



109668

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2015	.	
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The Committee on Criminal Justice (Clemens) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) is added to subsection (5) of
section 893.03, Florida Statutes, is amended to read:

893.03 Standards and schedules.—The substances enumerated
in this section are controlled by this chapter. The controlled
substances listed or to be listed in Schedules I, II, III, IV,
and V are included by whatever official, common, usual,



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11 chemical, or trade name designated. The provisions of this
12 section shall not be construed to include within any of the
13 schedules contained in this section any excluded drugs listed
14 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
15 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
16 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
17 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
18 Anabolic Steroid Products."

19 (5) SCHEDULE V.—A substance, compound, mixture, or
20 preparation of a substance in Schedule V has a low potential for
21 abuse relative to the substances in Schedule IV and has a
22 currently accepted medical use in treatment in the United
23 States, and abuse of such compound, mixture, or preparation may
24 lead to limited physical or psychological dependence relative to
25 the substances in Schedule IV.

26 (a) Substances controlled in Schedule V include any
27 compound, mixture, or preparation containing any of the
28 following limited quantities of controlled substances, which
29 shall include one or more active medicinal ingredients which are
30 not controlled substances in sufficient proportion to confer
31 upon the compound, mixture, or preparation valuable medicinal
32 qualities other than those possessed by the controlled substance
33 alone:

34 1. Not more than 200 milligrams of codeine per 100
35 milliliters or per 100 grams.

36 2. Not more than 100 milligrams of dihydrocodeine per 100
37 milliliters or per 100 grams.

38 3. Not more than 100 milligrams of ethylmorphine per 100
39 milliliters or per 100 grams.



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40 4. Not more than 2.5 milligrams of diphenoxylate and not
41 less than 25 micrograms of atropine sulfate per dosage unit.

42 5. Not more than 100 milligrams of opium per 100
43 milliliters or per 100 grams.

44 (b) Narcotic drugs. Unless specifically excepted or unless
45 listed in another schedule, any material, compound, mixture, or
46 preparation containing any of the following narcotic drugs and
47 their salts: Buprenorphine.

48 (c) Stimulants. Unless specifically excepted or unless
49 listed in another schedule, any material, compound, mixture, or
50 preparation which contains any quantity of the following
51 substances having a stimulant effect on the central nervous
52 system, including its salts, isomers, and salts of isomers:
53 Pyrovalerone.

54 (d) Kratom (Mitragyna speciosa).

55 Section 2. Subsection (11) is added to section 893.13,
56 Florida Statutes, to read:

57 893.13 Prohibited acts; penalties.—

58 (11) Notwithstanding any other provision of this section,
59 only a person younger than 21 years of age who possesses, sells,
60 manufactures, or delivers, or who possesses with intent to sell,
61 manufacture, or deliver, kratom, which is specified as a
62 Schedule V controlled substance in s. 893.03(5)(d), commits a
63 violation of this section.

64 Section 3. This act shall take effect October 1, 2015.

65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete everything before the enacting clause
68 and insert:



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69 A bill to be entitled
70 An act relating to controlled substances; amending s.
71 893.03, F.S.; including kratom as a Schedule V
72 controlled substance; amending s. 893.13, F.S.;
73 prohibiting a person younger than 21 years of age from
74 possessing a specified Schedule V controlled
75 substance; providing an effective date.