



HOUSE BILL 464: Revise Schedule of Controlled Substances.

2017-2018 General Assembly

Committee:		Date:	July 20, 2017
Introduced by:		Prepared by:	Jennifer H. Bedford Committee Counsel
Analysis of:	S.L. 2017-115		

OVERVIEW: *S.L. 2017-115 amends the classification of controlled substances and creates a Task Force on Sentencing Reforms for Opioid Drug Convictions. The classification changes become effective December 1, 2017, and apply to offenses committed on or after that date and the task force provision became effective July 18, 2017.*

CURRENT LAW: Controlled substances are divided into six schedules:

- Schedule I-** Substances that have no current medical use, lack of accepted safety, and a high potential for abuse. *Heroin, GHB, MDMA.*
- Schedule II-** Substances that have a high potential for abuse and physical dependence, and limited medical use. *Cocaine, Opium, Oxycodone.*
- Schedule III-** Substances have a potential for abuse lower than Schedules I and II, and may lead to moderate physical dependence. *Ketamine, Secobarbitol, Paregoric.*
- Schedule IV-** Substances in this schedule have a low potential for abuse relative to substances in Schedule III. *Clonazepam, Xanax, Valium.*
- Schedule V-** Substances in this section have a low potential for abuse, and have an accepted medical use. *Robitussin, Lyrica.*
- Schedule VI-** Substances in this schedule have a potential for abuse and dependence lower than Schedule V. *Marijuana.*

BILL ANALYSIS:

Section 1 names the act "Synthetic Opioid and Other Dangerous Drug Control Act."

Section 2:

- Expands the definition of "isomer¹".
- Adds the term "opioid²".

Section 3 amends Schedule I in the following ways:

- Excludes LAAM³ from the definition of "Opiates".

¹ Isomer. – Two or more compounds with the same formula but a different arrangement of atoms.
² Opioid. – An opium-like compound that affects the nervous system, and relieves pain.
³ LAAM. – A long-lasting medication similar to methadone to reduce drug cravings, and withdrawal.

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- Classifies "Fentanyl⁴ Derivatives" as Schedule I Controlled Substances.
- Reorganizes Schedule I by naming subcategories.
- Adds twelve hallucinogenic substances to Schedule I.
- Adds three systemic depressants to Schedule I.
- Adds four stimulants to Schedule I.
- Elevates "Synthetic Cannabinoids⁵" to Schedule I Controlled Substances. (Currently classified as Schedule VI).
- Describes two categories of cannabinoids: Carbazoles, and Naphthoynaphthalenes.

Section 4 amends Schedule II by expanding the definition of opium, opiate, or opioid to include any quantity of hydrocodone⁶. (Currently small amounts are classified as Schedule III.)

Section 5 amends Schedule III in the following ways:

- Makes changes to conform to Section 4.
- Adds one narcotic.
- Adds four anabolic steroids.

Section 6 would amend Schedule IV in the following ways:

- Adds four depressants.
- Adds Tramadol⁷ as a "Narcotic Drug".

Section 7 adds the category of "Anticonvulsants⁸", and specifically four anticonvulsants, to Schedule V.

Section 8 repeals the law that classified synthetic cannabinoids as a Schedule VI controlled substance in order to conform to Section 3.

Section 9 makes conforming changes to the statute regarding murder proximately caused by the unlawful distribution of opium.

Section 10 creates a Task Force on Sentencing Reforms for Opioid Drug Convictions.

EFFECTIVE DATE: Sections 1-9 and 11 of this act become effective December 1, 2017 and apply to offenses committed on or after that date. The remainder of this act became effective June 28, 2017.

⁴ Fentanyl. – A fast-acting narcotic and sedative for pain relief.

⁵ Synthetic Cannabinoid. – Man-made mind-altering chemicals sprayed on dried plant material. (Sometimes marketed as "Spice", or "K2".)

⁶ Hydrocodone. – A narcotic for pain relief.

⁷ Tramadol. – A pain medication for moderate to severe pain.

⁸ Anticonvulsants. – Medication used to reduce the severity of seizures.