

By the Committee on Criminal Justice and Senators Brown-Waite, Sullivan, Grant, Latvala, Williams, Horne, Meadows and McKay

307-1150-98

1 A bill to be entitled
2 An act relating to controlled substances;
3 amending s. 893.03, F.S., relating to
4 scheduling of controlled substances for the
5 purpose of penalizing unlawful acts involving
6 controlled substances; deleting references to
7 dextropropoxyphene in its nondosage forms from
8 Schedule II; adding references to propoxyphene
9 in its nondosage forms to Schedule II; deleting
10 references to gamma-hydroxy-butyric from
11 Schedule II; adding references to
12 gamma-hydroxy-butyric acid to Schedule II;
13 adding references to ketamine to Schedule III;
14 deleting references to dextropropoxyphene in
15 its dosage forms from Schedule IV; adding
16 references to propoxyphene in its dosage forms
17 to Schedule IV; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsections (2), (3), and (4) of section
22 893.03, Florida Statutes, are amended to read:

23 893.03 Standards and schedules.--The substances
24 enumerated in this section are controlled by this chapter.
25 The controlled substances listed or to be listed in Schedules
26 I, II, III, IV, and V are included by whatever official,
27 common, usual, chemical, or trade name designated. The
28 provisions of this section shall not be construed to include
29 within any of the schedules contained in this section any
30 excluded drugs listed within the purview of 21 C.F.R. s.
31 1308.22, styled "Excluded Substances"; 21 C.F.R. s. 1308.24,

1 styled "Exempt Chemical Preparations"; 21 C.F.R. s. 1308.32,
2 styled "Exempted Prescription Products"; or 21 C.F.R. s.
3 1308.34, styled "Exempt Anabolic Steroid Products."

4 (2) SCHEDULE II.--A substance in Schedule II has a
5 high potential for abuse and has a currently accepted but
6 severely restricted medical use in treatment in the United
7 States, and abuse of the substance may lead to severe
8 psychological or physical dependence. The following
9 substances are controlled in Schedule II:

10 (a) Unless specifically excepted or unless listed in
11 another schedule, any of the following substances, whether
12 produced directly or indirectly by extraction from substances
13 of vegetable origin or independently by means of chemical
14 synthesis:

15 1. Opium and any salt, compound, derivative, or
16 preparation of opium, except nalmefene or isoquinoline
17 alkaloids of opium, including, but not limited to the
18 following:

- 19 a. Raw opium.
20 b. Opium extracts.
21 c. Opium fluid extracts.
22 d. Powdered opium.
23 e. Granulated opium.
24 f. Tincture of opium.
25 g. Codeine.
26 h. Ethylmorphine.
27 i. Etorphine hydrochloride.
28 j. Hydrocodone.
29 k. Hydromorphone.
30 l. Levo-alpha-acetylmethadol (also known as
31 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM).

- 1 m. Metopon (methyldihydromorphinone).
2 n. Morphine.
3 o. Oxycodone.
4 p. Oxymorphone.
5 q. Thebaine.
6 2. Any salt, compound, derivative, or preparation of a
7 substance which is chemically equivalent to or identical with
8 any of the substances referred to in subparagraph 1., except
9 that these substances shall not include the isoquinoline
10 alkaloids of opium.
11 3. Any part of the plant of the species *Papaver*
12 *somniferum*, L.
13 4. Cocaine or ecgonine, including any of their
14 stereoisomers, and any salt, compound, derivative, or
15 preparation of cocaine or ecgonine.
16 5. Dronabinol (synthetic THC) in sesame oil and
17 encapsulated in a soft gelatin capsule in a U.S. Food and Drug
18 Administration approved drug product.
19 ~~6. Gamma-hydroxy-butyrate (GHB).~~
20 (b) Unless specifically excepted or unless listed in
21 another schedule, any of the following substances, including
22 their isomers, esters, ethers, salts, and salts of isomers,
23 esters, and ethers, whenever the existence of such isomers,
24 esters, ethers, and salts is possible within the specific
25 chemical designation:
26 1. Alfentanil.
27 2. Alphaprodine.
28 3. Anileridine.
29 4. Bezitramide.
30 5. Bulk propoxyphene ~~dextropropoxyphene~~ (nondosage
31 forms).

- 1 6. Carfentanil.
- 2 7. Dihydrocodeine.
- 3 8. Diphenoxylate.
- 4 9. Fentanyl.
- 5 10. Gamma-hydroxy-butyric acid (GHB).
- 6 ~~11.10.~~ Isomethadone.
- 7 ~~12.11.~~ Levomethorphan.
- 8 ~~13.12.~~ Levorphanol.
- 9 ~~14.13.~~ Metazocine.
- 10 ~~15.14.~~ Methadone.
- 11 ~~16.15.~~ Methadone-Intermediate, 4-cyano-2-dimethylamino-
- 12 4,4-diphenylbutane.
- 13 ~~17.16.~~ Moramide-Intermediate, 2-methyl-3-morpholino-
- 14 1,1-diphenylpropane-carboxylic acid.
- 15 ~~18.17.~~ Nabilone.
- 16 ~~19.18.~~ Pethidine (meperidine).
- 17 ~~20.19.~~ Pethidine-Intermediate-A, 4-cyano-1-methyl-
- 18 4-phenylpiperidine.
- 19 ~~21.20.~~ Pethidine-Intermediate-B, ethyl-
- 20 4-phenylpiperidine-4-carboxylate.
- 21 ~~22.21.~~ Pethidine-Intermediate-C, 1-methyl-
- 22 4-phenylpiperidine-4-carboxylic acid.
- 23 ~~23.22.~~ Phenazocine.
- 24 ~~24.23.~~ Phencyclidine.
- 25 ~~25.24.~~ 1-Phenylcyclohexylamine.
- 26 ~~26.25.~~ Piminodine.
- 27 ~~27.26.~~ 1-Piperidinocyclohexanecarbonitrile.
- 28 ~~28.27.~~ Racemethorphan.
- 29 ~~29.28.~~ Racemorphan.
- 30 ~~30.29.~~ Sufentanil.
- 31

1 (c) Unless specifically excepted or unless listed in
2 another schedule, any material, compound, mixture, or
3 preparation which contains any quantity of the following
4 substances, including their salts, isomers, optical isomers,
5 salts of their isomers, and salts of their optical isomers:

- 6 1. Amobarbital.
- 7 2. Amphetamine.
- 8 3. Glutethimide.
- 9 4. Methamphetamine.
- 10 5. Methylphenidate.
- 11 6. Pentobarbital.
- 12 7. Phenmetrazine.
- 13 8. Phenylacetone.
- 14 9. Secobarbital.

15 (3) SCHEDULE III.--A substance in Schedule III has a
16 potential for abuse less than the substances contained in
17 Schedules I and II and has a currently accepted medical use in
18 treatment in the United States, and abuse of the substance may
19 lead to moderate or low physical dependence or high
20 psychological dependence or, in the case of anabolic steroids,
21 may lead to physical damage. The following substances are
22 controlled in Schedule III:

23 (a) Unless specifically excepted or unless listed in
24 another schedule, any material, compound, mixture, or
25 preparation which contains any quantity of the following
26 substances having a depressant or stimulant effect on the
27 nervous system:

- 28 1. Any substance which contains any quantity of a
29 derivative of barbituric acid, including thiobarbituric acid,
30 or any salt of a derivative of barbituric acid or

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1 thiobarbituric acid, including, but not limited to,
2 butabarbital and butalbital.

- 3 2. Benzphetamine.
- 4 3. Chlorhexadol.
- 5 4. Chlorphentermine.
- 6 5. Clortermine.
- 7 6. Lysergic acid.
- 8 7. Lysergic acid amide.
- 9 8. Methyprylon.
- 10 9. Phendimetrazine.
- 11 10. Sulfondiethylmethane.
- 12 11. Sulfonethylmethane.
- 13 12. Sulfonmethane.
- 14 13. Tiletamine and zolazepam or any salt thereof.

15 (b) Nalorphine.

16 (c) Unless specifically excepted or unless listed in
17 another schedule, any material, compound, mixture, or
18 preparation containing limited quantities of any of the
19 following controlled substances or any salts thereof:

- 20 1. Not more than 1.8 grams of codeine per 100
21 milliliters or not more than 90 milligrams per dosage unit,
22 with an equal or greater quantity of an isoquinoline alkaloid
23 of opium.
- 24 2. Not more than 1.8 grams of codeine per 100
25 milliliters or not more than 90 milligrams per dosage unit,
26 with recognized therapeutic amounts of one or more active
27 ingredients which are not controlled substances.
- 28 3. Not more than 300 milligrams of hydrocodone per 100
29 milliliters or not more than 15 milligrams per dosage unit,
30 with a fourfold or greater quantity of an isoquinoline
31 alkaloid of opium.

1 4. Not more than 300 milligrams of hydrocodone per 100
2 milliliters or not more than 15 milligrams per dosage unit,
3 with recognized therapeutic amounts of one or more active
4 ingredients which are not controlled substances.

5 5. Not more than 1.8 grams of dihydrocodeine per 100
6 milliliters or not more than 90 milligrams per dosage unit,
7 with recognized therapeutic amounts of one or more active
8 ingredients which are not controlled substances.

9 6. Not more than 300 milligrams of ethylmorphine per
10 100 milliliters or not more than 15 milligrams per dosage
11 unit, with one or more active, nonnarcotic ingredients in
12 recognized therapeutic amounts.

13 7. Not more than 50 milligrams of morphine per 100
14 milliliters or per 100 grams, with recognized therapeutic
15 amounts of one or more active ingredients which are not
16 controlled substances.

17 (d) Anabolic steroids.

18 1. The term "anabolic steroid" means any drug or
19 hormonal substance, chemically and pharmacologically related
20 to testosterone, other than estrogens, progestins, and
21 corticosteroids, that promotes muscle growth and includes:

- 22 a. Androsterone.
- 23 b. Androsterone acetate.
- 24 c. Boldenone.
- 25 d. Boldenone acetate.
- 26 e. Boldenone benzoate.
- 27 f. Boldenone undecylenate.
- 28 g. Chlorotestosterone (4-chlortestosterone).
- 29 h. Clostebol.
- 30 i. Dehydrochlormethyltestosterone.
- 31 j. Dihydrotestosterone (4-dihydrotestosterone).

- 1 k. Drostanolone.
- 2 l. Ethylestrenol.
- 3 m. Fluoxymesterone.
- 4 n. Formebolone (formebolone).
- 5 o. Mesterolone.
- 6 p. Methandienone.
- 7 q. Methandranone.
- 8 r. Methandriol.
- 9 s. Methandrostenolone.
- 10 t. Methenolone.
- 11 u. Methyltestosterone.
- 12 v. Mibolerone.
- 13 w. Nandrolone.
- 14 x. Norethandrolone.
- 15 y. Nortestosterone.
- 16 z. Nortestosterone decanoate.
- 17 aa. Nortestosterone phenylpropionate.
- 18 bb. Nortestosterone propionate.
- 19 cc. Oxandrolone.
- 20 dd. Oxymesterone.
- 21 ee. Oxymetholone.
- 22 ff. Stanolone.
- 23 gg. Stanozolol.
- 24 hh. Testolactone.
- 25 ii. Testosterone.
- 26 jj. Testosterone acetate.
- 27 kk. Testosterone benzoate.
- 28 ll. Testosterone cypionate.
- 29 mm. Testosterone decanoate.
- 30 nn. Testosterone enanthate.
- 31 oo. Testosterone isocaproate.

1 pp. Testosterone oleate.
2 qq. Testosterone phenylpropionate.
3 rr. Testosterone propionate.
4 ss. Testosterone undecanoate.
5 tt. Trenbolone.
6 uu. Trenbolone acetate.
7 vv. Any salt, ester, or isomer of a drug or substance
8 described or listed in this subparagraph if that salt, ester,
9 or isomer promotes muscle growth.

10 2. The term does not include an anabolic steroid that
11 is expressly intended for administration through implants to
12 cattle or other nonhuman species and that has been approved by
13 the United States Secretary of Health and Human Services for
14 such administration. However, any person who prescribes,
15 dispenses, or distributes such a steroid for human use is
16 considered to have prescribed, dispensed, or distributed an
17 anabolic steroid within the meaning of this paragraph.

18 (e) Ketamine, including any isomers, esters, ethers,
19 salts, and salts of isomers, esters, and ethers, whenever the
20 existence of such isomers, esters, ethers, and salts is
21 possible within the specific chemical designation.

22 (4) SCHEDULE IV.--A substance in Schedule IV has a low
23 potential for abuse relative to the substances in Schedule III
24 and has a currently accepted medical use in treatment in the
25 United States, and abuse of the substance may lead to limited
26 physical or psychological dependence relative to the
27 substances in Schedule III. Unless specifically excepted or
28 unless listed in another schedule, any material, compound,
29 mixture, or preparation which contains any quantity of the
30 following substances, including its salts, isomers, and salts
31 of isomers whenever the existence of such salts, isomers, and

- 1 salts of isomers is possible within the specific chemical
2 designation, are controlled in Schedule IV:
- 3 (a) Alprazolam.
 - 4 (b) Barbital.
 - 5 (c) Bromazepam.
 - 6 (d) Camazepam.
 - 7 (e) Cathine.
 - 8 (f) Chloral betaine.
 - 9 (g) Chloral hydrate.
 - 10 (h) Chlordiazepoxide.
 - 11 (i) Clobazam.
 - 12 (j) Clonazepam.
 - 13 (k) Clorazepate.
 - 14 (l) Clotiazepam.
 - 15 (m) Cloxazolam.
 - 16 (n) Delorazepam.
 - 17 (o) Propoxyphene ~~Dextropropoxyphene~~ (dosage forms).
 - 18 (p) Diazepam.
 - 19 (q) Diethylpropion.
 - 20 (r) Estazolam.
 - 21 (s) Ethchlorvynol.
 - 22 (t) Ethinamate.
 - 23 (u) Ethyl loflazepate.
 - 24 (v) Fencamfamin.
 - 25 (w) Fenfluramine.
 - 26 (x) Fenproporex.
 - 27 (y) Fludiazepam.
 - 28 (z) Flurazepam.
 - 29 (aa) Halazepam.
 - 30 (bb) Haloxazolam.
 - 31 (cc) Ketazolam.

- 1 (dd) Loprazolam.
2 (ee) Lorazepam.
3 (ff) Lormetazepam.
4 (gg) Mazindol.
5 (hh) Mebutamate.
6 (ii) Medazepam.
7 (jj) Mefenorex.
8 (kk) Meprobamate.
9 (ll) Methohexital.
10 (mm) Methylphenobarbital.
11 (nn) Midazolam.
12 (oo) Nimetazepam.
13 (pp) Nitrazepam.
14 (qq) Nordiazepam.
15 (rr) Oxazepam.
16 (ss) Oxazolam.
17 (tt) Paraldehyde.
18 (uu) Pemoline.
19 (vv) Pentazocine.
20 (ww) Phenobarbital.
21 (xx) Phentermine.
22 (yy) Pinazepam.
23 (zz) Pipradrol.
24 (aaa) Prazepam.
25 (bbb) Propylhexedrine, excluding any patent or
26 proprietary preparation containing propylhexedrine, unless
27 otherwise provided by federal law.
28 (ccc) Quazepam.
29 (ddd) Tetrazepam.
30 (eee) SPA[(-)-1 dimethylamino-1, 2 diphenylethane].
31 (fff) Temazepam.

1 (ggg) Triazolam.

2 (hhh) Not more than 1 milligram of difenoxin and not
3 less than 25 micrograms of atropine sulfate per dosage unit.

4 (iii) Butorphanol tartrate.

5 Section 2. This act shall take effect October 1, 1998.

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 276

10 Provides that ketamine, including any isomers, esters, ethers,
11 salts, and salts of isomers, esters, and ethers, is a Schedule
12 III controlled substance.

13 Deletes reference to gamma-hydroxy-butyrate (GHB) from
14 Schedule II controlled substances and substitutes reference to
15 gamma-hydroxy-butyric-acid (GHB).

16 Deletes reference to dextropropoxyphene (in its non-dosage
17 form) in Schedule II and (in its dosage form) from Schedule
18 IV, and substitutes reference to propoxyphene in Schedules II
19 and IV.

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