

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 567 Session of 2011

INTRODUCED BY STERN, V. BROWN, AUMENT, BAKER, BOYD, CALTAGIRONE, DIGIROLAMO, GINGRICH, GRELL, HARHAI, HICKERNELL, KAUFFMAN, KILLION, KNOWLES, KORTZ, MANN, MICOZZIE, MILLARD, PICKETT, PYLE, QUINN, SCAVELLO, TALLMAN, FLECK, GOODMAN, DENLINGER, O'NEILL, VULAKOVICH, ROCK AND MILLER, FEBRUARY 9, 2011

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2011

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.

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

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

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

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

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

- 28 1. Acetorphine.
- 29 2. Acetyldihydrocodeine.
- 30 3. Benzylmorphine.

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

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

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

- 1 6. Dimethyltryptamine.
- 2 7. 4-methyl-2,5-dimethoxyamphetamine.
- 3 8. Ibogaine.
- 4 9. Lysergic acid diethylamide.
- 5 10. Mescaline.
- 6 11. Peyote.
- 7 12. N-ethyl-3-piperidyl benzilate.
- 8 13. N-methyl-3-piperidyl benzilate.
- 9 14. Psilocybin.
- 10 15. Psilocyn.
- 11 16. Tetrahydrocannabinols.
- 12 17. 3,4-Methylenedioxymethcathinone (Methylone).
- 13 18. 3,4-Methylenedioxypyrovalerone (MDPV).
- 14 19. 4-Methylmethcathinone (Mephedrone).
- 15 20. 4-Methoxymethcathinone.
- 16 21. 4-Fluoromethcathinone.
- 17 22. 3-Fluoromethcathinone.
- 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 * * *

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