

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1927 Session of
2001

INTRODUCED BY WOJNAROSKI, RUBLEY, BISHOP, TANGRETTI, LEDERER,
HERMAN, TRICH, GEORGE, KENNEY, FAIRCHILD, BEBKO-JONES,
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MACKERETH, PETRARCA, SOLOBAY, GRUCELA, COLEMAN, J. TAYLOR,
J. WILLIAMS, CORRIGAN, S. MILLER, SAMUELSON, HARHAI AND
B. SMITH, SEPTEMBER 25, 2001

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 25, 2001

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," adding controlled
11 substances; and further providing for penalties.

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,

1 chemical name, or trade name designated.

2 (1) Schedule I--In determining that a substance comes within
3 this schedule, the secretary shall find: a high potential for
4 abuse, no currently accepted medical use in the United States,
5 and a lack of accepted safety for use under medical supervision.
6 The following controlled substances are included in this
7 schedule:

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

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

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

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

- 29 1. Acetorphine.
- 30 2. Acetyldihydrocodeine.

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

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

- 27 1. 3,4-methylenedioxy amphetamine.
- 28 2. 5-methoxy-3,4-methylenedioxy amphetamine.
- 29 3. 3,4,5-trimethoxy amphetamine.
- 30 4. Bufotenine.

1 5. Diethyltryptamine.
2 6. Dimethyltryptamine.
3 7. 4-methyl-2,5-dimethoxyamphetamine.
4 8. Ibogaine.
5 9. Lysergic acid diethylamide.
6 10. Mescaline.
7 11. Peyote.
8 12. N-ethyl-3-piperidyl benzilate.
9 13. N-methyl-3-piperidyl benzilate.
10 14. Psilocybin.
11 15. Psilocyn.
12 16. Tetrahydrocannabinols.
13 17. 4-bromo-2, 5-dimethoxyamphetamine (DOB).
14 18. 3, 4-methylenedioxymethamphetamine (MDMA).
15 19. 4-bomo-2, 5-dimethoxyhenethylamine (2C-B, NEXUS).
16 20. Paramethoxyamphetamine (PMA).
17 21. Paramethoxyethylamphetamine (PMEA).
18 (iv) Marihuana.
19 (v) Any material, compound, mixture or preparation which
20 contains any quantity of the following substances, including the
21 salts, isomers and salts of isomers:
22 1. Methaqualone.
23 (vi) Gamma hydroxybutyric acid, any salt, hydroxybutyric
24 compound, derivative or preparation of gamma hydroxybutyric
25 acid, including any isomers, esters and ethers and salts of
26 isomers, esters and ethers of gamma hydroxybutyric acid, except
27 gamma-butyrolactone (GBL), whenever the existence of such
28 isomers, esters and salts is possible within the specific
29 chemical designation. For purposes of security requirements
30 imposed by law or regulation upon registered distributors and

1 registered manufacturers, this substance when manufactured,
2 distributed or possessed in accordance with an exemption
3 approved under section 505(i) of the Federal Food, Drug, and
4 Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.) shall,
5 notwithstanding any other provision of this act, be classified
6 as a controlled substance in Schedule III of this section.

7 (vii) Alpha-ethyltryptamine (AET), any salt, alpha-
8 ethyltryptamine compound, derivative or preparation of alpha-
9 ethyltryptamine, including any isomers, esters and ethers and
10 salts of isomers, esters and ethers of alpha-ethyltryptamine.

11 * * *

12 Section 2. Section 13(f)(1.1) of the act, amended December
13 14, 1984 (P.L.988, No.200), is amended to read:

14 Section 13. Prohibited Acts; Penalties.--* * *

15 (f) Any person who violates clause (12), (14) or (30) of
16 subsection (a) with respect to:

17 * * *

18 (1.1) Phencyclidine; methamphetamine, including its salts,
19 isomers and salts of isomers; coca leaves and any salt,
20 compound, derivative or preparation of coca leaves; any salt,
21 compound, derivative or preparation of the preceding which is
22 chemically equivalent or identical with any of these substances,
23 except decocanized coca leaves or extracts of coca leaves, which
24 extracts do not contain cocaine or ecgonine; 3, 4-
25 methylenedioxymethamphetamine or 3, 4-methylenedioxyamphetamine
26 or 4-bromo-2, 5-dimethoxyamphetamine or 4-bomo-2, 5-
27 dimethoxyphenethylamine or paramethoxyamphetamine or
28 paramethoxyethylamphetamine and marihuana in a quantity in
29 excess of one thousand (1,000) pounds, is guilty of a felony and
30 upon conviction thereof shall be sentenced to imprisonment not

1 exceeding ten years, or to pay a fine not exceeding one hundred
2 thousand dollars (\$100,000), or both, or such larger amount as
3 is sufficient to exhaust the assets utilized in and the profits
4 obtained from the illegal manufacture or distribution of these
5 substances.

6 * * *

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