

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 279 Session of
2005

INTRODUCED BY KASUNIC, COSTA, LAVALLE, LOGAN, MUSTO, WOZNIAK,
TARTAGLIONE AND KITCHEN, FEBRUARY 15, 2005

REFERRED TO JUDICIARY, FEBRUARY 15, 2005

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," further providing for
11 schedules of controlled substances.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 4(1) of the act of April 14, 1972
15 (P.L.233, No.64), known as The Controlled Substance, Drug,
16 Device and Cosmetic Act, amended November 24, 1999 (P.L.894,
17 No.55), is amended to read:

18 Section 4. Schedules of Controlled Substances.--The
19 following schedules include the controlled substances listed or
20 to be listed by whatever official name, common or usual name,
21 chemical name, or trade name designated.

22 (1) Schedule I--In determining that a substance comes within

1 this schedule, the secretary shall find: a high potential for
2 abuse, no currently accepted medical use in the United States,
3 and a lack of accepted safety for use under medical supervision.
4 The following controlled substances are included in this
5 schedule:

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

- 11 1. Acetylmethadol.
- 12 2. Allylprodine.
- 13 3. Alphacetylmethadol.
- 14 4. Alphameprodine.
- 15 5. Alphamethadol.
- 16 6. Benzethidine.
- 17 7. Betacetylmethadol.
- 18 8. Betameprodine.
- 19 9. Betamethadol.
- 20 10. Betaprodine.
- 21 11. Clonitazene.
- 22 12. Dextromoramide.
- 23 13. Dextrorphan (except its methylether).
- 24 14. Diampromide.
- 25 15. Diethylthiambutene.
- 26 16. Dimenoxadol.
- 27 17. Dimepheptanol.
- 28 18. Dimethylthiambutene.
- 29 19. Dioxaphetyl butyrate.
- 30 20. Dipipanone.

- 1 21. Ethylmethylthiambutene.
- 2 22. Etonitazene.
- 3 23. Etoxeridine.
- 4 24. Furethidine.
- 5 25. Hydroxypethidine.
- 6 26. Ketobemidone.
- 7 27. Levomoramide.
- 8 28. Levophenacylmorphane.
- 9 29. Morpheridine.
- 10 30. Noracymethadol.
- 11 31. Norlevorphanol.
- 12 32. Normethadone.
- 13 33. Norpipanone.
- 14 34. Phenadoxone.
- 15 35. Phenampromide.
- 16 36. Phenomorphan.
- 17 37. Phenoperidine.
- 18 38. Piritramide.
- 19 39. Proheptazine.
- 20 40. Properidine.
- 21 41. Racemoramide.
- 22 42. Trimeperidine.

23 (ii) Any of the following opium derivatives, their salts,
24 isomers and salts of isomers, unless specifically excepted,
25 whenever the existence of such salts, isomers and salts of
26 isomers is possible within the specific chemical designation:

- 27 1. Acetorphine.
- 28 2. Acetyldihydrocodeine.
- 29 3. Benzylmorphine.
- 30 4. Codeine methylbromide.

- 1 5. Codeine-N-Oxide.
- 2 6. Cyprenorphine.
- 3 7. Desomorphine.
- 4 8. Dihydromorphine.
- 5 9. Etorphine.
- 6 10. Heroin.
- 7 11. Hydromorphenol.
- 8 12. Methyldesorphine.
- 9 13. Methylhydromorphine.
- 10 14. Morphine methylbromide.
- 11 15. Morphine methylsulfonate.
- 12 16. Morphine-N-Oxide.
- 13 17. Myrophine.
- 14 18. Nicocodeine.
- 15 19. Nicomorphine.
- 16 20. Normorphine.
- 17 21. Pholcodine.
- 18 22. Thebacon.

19 (iii) Any material, compound, mixture, or preparation which
20 contains any quantity of the following hallucinogenic
21 substances, their salts, isomers, and salts of isomers, unless
22 specifically excepted, whenever the existence of such salts,
23 isomers, and salts of isomers is possible within the specific
24 chemical designation:

- 25 1. 3,4-methylenedioxy amphetamine.
- 26 2. 5-methoxy-3,4-methylenedioxy amphetamine.
- 27 3. 3,4,5-trimethoxy amphetamine.
- 28 4. Bufotenine.
- 29 5. Diethyltryptamine.
- 30 6. Dimethyltryptamine.

1 7. 4-methyl-2,5-dimethoxyamphetamine.

2 8. Ibogaine.

3 9. Lysergic acid diethylamide.

4 10. Mescaline.

5 11. Peyote.

6 12. N-ethyl-3-piperidyl benzilate.

7 13. N-methyl-3-piperidyl benzilate.

8 14. Psilocybin.

9 15. Psilocyn.

10 16. Tetrahydrocannabinols.

11 (iv) Marihuana.

12 (v) Any material, compound, mixture or preparation which
13 contains any quantity of the following substances, including the
14 salts, isomers and salts of isomers:

15 1. Methaqualone.

16 (vi) Gamma hydroxybutyric acid, any salt, hydroxybutyric
17 compound, derivative or preparation of gamma hydroxybutyric
18 acid, including any isomers, esters and ethers and salts of
19 isomers, esters and ethers of gamma hydroxybutyric acid, except
20 gamma-butyrolactone (GBL), whenever the existence of such
21 isomers, esters and salts is possible within the specific
22 chemical designation. For purposes of security requirements
23 imposed by law or regulation upon registered distributors and
24 registered manufacturers, this substance when manufactured,
25 distributed or possessed in accordance with an exemption
26 approved under section 505(i) of the Federal Food, Drug, and
27 Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.) shall,
28 notwithstanding any other provision of this act, be classified
29 as a controlled substance in Schedule III of this section.

30 (vii) Oxycontin, including any isomers, esters and ethers

1 and salts of isomers, esters and ethers of oxycontin, whenever
2 the existence of such isomers, esters and salts is possible
3 within the specific designation, except when used by a person
4 diagnosed with a disease or disorder that causes chronic pain.

5 Section 2. This act shall take effect in 60 days.