

SENATE BILL No. 103

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-2-8.

Synopsis: Schedule methamphetamine precursors. Makes materials, compounds, mixtures, or preparations that contain ephedrine or pseudoephedrine schedule III controlled substances that may be dispensed only by a prescription.

Effective: July 1, 2011.

Wyss, Head

January 5, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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SENATE BILL No. 103



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-48-2-8, AS AMENDED BY P.L.22-2008,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 8. (a) The controlled substances listed in this
4 section are included in schedule III.

5 (b) Stimulants. Unless specifically excepted or unless listed in
6 another schedule, any material, compound, mixture, or preparation
7 which contains any quantity of the following substances having a
8 stimulant effect on the central nervous system, including its salts,
9 isomers (whether optical, position, or geometric), and salts of such
10 isomers whenever the existence of such salts, isomers, and salts of
11 isomers is possible within the specific chemical designation:

12 (1) Those compounds, mixtures, or preparations in dosage unit
13 form containing any stimulant substances listed in schedule II
14 which compounds, mixtures, or preparations were listed on April
15 1, 1986, as excepted compounds under 21 CFR 1308.32, and any
16 other drug of the quantitative composition shown in that list for
17 those drugs or that is the same except that it contains a lesser



- 1 quantity of controlled substances (1405).
- 2 (2) Benzphetamine (1228).
- 3 (3) Chlorphentermine (1645).
- 4 (4) Clortermine (1647).
- 5 (5) Phendimetrazine (1615).
- 6 (c) Depressants. Unless specifically excepted or unless listed in
- 7 another schedule, any material, compound, mixture, or preparation
- 8 which contains any quantity of the following substances having a
- 9 depressant effect on the central nervous system:
- 10 (1) Any compound, mixture, or preparation containing:
- 11 (A) amobarbital (2126);
- 12 (B) secobarbital (2316);
- 13 (C) pentobarbital (2271); or
- 14 (D) any of their salts;
- 15 and one (1) or more other active medicinal ingredients which are
- 16 not listed in any schedule.
- 17 (2) Any suppository dosage form containing:
- 18 (A) amobarbital (2126);
- 19 (B) secobarbital (2316);
- 20 (C) pentobarbital (2271); or
- 21 (D) any of their salts;
- 22 and approved by the Food and Drug Administration for marketing
- 23 only as a suppository.
- 24 (3) Any substance which contains any quantity of a derivative of
- 25 barbituric acid, or any salt thereof (2100).
- 26 (4) Chlorhexadol (2510).
- 27 (5) Embutramide (2020).
- 28 (6) Lysergic acid (7300).
- 29 (7) Lysergic acid amide (7310).
- 30 (8) Methyprylon (2575).
- 31 (9) Sulfondiethylmethane (2600).
- 32 (10) Sulfonethylmethane (2605).
- 33 (11) Sulfonmethane (2610).
- 34 (12) A combination product containing Tiletamine and
- 35 Zolazepam or any salt thereof (Telazol) (7295).
- 36 (13) Any drug product containing gamma-hydroxybutyric acid,
- 37 including its salts, isomers, and salts of isomers, for which an
- 38 application is approved under section 505 of the federal Food,
- 39 Drug and Cosmetic Act, 21 U.S.C. 301 et seq. (2012).
- 40 (d) Nalorphine (a narcotic drug) (9400).
- 41 (e) Narcotic Drugs. Unless specifically excepted or unless listed in
- 42 another schedule, any material, compound, mixture, or preparation

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1 containing any of the following narcotic drugs, or their salts calculated
 2 as the free anhydrous base or alkaloid, in the following limited
 3 quantities:

4 (1) Not more than 1.8 grams of codeine, per 100 milliliters or not
 5 more than 90 milligrams per dosage unit, with an equal or greater
 6 quantity of an isoquinoline alkaloid of opium (9803).

7 (2) Not more than 1.8 grams of codeine, per 100 milliliters or not
 8 more than 90 milligrams per dosage unit, with one (1) or more
 9 active, nonnarcotic ingredients in recognized therapeutic amounts
 10 (9804).

11 (3) Not more than 300 milligrams of dihydrocodeinone, per 100
 12 milliliters or not more than 15 milligrams per dosage unit, with a
 13 fourfold or greater quantity of an isoquinoline alkaloid of opium
 14 (9805).

15 (4) Not more than 300 milligrams of dihydrocodeinone, per 100
 16 milliliters or not more than 15 milligrams per dosage unit, with
 17 one (1) or more active nonnarcotic ingredients in recognized
 18 therapeutic amounts (9806).

19 (5) Not more than 1.8 grams of dihydrocodeine, per 100 milliliters
 20 or not more than 90 milligrams per dosage unit, with one (1) or
 21 more active, nonnarcotic ingredients in recognized therapeutic
 22 amounts (9807).

23 (6) Not more than 300 milligrams of ethylmorphine, per 100
 24 milliliters or not more than 15 milligrams per dosage unit, with
 25 one (1) or more active, nonnarcotic ingredients in recognized
 26 therapeutic amounts (9808).

27 (7) Not more than 500 milligrams of opium per 100 milliliters or
 28 per 100 grams or not more than 25 milligrams per dosage unit,
 29 with one (1) or more active, nonnarcotic ingredients in recognized
 30 therapeutic amounts (9809).

31 (8) Not more than 50 milligrams of morphine, per 100 milliliters
 32 or per 100 grams with one (1) or more active nonnarcotic
 33 ingredients in recognized therapeutic amounts (9810).

34 (9) Buprenorphine (9064).

35 (f) Anabolic steroid (as defined in 21 U.S.C. 802(41)(A) and 21
 36 U.S.C. 802(41)(B)).

37 (g) The board shall except by rule any compound, mixture, or
 38 preparation containing any stimulant or depressant substance listed in
 39 subsections (b) through (e) from the application of any part of this
 40 article if the compound, mixture, or preparation contains one (1) or
 41 more active medicinal ingredients not having a stimulant or depressant
 42 effect on the central nervous system, and if the admixtures are included

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1 therein in combinations, quantity, proportion, or concentration that
2 vitiates the potential for abuse of the substances which have a stimulant
3 or depressant effect on the central nervous system.
4 (h) Any material, compound, mixture, or preparation which contains
5 any quantity of Ketamine (7285).
6 (i) Hallucinogenic substances:
7 Dronabinol (synthetic) in sesame oil and encapsulated in a soft
8 gelatin capsule in a United States Food and Drug Administration
9 approved drug product (7369).
10 (j) **A material, compound, mixture, or preparation that contains**
11 **a quantity of any of the following substances, pure or adulterated:**
12 **(1) Ephedrine.**
13 **(2) Pseudoephedrine.**

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