

Sub. H.B. 153  
As Pending in S. Finance  
LSC 129 1066-6  
SC-4698

\_\_\_\_\_ moved to amend as follows:

In line 472, after "2921.41," insert "2925.03," 1

In line 506, after "3719.141," insert "3719.41," 2

Between lines 45635 and 45636, insert: 3

"**Sec. 2925.03.** (A) No person shall knowingly do any of the 4  
following: 5

(1) Sell or offer to sell a controlled substance; 6

(2) Prepare for shipment, ship, transport, deliver, prepare 7  
for distribution, or distribute a controlled substance, when the 8  
offender knows or has reasonable cause to believe that the 9  
controlled substance is intended for sale or resale by the 10  
offender or another person. 11

(B) This section does not apply to any of the following: 12

(1) Manufacturers, licensed health professionals authorized 13  
to prescribe drugs, pharmacists, owners of pharmacies, and other 14  
persons whose conduct is in accordance with Chapters 3719., 4715., 15  
4723., 4729., 4730., 4731., and 4741. of the Revised Code; 16

(2) If the offense involves an anabolic steroid, any person 17  
who is conducting or participating in a research project involving 18

the use of an anabolic steroid if the project has been approved by  
the United States food and drug administration;

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

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

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(1) If the drug involved in the violation is any compound,  
mixture, preparation, or substance included in schedule I or  
schedule II, with the exception of marihuana, formaldehyde,  
cocaine, L.S.D., heroin, and hashish, whoever violates division  
(A) of this section is guilty of aggravated trafficking in drugs.  
The penalty for the offense shall be determined as follows:

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(a) Except as otherwise provided in division (C)(1)(b), (c),  
(d), (e), or (f) of this section, aggravated trafficking in 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.

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(b) Except as otherwise provided in division (C)(1)(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, aggravated  
trafficking in drugs is a felony of the third degree, and division  
(C) of section 2929.13 of the Revised Code applies in determining  
whether to impose a prison term on the offender.

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

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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.

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(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.

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(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.

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(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

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vicinity of a juvenile, aggravated trafficking in drugs 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 prison term prescribed for a major drug  
offender under division (D)(3)(b) of section 2929.14 of the  
Revised Code.

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

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(a) Except as otherwise provided in division (C)(2)(b), (c),  
(d), or (e) of this section, trafficking in drugs 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.

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(b) Except as otherwise provided in division (C)(2)(c), (d),  
or (e) of this section, 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 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.

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(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, trafficking in drugs is a  
felony of the fourth 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 third degree, and there is a presumption for a

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prison term for the offense. 111

(d) Except as otherwise provided in this division, if the 112  
amount of the drug involved equals or exceeds five times the bulk 113  
amount but is less than fifty times the bulk amount, trafficking 114  
in drugs is a felony of the third degree, and there is a 115  
presumption for a prison term for the offense. If the amount of 116  
the drug involved is within that range and if the offense was 117  
committed in the vicinity of a school or in the vicinity of a 118  
juvenile, trafficking in drugs is a felony of the second degree, 119  
and there is a presumption for a prison term for the offense. 120

(e) Except as otherwise provided in this division, if the 121  
amount of the drug involved equals or exceeds fifty times the bulk 122  
amount, trafficking in drugs is a felony of the second degree, and 123  
the court shall impose as a mandatory prison term one of the 124  
prison terms prescribed for a felony of the second degree. If the 125  
amount of the drug involved equals or exceeds fifty times the bulk 126  
amount and if the offense was committed in the vicinity of a 127  
school or in the vicinity of a juvenile, trafficking in drugs is a 128  
felony of the first degree, and the court shall impose as a 129  
mandatory prison term one of the prison terms prescribed for a 130  
felony of the first degree. 131

(3) If the drug involved in the violation is marihuana or a 132  
compound, mixture, preparation, or substance containing marihuana 133  
other than hashish, whoever violates division (A) of this section 134  
is guilty of trafficking in marihuana. The penalty for the offense 135  
shall be determined as follows: 136

(a) Except as otherwise provided in division (C)(3)(b), (c), 137  
(d), (e), (f), or (g) of this section, trafficking in marihuana is 138  
a felony of the fifth degree, and division (C) of section 2929.13 139  
of the Revised Code applies in determining whether to impose a 140  
prison term on the offender. 141

(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, trafficking in marihuana 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 two hundred grams but is less than one thousand grams, trafficking in marihuana 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. 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 marihuana is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one thousand grams but is less than five thousand grams, trafficking in marihuana is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 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 marihuana is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense.

(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five thousand grams but is less than twenty thousand grams, trafficking in marihuana is a felony of the 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 marihuana 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 twenty thousand  
grams, trafficking in marihuana 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 equals or exceeds twenty thousand  
grams and if the offense was committed in the vicinity of a school  
or in the vicinity of a juvenile, trafficking in marihuana 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.

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

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

(a) Except as otherwise provided in division (C)(4)(b), (c),

(d), (e), (f), or (g) of this section, trafficking in cocaine 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)(4)(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 cocaine 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 five grams but is  
 less than ten grams of cocaine that is not crack cocaine or equals  
 or exceeds one gram but is less than five grams of crack cocaine,  
 trafficking in cocaine is a felony of the fourth degree, and there  
 is a presumption for a prison term for the offense. If the amount  
 of the drug involved is within one of those ranges and if the  
 offense was committed in the vicinity of a school or in the  
 vicinity of a juvenile, trafficking in cocaine is a felony of the  
 third degree, and there is a presumption for a prison term for the  
 offense.

(d) Except as otherwise provided in this division, if the  
 amount of the drug involved equals or exceeds ten grams but is  
 less than one hundred grams of cocaine that is not crack cocaine  
 or equals or exceeds five grams but is less than ten grams of  
 crack cocaine, trafficking in cocaine 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 one of those ranges  
 and if the offense was committed in the vicinity of a school or in  
 the vicinity of a juvenile, trafficking in cocaine 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.

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(e) Except as otherwise provided in this division, if the  
amount of the drug involved equals or exceeds one hundred grams  
but is less than five hundred grams of cocaine that is not crack  
cocaine or equals or exceeds ten grams but is less than  
twenty-five grams of crack cocaine, trafficking in cocaine 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 one of those ranges and if the offense was committed in the  
vicinity of a school or in the vicinity of a juvenile, trafficking  
in cocaine 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.

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(f) If the amount of the drug involved equals or exceeds five  
hundred grams but is less than one thousand grams of cocaine that  
is not crack cocaine or equals or exceeds twenty-five grams but is  
less than one hundred grams of crack cocaine and regardless of  
whether the offense was committed in the vicinity of a school or  
in the vicinity of a juvenile, trafficking in cocaine 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.

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(g) If the amount of the drug involved equals or exceeds one  
thousand grams of cocaine that is not crack cocaine or equals or  
exceeds one hundred grams of crack cocaine and regardless of  
whether the offense was committed in the vicinity of a school or  
in the vicinity of a juvenile, trafficking in cocaine is a felony  
of the first degree, the offender is a major drug offender, and

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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.

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

(a) Except as otherwise provided in division (C)(5)(b), (c),  
(d), (e), (f), or (g) of this section, trafficking in L.S.D. 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)(5)(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 L.S.D. 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 of L.S.D. in a solid form or equals  
or exceeds one gram but is less than five grams of L.S.D. in a  
liquid concentrate, liquid extract, or liquid distillate form,  
trafficking in L.S.D. is a felony of the fourth 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 L.S.D. is a felony of the third degree,

and there is a presumption for a prison term for the offense. 297

(d) Except as otherwise provided in this division, if the 298  
amount of the drug involved equals or exceeds fifty unit doses but 299  
is less than two hundred fifty unit doses of L.S.D. in a solid 300  
form or equals or exceeds five grams but is less than twenty-five 301  
grams of L.S.D. in a liquid concentrate, liquid extract, or liquid 302  
distillate form, trafficking in L.S.D. is a felony of the third 303  
degree, and the court shall impose as a mandatory prison term one 304  
of the prison terms prescribed for a felony of the third degree. 305  
If the amount of the drug involved is within that range and if the 306  
offense was committed in the vicinity of a school or in the 307  
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 308  
second degree, and the court shall impose as a mandatory prison 309  
term one of the prison terms prescribed for a felony of the second 310  
degree. 311

(e) Except as otherwise provided in this division, if the 312  
amount of the drug involved equals or exceeds two hundred fifty 313  
unit doses but is less than one thousand unit doses of L.S.D. in a 314  
solid form or equals or exceeds twenty-five grams but is less than 315  
one hundred grams of L.S.D. in a liquid concentrate, liquid 316  
extract, or liquid distillate form, trafficking in L.S.D. is a 317  
felony of the second degree, and the court shall impose as a 318  
mandatory prison term one of the prison terms prescribed for a 319  
felony of the second degree. If the amount of the drug involved is 320  
within that range and if the offense was committed in the vicinity 321  
of a school or in the vicinity of a juvenile, trafficking in 322  
L.S.D. is a felony of the first degree, and the court shall impose 323  
as a mandatory prison term one of the prison terms prescribed for 324  
a felony of the first degree. 325

(f) If the amount of the drug involved equals or exceeds one 326  
thousand unit doses but is less than five thousand unit doses of 327

L.S.D. in a solid form or equals or exceeds one hundred grams but  
is less than 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, 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 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 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 heroin is a felony of the third degree, and there is a presumption for a prison term for the offense.

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

(f) If the amount of the drug involved equals or exceeds five  
hundred unit doses but is less than two thousand five hundred unit  
doses or equals or exceeds fifty grams but is less than 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,  
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  
less than fifty grams of hashish in a solid form or equals or  
exceeds two grams but is less than ten grams of hashish in a  
liquid concentrate, liquid extract, or liquid distillate form,  
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. 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  
third degree, and division (C) of section 2929.13 of the Revised  
Code applies in determining whether to impose a prison term on the  
offender.

(d) Except as otherwise provided in this division, if the  
amount of the drug involved equals or exceeds fifty grams but is  
less than two hundred fifty grams of hashish in a solid form or  
equals or exceeds ten grams but is less than fifty grams of  
hashish in a liquid concentrate, liquid extract, or liquid  
distillate form, trafficking in hashish is a felony of the third  
degree, and division (C) of section 2929.13 of the Revised Code  
applies in determining whether to impose a prison term on the

offender. 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.

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

whoever violates division (A) of this section is guilty of 483  
trafficking in formaldehyde. The penalty for the offense shall be 484  
determined as follows: 485

(a) Except as otherwise provided in this division, if the 486  
amount of the drug involved is more than twenty grams of 487  
formaldehyde, in liquid concentrate, liquid extract, or liquid 488  
distillate form, trafficking in formaldehyde is a felony of the 489  
fourth degree, and division (C) of section 2929.13 of the Revised 490  
Code applies in determining whether to impose a prison term on the 491  
offender. If the offense was committed in the vicinity of a school 492  
or in the vicinity of a juvenile, trafficking in formaldehyde is a 493  
felony of the third degree, and division (C) of section 2929.13 of 494  
the Revised Code applies in determining whether to impose a prison 495  
term on the offender. 496

(b) If the amount of the drug involved is twenty grams or 497  
less of formaldehyde, in liquid concentrate, liquid extract, or 498  
liquid distillate form, trafficking in formaldehyde is a minor 499  
misdemeanor on the first offense and a misdemeanor of the third 500  
degree upon a subsequent offense. 501

(D) In addition to any prison term authorized or required by 502  
division (C) of this section and sections 2929.13 and 2929.14 of 503  
the Revised Code, and in addition to any other sanction imposed 504  
for the offense under this section or sections 2929.11 to 2929.18 505  
of the Revised Code, the court that sentences an offender who is 506  
convicted of or pleads guilty to a violation of division (A) of 507  
this section shall do all of the following that are applicable 508  
regarding the offender: 509

(1) If the violation of division (A) of this section is a 510  
felony of the first, second, or third degree, the court shall 511  
impose upon the offender the mandatory fine specified for the 512  
offense under division (B)(1) of section 2929.18 of the Revised 513

Code unless, as specified in that division, the court determines 514  
 that the offender is indigent. Except as otherwise provided in 515  
 division (H)(1) of this section, a mandatory fine or any other 516  
 fine imposed for a violation of this section is subject to 517  
 division (F) of this section. If a person is charged with a 518  
 violation of this section that is a felony of the first, second, 519  
 or third degree, posts bail, and forfeits the bail, the clerk of 520  
 the court shall pay the forfeited bail pursuant to divisions 521  
 (D)(1) and (F) of this section, as if the forfeited bail was a 522  
 fine imposed for a violation of this section. If any amount of the 523  
 forfeited bail remains after that payment and if a fine is imposed 524  
 under division (H)(1) of this section, the clerk of the court 525  
 shall pay the remaining amount of the forfeited bail pursuant to 526  
 divisions (H)(2) and (3) of this section, as if that remaining 527  
 amount was a fine imposed under division (H)(1) of this section. 528

(2) The court shall suspend the driver's or commercial 529  
 driver's license or permit of the offender in accordance with 530  
 division (G) of this section. 531

(3) If the offender is a professionally licensed person, the 532  
 court immediately shall comply with section 2925.38 of the Revised 533  
 Code. 534

(E) When a person is charged with the sale of or offer to 535  
 sell a bulk amount or a multiple of a bulk amount of a controlled 536  
 substance, the jury, or the court trying the accused, shall 537  
 determine the amount of the controlled substance involved at the 538  
 time of the offense and, if a guilty verdict is returned, shall 539  
 return the findings as part of the verdict. In any such case, it 540  
 is unnecessary to find and return the exact amount of the 541  
 controlled substance involved, and it is sufficient if the finding 542  
 and return is to the effect that the amount of the controlled 543  
 substance involved is the requisite amount, or that the amount of 544

the controlled substance involved is less than the requisite  
amount.

(F)(1) Notwithstanding any contrary provision of section  
3719.21 of the Revised Code and except as provided in division (H)  
of this section, the clerk of the court shall pay any mandatory  
fine imposed pursuant to division (D)(1) of this section and any  
fine other than a mandatory fine that is imposed for a violation  
of this section pursuant to division (A) or (B)(5) of section  
2929.18 of the Revised Code to the county, township, municipal  
corporation, park district, as created pursuant to section 511.18  
or 1545.04 of the Revised Code, or state law enforcement agencies  
in this state that primarily were responsible for or involved in  
making the arrest of, and in prosecuting, the offender. However,  
the clerk shall not pay a mandatory fine so imposed to a law  
enforcement agency unless the agency has adopted a written  
internal control policy under division (F)(2) of this section that  
addresses the use of the fine moneys that it receives. Each agency  
shall use the mandatory fines so paid to subsidize the agency's  
law enforcement efforts that pertain to drug offenses, in  
accordance with the written internal control policy adopted by the  
recipient agency under division (F)(2) of this section.

(2)(a) Prior to receiving any fine moneys under division  
(F)(1) of this section or division (B) of section 2925.42 of the  
Revised Code, a law enforcement agency shall adopt a written  
internal control policy that addresses the agency's use and  
disposition of all fine moneys so received and that provides for  
the keeping of detailed financial records of the receipts of those  
fine moneys, the general types of expenditures made out of those  
fine moneys, and the specific amount of each general type of  
expenditure. The policy shall not provide for or permit the  
identification of any specific expenditure that is made in an

ongoing investigation. All financial records of the receipts of  
those fine moneys, the general types of expenditures made out of  
those fine moneys, and the specific amount of each general type of  
expenditure by an agency are public records open for inspection  
under section 149.43 of the Revised Code. Additionally, a written  
internal control policy adopted under this division is such a  
public record, and the agency that adopted it shall comply with  
it.

(b) Each law enforcement agency that receives in any calendar  
year any fine moneys under division (F)(1) of this section or  
division (B) of section 2925.42 of the Revised Code shall prepare  
a report covering the calendar year that cumulates all of the  
information contained in all of the public financial records kept  
by the agency pursuant to division (F)(2)(a) of this section for  
that calendar year, and shall send a copy of the cumulative  
report, no later than the first day of March in the calendar year  
following the calendar year covered by the report, to the attorney  
general. Each report received by the attorney general is a public  
record open for inspection under section 149.43 of the Revised  
Code. Not later than the fifteenth day of April in the calendar  
year in which the reports are received, the attorney general shall  
send to the president of the senate and the speaker of the house  
of representatives a written notification that does all of the  
following:

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

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

(iii) Indicates that the attorney general will provide a copy

of any or all of the reports to the president of the senate or the speaker of the house of representatives upon request.

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

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

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

(G) When required under division (D)(2) of this section or any other provision of this chapter, the court shall suspend for not less than six months or more than five years the driver's or commercial driver's license or permit of any person who is convicted of or pleads guilty to any violation of this section or any other specified provision of this chapter. If an offender's driver's or commercial driver's license or permit is suspended pursuant to this division, the offender, at any time after the expiration of two years from the day on which the offender's sentence was imposed or from the day on which the offender finally was released from a prison term under the sentence, whichever is later, may file a motion with the sentencing court requesting termination of the suspension; upon the filing of such a motion and the court's finding of good cause for the termination, the court may terminate the suspension.

(H)(1) 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, in addition to any other penalty or sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, and in addition to the forfeiture of property in connection with the offense as prescribed in Chapter 2981. 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 may impose upon the offender an additional

fine specified for the offense in division (B)(4) of section 638  
2929.18 of the Revised Code. A fine imposed under division (H)(1) 639  
of this section is not subject to division (F) of this section and 640  
shall be used solely for the support of one or more eligible 641  
alcohol and drug addiction programs in accordance with divisions 642  
(H)(2) and (3) of this section. 643

(2) The court that imposes a fine under division (H)(1) of 644  
this section shall specify in the judgment that imposes the fine 645  
one or more eligible alcohol and drug addiction programs for the 646  
support of which the fine money is to be used. No alcohol and drug 647  
addiction program shall receive or use money paid or collected in 648  
satisfaction of a fine imposed under division (H)(1) of this 649  
section unless the program is specified in the judgment that 650  
imposes the fine. No alcohol and drug addiction program shall be 651  
specified in the judgment unless the program is an eligible 652  
alcohol and drug addiction program and, except as otherwise 653  
provided in division (H)(2) of this section, unless the program is 654  
located in the county in which the court that imposes the fine is 655  
located or in a county that is immediately contiguous to the 656  
county in which that court is located. If no eligible alcohol and 657  
drug addiction program is located in any of those counties, the 658  
judgment may specify an eligible alcohol and drug addiction 659  
program that is located anywhere within this state. 660

(3) Notwithstanding any contrary provision of section 3719.21 661  
of the Revised Code, the clerk of the court shall pay any fine 662  
imposed under division (H)(1) of this section to the eligible 663  
alcohol and drug addiction program specified pursuant to division 664  
(H)(2) of this section in the judgment. The eligible alcohol and 665  
drug addiction program that receives the fine moneys shall use the 666  
moneys only for the alcohol and drug addiction services identified 667  
in the application for certification under section 3793.06 of the 668

Revised Code or in the application for a license under section 669  
3793.11 of the Revised Code filed with the department of alcohol 670  
and drug addiction services by the alcohol and drug addiction 671  
program specified in the judgment. 672

(4) Each alcohol and drug addiction program that receives in 673  
a calendar year any fine moneys under division (H)(3) of this 674  
section shall file an annual report covering that calendar year 675  
with the court of common pleas and the board of county 676  
commissioners of the county in which the program is located, with 677  
the court of common pleas and the board of county commissioners of 678  
each county from which the program received the moneys if that 679  
county is different from the county in which the program is 680  
located, and with the attorney general. The alcohol and drug 681  
addiction program shall file the report no later than the first 682  
day of March in the calendar year following the calendar year in 683  
which the program received the fine moneys. The report shall 684  
include statistics on the number of persons served by the alcohol 685  
and drug addiction program, identify the types of alcohol and drug 686  
addiction services provided to those persons, and include a 687  
specific accounting of the purposes for which the fine moneys 688  
received were used. No information contained in the report shall 689  
identify, or enable a person to determine the identity of, any 690  
person served by the alcohol and drug addiction program. Each 691  
report received by a court of common pleas, a board of county 692  
commissioners, or the attorney general is a public record open for 693  
inspection under section 149.43 of the Revised Code. 694

(5) As used in divisions (H)(1) to (5) of this section: 695

(a) "Alcohol and drug addiction program" and "alcohol and 696  
drug addiction services" have the same meanings as in section 697  
3793.01 of the Revised Code. 698

(b) "Eligible alcohol and drug addiction program" means an 699

alcohol and drug addiction program that is certified under section 700  
 3793.06 of the Revised Code or licensed under section 3793.11 of 701  
 the Revised Code by the department of alcohol and drug addiction 702  
 services. 703

(I) As used in this section, "drug" includes any substance 704  
 that is represented to be a drug." 705

Between lines 70720 and 70721, insert: 706

"**Sec. 3719.41.** Controlled substance schedules I, II, III, IV, 707  
 and V are hereby established, which schedules include the 708  
 following, subject to amendment pursuant to section 3719.43 or 709  
 3719.44 of the Revised Code. 710

SCHEDULE I 711

(A) Narcotics-opiates 712

Any of the following opiates, including their isomers, 713  
 esters, ethers, salts, and salts of isomers, esters, and ethers, 714  
 unless specifically excepted under federal drug abuse control 715  
 laws, whenever the existence of these isomers, esters, ethers, and 716  
 salts is possible within the specific chemical designation: 717

(1) Acetyl-alpha-methylfentanyl 718  
 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); 719

(2) Acetylmethadol; 720

(3) Allylprodine; 721

(4) Alphacetylmethadol (except levo-alphacetylmethadol, also 722  
 known as levo-alpha-acetylmethadol, levomethadyl acetate, or 723  
 LAAM); 724

(5) Alphameprodine; 725

(6) Alphamethadol; 726

(7) Alpha-methylfentanyl 727

(N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide;	728
1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	729
(8) Alpha-methylthiofentanyl	730
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);	731
	732
(9) Benzethidine;	733
(10) Betacetylmethadol;	734
(11) Beta-hydroxyfentanyl	735
(N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N- phenylpropanamide);	736
(12) Beta-hydroxy-3-methylfentanyl (other name:	737
N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	738
	739
(13) Betameprodine;	740
(14) Betamethadol;	741
(15) Betaprodine;	742
(16) Clonitazene;	743
(17) Dextromoramide;	744
(18) Diampromide;	745
(19) Diethylthiambutene;	746
(20) Difenoxyin;	747
(21) Dimenoxadol;	748
(22) Dimepheptanol;	749
(23) Dimethylthiambutene;	750
(24) Dioxaphetyl butyrate;	751
(25) Dipipanone;	752
(26) Ethylmethylthiambutene;	753

(27) Etonitazene;	754
(28) Etoxeridine;	755
(29) Furethidine;	756
(30) Hydroxypethidine;	757
(31) Ketobemidone;	758
(32) Levomoramide;	759
(33) Levophenacylmorphan;	760
(34) 3-methylfentanyl	761
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	762
(35) 3-methylthiofentanyl	763
(N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);	764 765
(36) Morpheridine;	766
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	767
(38) Noracymethadol;	768
(39) Norlevorphanol;	769
(40) Normethadone;	770
(41) Norpipanone;	771
(42) Para-fluorofentanyl	772
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	773
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	774
(44) Phenadoxone;	775
(45) Phenampromide;	776
(46) Phenomorphan;	777
(47) Phenoperidine;	778
(48) Piritramide;	779

(49) Proheptazine;	780
(50) Properidine;	781
(51) Propiram;	782
(52) Racemoramide;	783
(53) Thiofentanyl	784
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	785
(54) Tilidine;	786
(55) Trimeperidine.	787
(B) Narcotics-opium derivatives	788
Any of the following opium derivatives, including their	789
salts, isomers, and salts of isomers, unless specifically excepted	790
under federal drug abuse control laws, whenever the existence of	791
these salts, isomers, and salts of isomers is possible within the	792
specific chemical designation:	793
(1) Acetorphine;	794
(2) Acetyldihydrocodeine;	795
(3) Benzylmorphine;	796
(4) Codeine methylbromide;	797
(5) Codeine-n-oxide;	798
(6) Cyprenorphine;	799
(7) Desomorphine;	800
(8) Dihydromorphine;	801
(9) Drotebanol;	802
(10) Etorphine (except hydrochloride salt);	803
(11) Heroin;	804
(12) Hydromorphanol;	805

(13) Methyldesorphine;	806
(14) Methyldihydromorphine;	807
(15) Morphine methylbromide;	808
(16) Morphine methylsulfonate;	809
(17) Morphine-n-oxide;	810
(18) Myrophine;	811
(19) Nicocodeine;	812
(20) Nicomorphine;	813
(21) Normorphine;	814
(22) Pholcodine;	815
(23) Thebacon.	816
(C) Hallucinogens	817
Any material, compound, mixture, or preparation that contains	818
any quantity of the following hallucinogenic substances, including	819
their salts, isomers, and salts of isomers, unless specifically	820
excepted under federal drug abuse control laws, whenever the	821
existence of these salts, isomers, and salts of isomers is	822
possible within the specific chemical designation. For the	823
purposes of this division only, "isomer" includes the optical	824
isomers, position isomers, and geometric isomers.	825
(1) Alpha-ethyltryptamine (some trade or other names:	826
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine;	827
3-(2-aminobutyl) indole; alpha-ET; and AET);	828
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other	829
names: 4-bromo-2,5-dimethoxy-alpha-methyphenethylamine;	830
4-bromo-2,5-DMA);	831
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other	832

names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;	833
alpha-desmethyl DOB; 2C-B, Nexus);	834
(4) 2,5-dimethoxyamphetamine (some trade or other names:	835
2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	836
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other	837
names: DOET);	838
(6) 4-methoxyamphetamine (some trade or other names:	839
4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine;	840
PMA);	841
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	842
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other	843
names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"	844
and "STP");	845
(9) 3,4-methylenedioxy amphetamine;	846
(10) 3,4-methylenedioxymethamphetamine (MDMA);	847
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as	848
N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl	849
MDA, MDE, MDEA);	850
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as	851
N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and	852
N-hydroxy MDA);	853
(13) 3,4,5-trimethoxy amphetamine;	854
(14) Bufotenine (some trade or other names:	855
3-(beta-dimethylaminoethyl)-5-hydroxyindole;	856
3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin;	857
5-hydroxy-N, N-dimethyltryptamine; mappine);	858
(15) Diethyltryptamine (some trade or other names: N,	859
N-diethyltryptamine; DET);	860

(16) Dimethyltryptamine (some trade or other names: DMT);	861
(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);	862 863 864
(18) Lysergic acid diethylamide;	865
(19) Marihuana;	866
(20) Mescaline;	867
(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);	868 869 870
(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);	871 872 873 874 875 876
(23) N-ethyl-3-piperidyl benzilate;	877
(24) N-methyl-3-piperidyl benzilate;	878
(25) Psilocybin;	879
(26) Psilocyn;	880
(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 trans tetrahydrocannabinol, and their optical isomers; delta-3,4-cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not	881 882 883 884 885 886 887 888 889

internationally standardized, compounds of these structures,	890
regardless of numerical designation of atomic positions, are	891
covered.));	892
(28) Ethylamine analog of phencyclidine (some trade or other	893
names: N-ethyl-1-phenylcyclohexylamine;	894
(1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine;	895
cyclohexamine; PCE);	896
(29) Pyrrolidine analog of phencyclidine (some trade or other	897
names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	898
(30) Thiophene analog of phencyclidine (some trade or other	899
names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog	900
of phencyclidine; TPCP; TCP);	901
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	902
(32) Hashish;	903
(33) Salvia divinorum;	904
(34) Salvinorin A.	905
(D) Depressants	906
Any material, compound, mixture, or preparation that contains	907
any quantity of the following substances having a depressant	908
effect on the central nervous system, including their salts,	909
isomers, and salts of isomers, unless specifically excepted under	910
federal drug abuse control laws, whenever the existence of these	911
salts, isomers, and salts of isomers is possible within the	912
specific chemical designation:	913
(1) Mecloqualone;	914
(2) Methaqualone.	915
(E) Stimulants	916
Unless specifically excepted or unless listed in another	917

schedule, any material, compound, mixture, or preparation that 918  
 contains any quantity of the following substances having a 919  
 stimulant effect on the central nervous system, including their 920  
 salts, isomers, and salts of isomers: 921

(1) Aminorex (some other names: aminoxaphen; 922  
 2-amino-5-phenyl-2-oxazoline; or 923  
 4,5-dihydro-5-phenyl-2-oxazolamine); 924

(2) Cathinone (some trade or other names: 925  
 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 926  
 2-aminopropiophenone, and norephedrone); 927

(3) Fenethylamine; 928

(4) Methcathinone (some other names: 929  
 2-(methylamino)-propionophenone; alpha-(methylamino)propionophenone; 930  
 2-methylamino)-1-phenylpropan-1-one; 931  
 alpha-N-methylaminopropionophenone; monomethylpropion; ephedrone; 932  
 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and 933  
 UR1432, its salts, optical isomers, and salts of optical isomers; 934

(5) (+/-)cis-4-methylaminorex 935  
 ((+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine); 936

(6) N-ethylamphetamine; 937

(7) N,N-dimethylamphetamine (also known as 938  
 N,N-alpha-trimethyl-benzeneethanamine; 939  
 N,N-alpha-trimethylphenethylamine). 940

#### SCHEDULE II 941

(A) Narcotics-opium and opium derivatives 942

Unless specifically excepted under federal drug abuse control 943  
 laws or unless listed in another schedule, any of the following 944  
 substances whether produced directly or indirectly by extraction 945  
 from substances of vegetable origin, independently by means of 946

chemical synthesis, or by a combination of extraction and chemical	947
synthesis:	948
(1) Opium and opiate, and any salt, compound, derivative, or	949
preparation of opium or opiate, excluding apomorphine,	950
thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene,	951
naloxone, and naltrexone, and their respective salts, but	952
including the following:	953
(a) Raw opium;	954
(b) Opium extracts;	955
(c) Opium fluid extracts;	956
(d) Powdered opium;	957
(e) Granulated opium;	958
(f) Tincture of opium;	959
(g) Codeine;	960
(h) Ethylmorphine;	961
(i) Etorphine hydrochloride;	962
(j) Hydrocodone;	963
(k) Hydromorphone;	964
(l) Metopon;	965
(m) Morphine;	966
(n) Oxycodone;	967
(o) Oxymorphone;	968
(p) Thebaine.	969
(2) Any salt, compound, derivative, or preparation thereof	970
that is chemically equivalent to or identical with any of the	971
substances referred to in division (A)(1) of this schedule, except	972
that these substances shall not include the isoquinoline alkaloids	973

of opium;	974
(3) Opium poppy and poppy straw;	975
(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves (including cocaine and ecgonine, their salts, isomers, and derivatives, and salts of those isomers and derivatives), and any salt, compound, derivative, or preparation thereof that is chemically equivalent to or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine;	976 977 978 979 980 981 982 983
(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form that contains the phenanthrene alkaloids of the opium poppy).	984 985 986
(B) Narcotics-opiates	987
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, but excluding dextrorphan and levopropoxyphene:	988 989 990 991 992 993 994
(1) Alfentanil;	995
(2) Alphaprodine;	996
(3) Anileridine;	997
(4) Bezitramide;	998
(5) Bulk dextropropoxyphene (non-dosage forms);	999
(6) Carfentanil;	1000
(7) Dihydrocodeine;	1001

(8) Diphenoxylate;	1002
(9) Fentanyl;	1003
(10) Isomethadone;	1004
(11) Levo-alpha-acetylmethadol (some other names:	1005
levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);	1006
(12) Levomethorphan;	1007
(13) Levorphanol;	1008
(14) Metazocine;	1009
(15) Methadone;	1010
(16) Methadone-intermediate,	1011
4-cyano-2-dimethylamino-4,4-diphenyl butane;	1012
(17) Moramide-intermediate,	1013
2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	1014
(18) Pethidine (meperidine);	1015
(19) Pethidine-intermediate-A,	1016
4-cyano-1-methyl-4-phenylpiperidine;	1017
(20) Pethidine-intermediate-B,	1018
ethyl-4-phenylpiperidine-4-carboxylate;	1019
(21) Pethidine-intermediate-C,	1020
1-methyl-4-phenylpiperidine-4-carboxylic acid;	1021
(22) Phenazocine;	1022
(23) Piminodine;	1023
(24) Racemethorphan;	1024
(25) Racemorphan;	1025
(26) Remifentanil;	1026
(27) Sufentanil.	1027

(C) Stimulants	1028
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:	1029 1030 1031 1032 1033
(1) Amphetamine, its salts, its optical isomers, and salts of its optical isomers;	1034 1035
(2) Methamphetamine, its salts, its isomers, and salts of its isomers;	1036 1037
(3) Methylphenidate;	1038
(4) Phenmetrazine and its salts.	1039
(D) Depressants	1040
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:	1041 1042 1043 1044 1045 1046 1047
(1) Amobarbital;	1048
(2) Gamma-hydroxy-butyrate;	1049
(3) Glutethimide;	1050
(4) Pentobarbital;	1051
(5) Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)piperidine; PCP);	1052 1053
(6) Secobarbital;	1054
(7) 1-aminophenylcyclohexane and all N-mono-substituted	1055



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

(2) Benzphetamine;

(3) Chlorphentermine;

(4) Clortermine;

(5) Phendimetrazine.

(B) Depressants

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:

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

(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository;

(3) Any substance that contains any quantity of a derivative of barbituric acid or any salt of a derivative of barbituric acid;	1112 1113
(4) Chlorhexadol;	1114
(5) Ketamine, its salts, isomers, and salts of isomers (some other names for ketamine:	1115 1116
(+/-)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone);	1117
(6) Lysergic acid;	1118
(7) Lysergic acid amide;	1119
(8) Methyprylon;	1120
(9) Sulfondiethylmethane;	1121
(10) Sulfonethylmethane;	1122
(11) Sulfonmethane;	1123
(12) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one; flupyrazapon).	1124 1125 1126 1127 1128 1129 1130
(C) Narcotic antidotes	1131
(1) Nalorphine.	1132
(D) Narcotics-narcotic preparations	1133
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, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1134 1135 1136 1137 1138
(1) Not more than 1.8 grams of codeine per 100 milliliters or	1139

not more than 90 milligrams per dosage unit, with an equal or	1140
greater quantity of an isoquinoline alkaloid of opium;	1141
(2) Not more than 1.8 grams of codeine per 100 milliliters or	1142
not more than 90 milligrams per dosage unit, with one or more	1143
active, nonnarcotic ingredients in recognized therapeutic amounts;	1144
(3) Not more than 300 milligrams of dihydrocodeinone per 100	1145
milliliters or not more than 15 milligrams per dosage unit, with a	1146
fourfold or greater quantity of an isoquinoline alkaloid of opium;	1147
(4) Not more than 300 milligrams of dihydrocodeinone per 100	1148
milliliters or not more than 15 milligrams per dosage unit, with	1149
one or more active, nonnarcotic ingredients in recognized	1150
therapeutic amounts;	1151
(5) Not more than 1.8 grams of dihydrocodeine per 100	1152
milliliters or not more than 90 milligrams per dosage unit, with	1153
one or more active, nonnarcotic ingredients in recognized	1154
therapeutic amounts;	1155
(6) Not more than 300 milligrams of ethylmorphine per 100	1156
milliliters or not more than 15 milligrams per dosage unit, with	1157
one or more active, nonnarcotic ingredients in recognized	1158
therapeutic amounts;	1159
(7) Not more than 500 milligrams of opium per 100 milliliters	1160
or per 100 grams or not more than 25 milligrams per dosage unit,	1161
with one or more active, nonnarcotic ingredients in recognized	1162
therapeutic amounts;	1163
(8) Not more than 50 milligrams of morphine per 100	1164
milliliters or per 100 grams, with one or more active, nonnarcotic	1165
ingredients in recognized therapeutic amounts.	1166
(E) Anabolic steroids	1167
Unless specifically excepted under federal drug abuse control	1168

laws or unless listed in another schedule, any material, compound, 1169  
mixture, or preparation that contains any quantity of the 1170  
following substances, including their salts, esters, isomers, and 1171  
salts of esters and isomers, whenever the existence of these 1172  
salts, esters, and isomers is possible within the specific 1173  
chemical designation: 1174

(1) Anabolic steroids. Except as otherwise provided in 1175  
division (E)(1) of schedule III, "anabolic steroids" means any 1176  
drug or hormonal substance that is chemically and 1177  
pharmacologically related to testosterone (other than estrogens, 1178  
progestins, and corticosteroids) and that promotes muscle growth. 1179  
"Anabolic steroids" does not include an anabolic steroid that is 1180  
expressly intended for administration through implants to cattle 1181  
or other nonhuman species and that has been approved by the United 1182  
States secretary of health and human services for that 1183  
administration, unless a person prescribes, dispenses, or 1184  
distributes this type of anabolic steroid for human use. "Anabolic 1185  
steroid" includes, but is not limited to, the following: 1186

- (a) Boldenone; 1187
- (b) Chlorotestosterone (4-chlorotestosterone); 1188
- (c) Clostebol; 1189
- (d) Dehydrochlormethyltestosterone; 1190
- (e) Dihydrotestosterone (4-dihydrotestosterone); 1191
- (f) Drostanolone; 1192
- (g) Ethylestrenol; 1193
- (h) Fluoxymesterone; 1194
- (i) Formebolone (formebolone); 1195
- (j) Mesterolone; 1196

(k) Methandienone;	1197
(l) Methandranone;	1198
(m) Methandriol;	1199
(n) Methandrostenolone;	1200
(o) Methenolone;	1201
(p) Methyltestosterone;	1202
(q) Mibolerone;	1203
(r) Nandrolone;	1204
(s) Norethandrolone;	1205
(t) Oxandrolone;	1206
(u) Oxymesterone;	1207
(v) Oxymetholone;	1208
(w) Stanolone;	1209
(x) Stanozolol;	1210
(y) Testolactone;	1211
(z) Testosterone;	1212
(aa) Trenbolone;	1213
(bb) Any salt, ester, isomer, or salt of an ester or isomer	1214
of a drug or hormonal substance described or listed in division	1215
(E)(1) of schedule III if the salt, ester, or isomer promotes	1216
muscle growth.	1217
(F) Hallucinogenic substances	1218
(1) Dronabinol (synthetic) in sesame oil and encapsulated in	1219
a soft gelatin capsule in a United States food and drug	1220
administration approved drug product (some other names for	1221
dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-	1222

6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or	1223
(-)-delta-9-(trans)-tetrahydrocannabinol).	1224
SCHEDULE IV	1225
(A) Narcotic drugs	1226
Unless specifically excepted by federal drug abuse control	1227
laws or unless listed in another schedule, any material, compound,	1228
mixture, or preparation that contains any of the following	1229
narcotic drugs, or their salts calculated as the free anhydrous	1230
base or alkaloid, in limited quantities as set forth below:	1231
(1) Not more than one milligram of difenoxin and not less	1232
than 25 micrograms of atropine sulfate per dosage unit;	1233
(2) Dextropropoxyphene	1234
(alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-	1235
propionoxybutane)[final dosage forms].	1236
(B) Depressants	1237
Unless specifically excepted under federal drug abuse control	1238
laws or unless listed in another schedule, any material, compound,	1239
mixture, or preparation that contains any quantity of the	1240
following substances, including their salts, isomers, and salts of	1241
isomers, whenever the existence of these salts, isomers, and salts	1242
of isomers is possible within the specific chemical designation:	1243
(1) Alprazolam;	1244
(2) Barbitol;	1245
(3) Bromazepam;	1246
(4) Camazepam;	1247
(5) Chloral betaine;	1248
(6) Chloral hydrate;	1249
(7) Chlordiazepoxide;	1250

(8) Clobazam;	1251
(9) Clonazepam;	1252
(10) Clorazepate;	1253
(11) Clotiazepam;	1254
(12) Cloxazolam;	1255
(13) Delorazepam;	1256
(14) Diazepam;	1257
(15) Estazolam;	1258
(16) Ethchlorvynol;	1259
(17) Ethinamate;	1260
(18) Ethyl loflazepate;	1261
(19) Fludiazepam;	1262
(20) Flunitrazepam;	1263
(21) Flurazepam;	1264
(22) Halazepam;	1265
(23) Haloxazolam;	1266
(24) Ketazolam;	1267
(25) Loprazolam;	1268
(26) Lorazepam;	1269
(27) Lormetazepam;	1270
(28) Mebutamate;	1271
(29) Medazepam;	1272
(30) Meprobamate;	1273
(31) Methohexital;	1274
(32) Methylphenobarbital (mephobarbital);	1275

(33) Midazolam;	1276
(34) Nimetazepam;	1277
(35) Nitrazepam;	1278
(36) Nordiazepam;	1279
(37) Oxazepam;	1280
(38) Oxazolam;	1281
(39) Paraldehyde;	1282
(40) Petrichloral;	1283
(41) Phenobarbital;	1284
(42) Pinazepam;	1285
(43) Prazepam;	1286
(44) Quazepam;	1287
(45) Temazepam;	1288
(46) Tetrazepam;	1289
(47) Triazolam;	1290
(48) Zaleplon;	1291
(49) Zolpidem.	1292
(C) Fenfluramine	1293
Any material, compound, mixture, or preparation that contains	1294
any quantity of the following substances, including their salts,	1295
their optical isomers, position isomers, or geometric isomers, and	1296
salts of these isomers, whenever the existence of these salts,	1297
isomers, and salts of isomers is possible within the specific	1298
chemical designation:	1299
(1) Fenfluramine.	1300
(D) Stimulants	1301

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, 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);
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- (6) Mefenorex;
- (7) Modafinil;
- (8) Pemoline (including organometallic complexes and chelates thereof);
- (9) Phentermine;
- (10) Pipradrol;
- (11) Sibutramine;
- (12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].
- (E) Other substances

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:

- (1) Pentazocine;

(2) Butorphanol (including its optical isomers).	1329
SCHEDULE V	1330
(A) Narcotic drugs	1331
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:	1332 1333 1334 1335
(1) Buprenorphine.	1336
(B) Narcotics-narcotic preparations	1337
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:	1338 1339 1340 1341 1342 1343 1344 1345
(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;	1346 1347
(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;	1348 1349
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;	1350 1351
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;	1352 1353
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;	1354 1355
(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.	1356 1357

(C) Stimulants	1358
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 the central nervous system, including their salts, isomers, and salts of isomers:	1359 1360 1361 1362 1363 1364
(1) Ephedrine, except as provided in division (K) of section 3719.44 of the Revised Code;	1365 1366
(2) Pyrovalerone."	1367
In line 131060, after "2941.41," insert "2925.03,"	1368
In line 131094, after "3719.141," insert "3719.41,"	1369
In line 98 of the title, after "2921.41," insert "2925.03,"	1370
In line 145 of the title, after "3719.141," insert "3719.41,"	1371

The motion was \_\_\_\_\_ agreed to.

### SYNOPSIS

<b>Formaldehyde as a Schedule II Controlled Substance</b>	1372
<b>R.C. 2925.03 and 3719.41</b>	1373
Classifies formaldehyde as a Schedule II controlled substance. Enacts the offense of trafficking in formaldehyde and sets the penalties for violations of the offense.	1374 1375 1376