 1204
driver's license or permit. 1205

(3) If the offender is a professionally licensed person, in 1206
addition to any other sanction imposed for a violation of this 1207
section, the court immediately shall comply with section 2925.38 1208
of the Revised Code. 1209

(F) It is an affirmative defense, as provided in section 1210
2901.05 of the Revised Code, to a charge of a fourth degree felony 1211
violation under this section that the controlled substance that 1212
gave rise to the charge is in an amount, is in a form, is 1213
prepared, compounded, or mixed with substances that are not 1214
controlled substances in a manner, or is possessed under any other 1215
circumstances, that indicate that the substance was possessed 1216

solely for personal use. Notwithstanding any contrary provision of 1217
this section, if, in accordance with section 2901.05 of the 1218
Revised Code, an accused who is charged with a fourth degree 1219
felony violation of division (C)(2), (4), (5), or (6) of this 1220
section sustains the burden of going forward with evidence of and 1221
establishes by a preponderance of the evidence the affirmative 1222
defense described in this division, the accused may be prosecuted 1223
for and may plead guilty to or be convicted of a misdemeanor 1224
violation of division (C)(2) of this section or a fifth degree 1225
felony violation of division (C)(4), (5), or (6) of this section 1226
respectively. 1227

(G) When a person is charged with possessing a bulk amount or 1228
multiple of a bulk amount, division (E) of section 2925.03 of the 1229
Revised Code applies regarding the determination of the amount of 1230
the controlled substance involved at the time of the offense. 1231

Sec. 3719.41. Controlled substance schedules I, II, III, IV, 1232
and V are hereby established, which schedules include the 1233
following, subject to amendment pursuant to section 3719.43 or 1234
3719.44 of the Revised Code. 1235

SCHEDULE I 1236

(A) Narcotics-opiates 1237

Any of the following opiates, including their isomers, 1238
esters, ethers, salts, and salts of isomers, esters, and ethers, 1239
unless specifically excepted under federal drug abuse control 1240
laws, whenever the existence of these isomers, esters, ethers, and 1241
salts is possible within the specific chemical designation: 1242

(1) Acetyl-alpha-methylfentanyl 1243
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); 1244

(2) Acetylmethadol; 1245

(3) Allylprodine; 1246

(4) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);	1247 1248 1249
(5) Alphameprodine;	1250
(6) Alphamethadol;	1251
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	1252 1253 1254
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);	1255 1256 1257
(9) Benzethidine;	1258
(10) Betacetylmethadol;	1259
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N-phenylpropanamide);	1260 1261
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	1262 1263 1264
(13) Betameprodine;	1265
(14) Betamethadol;	1266
(15) Betaprodine;	1267
(16) Clonitazene;	1268
(17) Dextromoramide;	1269
(18) Diampromide;	1270
(19) Diethylthiambutene;	1271
(20) Difenoazin;	1272
(21) Dimenoxadol;	1273

(22) Dimepheptanol;	1274
(23) Dimethylthiambutene;	1275
(24) Dioxaphetyl butyrate;	1276
(25) Dipipanone;	1277
(26) Ethylmethylthiambutene;	1278
(27) Etonitazene;	1279
(28) Etoperidone;	1280
(29) Furethidine;	1281
(30) Hydroxypethidine;	1282
(31) Ketobemidone;	1283
(32) Levomoramide;	1284
(33) Levophenacetylmorphan;	1285
(34) 3-methylfentanyl	1286
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);	1287
(35) 3-methylthiofentanyl	1288
(N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	1289
(36) Morpheridine;	1291
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	1292
(38) Noracymethadol;	1293
(39) Norlevorphanol;	1294
(40) Normethadone;	1295
(41) Norpipanone;	1296
(42) Para-fluorofentanyl	1297
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	1298
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);	1299

(44) Phenadoxone;	1300
(45) Phenampromide;	1301
(46) Phenomorphan;	1302
(47) Phenoperidine;	1303
(48) Piritramide;	1304
(49) Proheptazine;	1305
(50) Properidine;	1306
(51) Propiram;	1307
(52) Racemoramide;	1308
(53) Thiofentanyl	1309
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidiny]-propanamide;	1310
(54) Tilidine;	1311
(55) Trimeperidine.	1312
(B) Narcotics-opium derivatives	1313
Any of the following opium derivatives, including their	1314
salts, isomers, and salts of isomers, unless specifically excepted	1315
under federal drug abuse control laws, whenever the existence of	1316
these salts, isomers, and salts of isomers is possible within the	1317
specific chemical designation:	1318
(1) Acetorphine;	1319
(2) Acetyldihydrocodeine;	1320
(3) Benzylmorphine;	1321
(4) Codeine methylbromide;	1322
(5) Codeine-n-oxide;	1323
(6) Cyprenorphine;	1324
(7) Desomorphine;	1325
(8) Dihydromorphine;	1326

(9) Drotebanol;	1327
(10) Etorphine (except hydrochloride salt);	1328
(11) Heroin;	1329
(12) Hydromorphenol;	1330
(13) Methyldesorphine;	1331
(14) Methyldihydromorphine;	1332
(15) Morphine methylbromide;	1333
(16) Morphine methylsulfonate;	1334
(17) Morphine-n-oxide;	1335
(18) Myrophine;	1336
(19) Nicocodeine;	1337
(20) Nicomorphine;	1338
(21) Normorphine;	1339
(22) Pholcodine;	1340
(23) Thebacon.	1341
(C) Hallucinogens	1342
Any material, compound, mixture, or preparation that contains	1343
any quantity of the following hallucinogenic substances, including	1344
their salts, isomers, and salts of isomers, unless specifically	1345
excepted under federal drug abuse control laws, whenever the	1346
existence of these salts, isomers, and salts of isomers is	1347
possible within the specific chemical designation. For the	1348
purposes of this division only, "isomer" includes the optical	1349
isomers, position isomers, and geometric isomers.	1350
(1) Alpha-ethyltryptamine (some trade or other names:	1351
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;	1352
3-(2-aminobutyl) indole; alpha-ET; and AET);	1353

(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);	1354 1355 1356
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus);	1357 1358 1359
(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	1360 1361
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	1362 1363
(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	1364 1365 1366
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	1367
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	1368 1369 1370
(9) 3,4-methylenedioxy amphetamine;	1371
(10) 3,4-methylenedioxymethamphetamine (MDMA);	1372
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	1373 1374 1375
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	1376 1377 1378
(13) 3,4,5-trimethoxy amphetamine;	1379
(14) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin;	1380 1381 1382

5-hydroxy-N, N-dimethyltryptamine; mappine);	1383
(15) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);	1384 1385
(16) Dimethyltryptamine (some trade or other names: DMT);	1386
(17) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano- 5H-pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	1387 1388 1389
(18) Lysergic acid diethylamide;	1390
(19) Marihuana;	1391
(20) Mescaline;	1392
(21) Parahexyl (some trade or other names: 3-hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl);	1393 1394 1395
(22) Peyote (meaning all parts of the plant presently classified botanically as "Lophophora williamsii Lemaire," whether growing or not, the seeds of that plant, any extract from any part of that plant, and every compound, manufacture, salts, derivative, mixture, or preparation of that plant, its seeds, or its extracts);	1396 1397 1398 1399 1400 1401
(23) N-ethyl-3-piperidyl benzilate;	1402
(24) N-methyl-3-piperidyl benzilate;	1403
(25) Psilocybin;	1404
(26) Psilocyn;	1405
(27) Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta-1-cis or trans tetrahydrocannabinol, and their optical isomers; delta-6-cis or	1406 1407 1408 1409 1410 1411

trans tetrahydrocannabinol, and their optical isomers;	1412
delta-3,4-cis or trans tetrahydrocannabinol, and its optical	1413
isomers. (Since nomenclature of these substances is not	1414
internationally standardized, compounds of these structures,	1415
regardless of numerical designation of atomic positions, are	1416
covered.);	1417
(28) Ethylamine analog of phencyclidine (some trade or other	1418
names: N-ethyl-1-phenylcyclohexylamine;	1419
(1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;	1420
cyclohexamine; PCE);	1421
(29) Pyrrolidine analog of phencyclidine (some trade or other	1422
names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	1423
(30) Thiophene analog of phencyclidine (some trade or other	1424
names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog	1425
of phencyclidine; TPCP; TCP);	1426
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	1427
(32) Hashish;	1428
(33) Salvia divinorum;	1429
(34) Salvinorin A;	1430
<u>(35) 1-Pentyl-3-(1-naphthoyl)indole (some trade or other</u>	1431
<u>names: JWH-018);</u>	1432
<u>(36) 1-Butyl-3-(1-naphthoyl)indole (some trade or other</u>	1433
<u>names: JWH-073);</u>	1434
<u>(37) (6aR,10aR)-9-(hydroxymethyl)-6,</u>	1435
<u>6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a -</u>	1436
<u>tetrahydrobenzo[c]chromen-1-ol (some trade or other names:</u>	1437
<u>HU-210).</u>	1438
(D) Depressants	1439
Any material, compound, mixture, or preparation that contains	1440

any quantity of the following substances having a depressant 1441
effect on the central nervous system, including their salts, 1442
isomers, and salts of isomers, unless specifically excepted under 1443
federal drug abuse control laws, whenever the existence of these 1444
salts, isomers, and salts of isomers is possible within the 1445
specific chemical designation: 1446

(1) Mecloqualone; 1447

(2) Methaqualone. 1448

(E) Stimulants 1449

Unless specifically excepted or unless listed in another 1450
schedule, any material, compound, mixture, or preparation that 1451
contains any quantity of the following substances having a 1452
stimulant effect on the central nervous system, including their 1453
salts, isomers, and salts of isomers: 1454

(1) Aminorex (some other names: aminoxaphen; 1455
2-amino-5-phenyl-2-oxazoline; or 1456
4,5-dihydro-5-phenyl-2-oxazolamine); 1457

(2) Cathinone (some trade or other names: 1458
2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 1459
2-aminopropiophenone, and norephedrone); 1460

(3) Fenethylamine; 1461

(4) Methcathinone (some other names: 1462
2-(methylamino)-propionophenone; alpha-(methylamino)propionophenone; 1463
2-methylamino)-1-phenylpropan-1-one; 1464
alpha-N-methylaminopropionophenone; monomethylpropion; ephedrone; 1465
N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and 1466
UR1432, its salts, optical isomers, and salts of optical isomers; 1467

(5) (+/-)cis-4-methylaminorex 1468
((+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine); 1469

(6) N-ethylamphetamine; 1470

(7) N,N-dimethylamphetamine (also known as 1471
N,N-alpha-trimethyl-benzeneethanamine; 1472
N,N-alpha-trimethylphenethylamine). 1473

SCHEDULE II 1474

(A) Narcotics-opium and opium derivatives 1475

Unless specifically excepted under federal drug abuse control 1476
laws or unless listed in another schedule, any of the following 1477
substances whether produced directly or indirectly by extraction 1478
from substances of vegetable origin, independently by means of 1479
chemical synthesis, or by a combination of extraction and chemical 1480
synthesis: 1481

(1) Opium and opiate, and any salt, compound, derivative, or 1482
preparation of opium or opiate, excluding apomorphine, 1483
thebaine-derived butorphanol, dextorphan, nalbuphine, nalmefene, 1484
naloxone, and naltrexone, and their respective salts, but 1485
including the following: 1486

- (a) Raw opium; 1487
- (b) Opium extracts; 1488
- (c) Opium fluid extracts; 1489
- (d) Powdered opium; 1490
- (e) Granulated opium; 1491
- (f) Tincture of opium; 1492
- (g) Codeine; 1493
- (h) Ethylmorphine; 1494
- (i) Etorphine hydrochloride; 1495
- (j) Hydrocodone; 1496
- (k) Hydromorphone; 1497
- (l) Metopon; 1498

(m) Morphine;	1499
(n) Oxycodone;	1500
(o) Oxymorphone;	1501
(p) Thebaine.	1502
(2) Any salt, compound, derivative, or preparation thereof	1503
that is chemically equivalent to or identical with any of the	1504
substances referred to in division (A)(1) of this schedule, except	1505
that these substances shall not include the isoquinoline alkaloids	1506
of opium;	1507
(3) Opium poppy and poppy straw;	1508
(4) Coca leaves and any salt, compound, derivative, or	1509
preparation of coca leaves (including cocaine and ecgonine, their	1510
salts, isomers, and derivatives, and salts of those isomers and	1511
derivatives), and any salt, compound, derivative, or preparation	1512
thereof that is chemically equivalent to or identical with any of	1513
these substances, except that the substances shall not include	1514
decocainized coca leaves or extraction of coca leaves, which	1515
extractions do not contain cocaine or ecgonine;	1516
(5) Concentrate of poppy straw (the crude extract of poppy	1517
straw in either liquid, solid, or powder form that contains the	1518
phenanthrene alkaloids of the opium poppy).	1519
(B) Narcotics-opiates	1520
Unless specifically excepted under federal drug abuse control	1521
laws or unless listed in another schedule, any of the following	1522
opiates, including their isomers, esters, ethers, salts, and salts	1523
of isomers, esters, and ethers, whenever the existence of these	1524
isomers, esters, ethers, and salts is possible within the specific	1525
chemical designation, but excluding dextrorphan and	1526
levopropoxyphene:	1527
(1) Alfentanil;	1528

(2) Alphaprodine;	1529
(3) Anileridine;	1530
(4) Bezitramide;	1531
(5) Bulk dextropropoxyphene (non-dosage forms);	1532
(6) Carfentanil;	1533
(7) Dihydrocodeine;	1534
(8) Diphenoxylate;	1535
(9) Fentanyl;	1536
(10) Isomethadone;	1537
(11) Levo-alpha-acetylmethadol (some other names:	1538
levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);	1539
(12) Levomethorphan;	1540
(13) Levorphanol;	1541
(14) Metazocine;	1542
(15) Methadone;	1543
(16) Methadone-intermediate,	1544
4-cyano-2-dimethylamino-4,4-diphenyl butane;	1545
(17) Moramide-intermediate,	1546
2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	1547
(18) Pethidine (meperidine);	1548
(19) Pethidine-intermediate-A,	1549
4-cyano-1-methyl-4-phenylpiperidine;	1550
(20) Pethidine-intermediate-B,	1551
ethyl-4-phenylpiperidine-4-carboxylate;	1552
(21) Pethidine-intermediate-C,	1553
1-methyl-4-phenylpiperidine-4-carboxylic acid;	1554
(22) Phenazocine;	1555

(23) Piminodine;	1556
(24) Racemethorphan;	1557
(25) Racemorphan;	1558
(26) Remifentanil;	1559
(27) Sufentanil.	1560
(C) Stimulants	1561
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system:	1562 1563 1564 1565 1566
(1) Amphetamine, its salts, its optical isomers, and salts of its optical isomers;	1567 1568
(2) Methamphetamine, its salts, its isomers, and salts of its isomers;	1569 1570
(3) Methylphenidate;	1571
(4) Phenmetrazine and its salts.	1572
(D) Depressants	1573
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	1574 1575 1576 1577 1578 1579 1580
(1) Amobarbital;	1581
(2) Gamma-hydroxy-butyrate;	1582
(3) Glutethimide;	1583

(4) Pentobarbital;	1584
(5) Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)piperidine; PCP);	1585 1586
(6) Secobarbital;	1587
(7) 1-aminophenylcyclohexane and all N-mono-substituted and/or all N-N-disubstituted analogs including, but not limited to, the following:	1588 1589 1590
(a) 1-phenylcyclohexylamine;	1591
(b) (1-phenylcyclohexyl) methylamine;	1592
(c) (1-phenylcyclohexyl) dimethylamine;	1593
(d) (1-phenylcyclohexyl) methylethylamine;	1594
(e) (1-phenylcyclohexyl) isopropylamine;	1595
(f) 1-(1-phenylcyclohexyl) morpholine.	1596
(E) Hallucinogenic substances	1597
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1- hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one).	1598 1599 1600
(F) Immediate precursors	1601
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances:	1602 1603 1604 1605
(1) Immediate precursor to amphetamine and methamphetamine:	1606
(a) Phenylacetone (some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone);	1607 1608 1609
(2) Immediate precursors to phencyclidine (PCP):	1610
(a) 1-phenylcyclohexylamine;	1611

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 1612

SCHEDULE III 1613

(A) Stimulants 1614

Unless specifically excepted under federal drug abuse control 1615
laws or unless listed in another schedule, any material, compound, 1616
mixture, or preparation that contains any quantity of the 1617
following substances having a stimulant effect on the central 1618
nervous system, including their salts, their optical isomers, 1619
position isomers, or geometric isomers, and salts of these 1620
isomers, whenever the existence of these salts, isomers, and salts 1621
of isomers is possible within the specific chemical designation: 1622

(1) All stimulant compounds, mixtures, and preparations 1623
included in schedule III pursuant to the federal drug abuse 1624
control laws and regulations adopted under those laws; 1625

(2) Benzphetamine; 1626

(3) Chlorphentermine; 1627

(4) Clortermine; 1628

(5) Phendimetrazine. 1629

(B) Depressants 1630

Unless specifically excepted under federal drug abuse control 1631
laws or unless listed in another schedule, any material, compound, 1632
mixture, or preparation that contains any quantity of the 1633
following substances having a depressant effect on the central 1634
nervous system: 1635

(1) Any compound, mixture, or preparation containing 1636
amobarbital, secobarbital, pentobarbital, or any salt of any of 1637
these drugs, and one or more other active medicinal ingredients 1638
that are not listed in any schedule; 1639

(2) Any suppository dosage form containing amobarbital, 1640
secobarbital, pentobarbital, or any salt of any of these drugs and 1641

approved by the food and drug administration for marketing only as	1642
a suppository;	1643
(3) Any substance that contains any quantity of a derivative	1644
of barbituric acid or any salt of a derivative of barbituric acid;	1645
(4) Chlorhexadol;	1646
(5) Ketamine, its salts, isomers, and salts of isomers (some	1647
other names for ketamine:	1648
(+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone);	1649
(6) Lysergic acid;	1650
(7) Lysergic acid amide;	1651
(8) Methyprylon;	1652
(9) Sulfondiethylmethane;	1653
(10) Sulfonethylmethane;	1654
(11) Sulfonmethane;	1655
(12) Tiletamine, zolazepam, or any salt of tiletamine or	1656
zolazepam (some trade or other names for a tiletamine-zolazepam	1657
combination product: Telazol); (some trade or other names for	1658
tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some	1659
trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-	1660
dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one;	1661
flupyrazapon).	1662
(C) Narcotic antidotes	1663
(1) Nalorphine.	1664
(D) Narcotics-narcotic preparations	1665
Unless specifically excepted under federal drug abuse control	1666
laws or unless listed in another schedule, any material, compound,	1667
mixture, or preparation that contains any of the following	1668
narcotic drugs, or their salts calculated as the free anhydrous	1669
base or alkaloid, in limited quantities as set forth below:	1670

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	1671 1672 1673
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1674 1675 1676
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;	1677 1678 1679
(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1680 1681 1682 1683
(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1684 1685 1686 1687
(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1688 1689 1690 1691
(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1692 1693 1694 1695
(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.	1696 1697 1698
(E) Anabolic steroids	1699
Unless specifically excepted under federal drug abuse control	1700

laws or unless listed in another schedule, any material, compound, 1701
mixture, or preparation that contains any quantity of the 1702
following substances, including their salts, esters, isomers, and 1703
salts of esters and isomers, whenever the existence of these 1704
salts, esters, and isomers is possible within the specific 1705
chemical designation: 1706

(1) Anabolic steroids. Except as otherwise provided in 1707
division (E)(1) of schedule III, "anabolic steroids" means any 1708
drug or hormonal substance that is chemically and 1709
pharmacologically related to testosterone (other than estrogens, 1710
progestins, and corticosteroids) and that promotes muscle growth. 1711
"Anabolic steroids" does not include an anabolic steroid that is 1712
expressly intended for administration through implants to cattle 1713
or other nonhuman species and that has been approved by the United 1714
States secretary of health and human services for that 1715
administration, unless a person prescribes, dispenses, or 1716
distributes this type of anabolic steroid for human use. "Anabolic 1717
steroid" includes, but is not limited to, the following: 1718

- (a) Boldenone; 1719
- (b) Chlorotestosterone (4-chlorotestosterone); 1720
- (c) Clostebol; 1721
- (d) Dehydrochlormethyltestosterone; 1722
- (e) Dihydrotestosterone (4-dihydrotestosterone); 1723
- (f) Drostanolone; 1724
- (g) Ethylestrenol; 1725
- (h) Fluoxymesterone; 1726
- (i) Formebolone (formebolone); 1727
- (j) Mesterolone; 1728
- (k) Methandienone; 1729

(l) Methandranone;	1730
(m) Methandriol;	1731
(n) Methandrostenolone;	1732
(o) Methenolone;	1733
(p) Methyltestosterone;	1734
(q) Mibolerone;	1735
(r) Nandrolone;	1736
(s) Norethandrolone;	1737
(t) Oxandrolone;	1738
(u) Oxymesterone;	1739
(v) Oxymetholone;	1740
(w) Stanolone;	1741
(x) Stanozolol;	1742
(y) Testolactone;	1743
(z) Testosterone;	1744
(aa) Trenbolone;	1745
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E)(1) of schedule III if the salt, ester, or isomer promotes muscle growth.	1746 1747 1748 1749
(F) Hallucinogenic substances	1750
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)-tetrahydrocannabinol).	1751 1752 1753 1754 1755 1756

SCHEDULE IV	1757
(A) Narcotic drugs	1758
Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1759 1760 1761 1762 1763
(1) Not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;	1764 1765
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane)[final dosage forms].	1766 1767 1768
(B) Depressants	1769
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	1770 1771 1772 1773 1774 1775
(1) Alprazolam;	1776
(2) Barbital;	1777
(3) Bromazepam;	1778
(4) Camazepam;	1779
(5) Chloral betaine;	1780
(6) Chloral hydrate;	1781
(7) Chlordiazepoxide;	1782
(8) Clobazam;	1783
(9) Clonazepam;	1784

(10) Clorazepate;	1785
(11) Clotiazepam;	1786
(12) Cloxazolam;	1787
(13) Delorazepam;	1788
(14) Diazepam;	1789
(15) Estazolam;	1790
(16) Ethchlorvynol;	1791
(17) Ethinamate;	1792
(18) Ethyl loflazepate;	1793
(19) Fludiazepam;	1794
(20) Flunitrazepam;	1795
(21) Flurazepam;	1796
(22) Halazepam;	1797
(23) Haloxazolam;	1798
(24) Ketazolam;	1799
(25) Loprazolam;	1800
(26) Lorazepam;	1801
(27) Lormetazepam;	1802
(28) Mebutamate;	1803
(29) Medazepam;	1804
(30) Meprobamate;	1805
(31) Methohexital;	1806
(32) Methylphenobarbital (mephobarbital);	1807
(33) Midazolam;	1808
(34) Nimetazepam;	1809

(35) Nitrazepam;	1810
(36) Nordiazepam;	1811
(37) Oxazepam;	1812
(38) Oxazolam;	1813
(39) Paraldehyde;	1814
(40) Petrichloral;	1815
(41) Phenobarbital;	1816
(42) Pinazepam;	1817
(43) Prazepam;	1818
(44) Quazepam;	1819
(45) Temazepam;	1820
(46) Tetrazepam;	1821
(47) Triazolam;	1822
(48) Zaleplon;	1823
(49) Zolpidem.	1824
(C) Fenfluramine	1825
Any material, compound, mixture, or preparation that contains	1826
any quantity of the following substances, including their salts,	1827
their optical isomers, position isomers, or geometric isomers, and	1828
salts of these isomers, whenever the existence of these salts,	1829
isomers, and salts of isomers is possible within the specific	1830
chemical designation:	1831
(1) Fenfluramine.	1832
(D) Stimulants	1833
Unless specifically excepted under federal drug abuse control	1834
laws or unless listed in another schedule, any material, compound,	1835
mixture, or preparation that contains any quantity of the	1836

following substances having a stimulant effect on the central nervous system, including their salts, their optical isomers, position isomers, or geometric isomers, and salts of these isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Cathine ((+)-norpseudoephedrine); 1842

(2) Diethylpropion; 1843

(3) Fencamfamin; 1844

(4) Fenproporex; 1845

(5) Mazindol; 1846

(6) Mefenorex; 1847

(7) Modafinil; 1848

(8) Pemoline (including organometallic complexes and chelates thereof); 1849
1850

(9) Phentermine; 1851

(10) Pipradrol; 1852

(11) Sibutramine; 1853

(12) SPA [(-)-1-dimethylamino-1,2-diphenylethane]. 1854

(E) Other substances 1855

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts: 1856
1857
1858
1859

(1) Pentazocine; 1860

(2) Butorphanol (including its optical isomers). 1861

SCHEDULE V 1862

(A) Narcotic drugs 1863

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, and their salts, as set forth below:

(1) Buprenorphine.

(B) Narcotics-narcotic preparations

Narcotic drugs containing non-narcotic active medicinal ingredients. Any compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, and that includes 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 narcotic drugs alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

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

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

(C) Stimulants

Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any

quantity of the following substances having a stimulant effect on 1894
the central nervous system, including their salts, isomers, and 1895
salts of isomers: 1896

(1) Ephedrine, except as provided in division (K) of section 1897
3719.44 of the Revised Code; 1898

(2) Pyrovalerone. 1899

Section 2. That existing sections 2925.02, 2925.03, 2925.11, 1900
and 3719.41 of the Revised Code are hereby repealed. 1901