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Short Title: Revise Schedule of Controlled Substances. (Public)

Sponsors:

Referred to:

March 27, 2017

A BILL TO BE ENTITLED

AN ACT REVISING THE SCHEDULE OF CONTROLLED SUBSTANCES TO ADD SYNTHETIC FENTANYLS, DESIGNER HALLUCINOGENICS, SYNTHETIC CANNABINOIDS, SYSTEM DEPRESSANTS, AND OTHER SUBSTANCES AND MAKING CONFORMING CHANGES; AND CREATING THE TASK FORCE ON SENTENCING REFORMS FOR OPIOID DRUG CONVICTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known and may be cited as the "Synthetic Opioid and Other Dangerous Drug Control Act."

SECTION 2. G.S. 90-87 reads as rewritten:

"§ 90-87. Definitions.

As used in this Article:

...

(14a) The term "isomer" means, ~~except as used in G.S. 90-87(17)(d), G.S. 90-89(e), G.S. 90-90(1)d., and G.S. 90-95(h)(3), the optical isomer. As used in G.S. 90-89(e) the term "isomer" means the optical, position, or geometric isomer. As used in G.S. 90-87(17)(d), G.S. 90-90(1)d., and G.S. 90-95(h)(3) the term "isomer" means the optical isomer or diastereoisomer.~~ means any type of isomer, including structural, geometric, or optical isomers, and stereoisomers.

...

(17) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- a. ~~Opium and opiate,~~ Opium, opiate and opioid, and any salt, compound, derivative, or preparation of opium or opiate. opium, opiate, or opioid.
- b. Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause a, but not including the isoquinoline alkaloids of opium.
- c. Opium poppy and poppy straw.



d. Cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocanized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(18) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under G.S. 90-88, the dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(18a) "Opioid" means any synthetic narcotic drug having opiate-like activities but is not derived from opium.

...."

SECTION 3. G.S. 90-89 reads as rewritten:

"§ 90-89. Schedule I controlled substances.

This schedule includes the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated. In determining that a substance comes within this schedule, the Commission shall find: a high potential for abuse, no currently accepted medical use in the United States, or a lack of accepted safety for use in treatment under medical supervision. The following controlled substances are included in this schedule:

(1) Opiates. – Any of the following ~~opiates,~~ opiates or opioids, including the isomers, esters, ethers, salts and salts of isomers, esters, and ethers, unless specifically excepted, or listed in another schedule, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- a. Acetyl-alpha-methylfentanyl
(N[1-(1-methyl-2-phenethyl)-4/y-piperidinyl]-N-phenylacet amide).
- b. Acetylmethadol.
- c. Repealed by Session Laws 1987, c. 412, s. 2.
- d. Alpha-methylthiofentanyl
(N-[1-methyl-2-(2-thienyl)ethyl/y-4/y-piperidinyl]-N-phenylpropanamide).
- e. Allylprodine.
- f. ~~Alphacetylmethadol.~~ Alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl acetate and LAAM).
- g. Alphameprodine.
- h. Alphamethadol.
- i. Alpha-methylfentanyl (N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl) propionalilide; 1(1-methyl-2-phenyl-ethyl)-4-(N-propanilido) piperidine).
- j. Benzethidine.
- k. Betacetylmethadol.

1	<i>l.</i>	Beta-hydroxfentanyl
2		(N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide
3).
4	<i>m.</i>	Beta-hydroxy-3-methylfentanyl
5		(N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-pheny
6		lpropanamide).
7	<i>n.</i>	Betameprodine.
8	<i>o.</i>	Betamethadol.
9	<i>p.</i>	Betaprodine.
10	<i>q.</i>	Clonitazene.
11	<i>r.</i>	Dextromoramide.
12	<i>s.</i>	Diampromide.
13	<i>t.</i>	Diethylthiambutene.
14	<i>u.</i>	Difenoxin.
15	<i>v.</i>	Dimenoxadol.
16	<i>w.</i>	Dimepheptanol.
17	<i>x.</i>	Dimethylthiambutene.
18	<i>y.</i>	Dioxaphetyl butyrate.
19	<i>z.</i>	Dipipanone.
20	<i>aa.</i>	Ethylmethylthiambutene.
21	<i>bb.</i>	Etonitazene.
22	<i>cc.</i>	Etoxidine.
23	<i>dd.</i>	Furethidine.
24	<i>ee.</i>	Hydroxypethidine.
25	<i>ff.</i>	Ketobemidone.
26	<i>gg.</i>	Levomoramide.
27	<i>hh.</i>	Levophenacilmorphan.
28	<i>ii.</i>	1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
29	<i>jj.</i>	3-Methylfentanyl
30		(N-[3-methyl-1-(2-Phenylethyl)-4-Pi- peridyl]-N-Phenylpropanamid
31		e).
32	<i>kk.</i>	3-Methylthiofentanyl
33		(N-[(3-methyl-1-(2-thienyl)ethyl/y-4-piperidinyl]-N-phenylpropanam
34		ide).
35	<i>ll.</i>	Morpheridine.
36	<i>mm.</i>	Noracymethadol.
37	<i>nn.</i>	Norlevorphanol.
38	<i>oo.</i>	Normethadone.
39	<i>pp.</i>	Norpipanone.
40	<i>qq.</i>	Para-fluorofentanyl
41		(N-(4-fluorophenyl)-N-[1-(2-phen-ethyl)-4-piperidinyl]-propanamide
42		.
43	<i>rr.</i>	Phenadoxone.
44	<i>ss.</i>	Phenampromide.
45	<i>tt.</i>	1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
46	<i>uu.</i>	Phenomorphan.
47	<i>vv.</i>	Phenoperidine.
48	<i>ww.</i>	Piritramide.
49	<i>xx.</i>	Proheptazine.
50	<i>yy.</i>	Properidine.
51	<i>zz.</i>	Propiram.

- 1 aaa. Racemoramide.
 2 bbb. Thiofentanyl
 3 (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide.
 4 ccc. Tilidine.
 5 ddd. Trimeperidine.
 6 eee. Acetyl Fentanyl.
 7 fff.
 8 Trans-3,4-dichloro-N-(2(dimethylamino)cyclohexyl)-N-methyl-b
 9 enzamide (U47700).
 10 ggg. 3,4-dichloro-N([1(dimethylamino)cyclohexyl]methyl)benzamide;
 11 1-(3,4-dichlorobenzamidomethyl)cyclohexyldimethylamine) (also
 12 known as AH-7921).
 13 hhh. 3,4-dichloro-N-([diethylamino)cyclohexyl]-N-methylbenzamide
 14 (also known as U-49900).
 15 iii. U-77891.
 16 jjj. 1-phenylethylpiperidylidene-2-(4-chlorophenyl)sulfonamide;
 17 1-(4-nitrophenylethyl)piperidylidene-2-(4-chlorophenyl)sulfonamide;
 18 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]-benzenes
 19 ulfonamide (also known as W-18).
 20 kkk. 1-phenylethylpiperidylidene-2-(4-chlorophenyl)sulfonamide;
 21 4-chloro-N-[1-(2-phenylethyl)-2-piperidinylidene]-benzenesulfonami
 22 de (also known as W-15).
 23 lll. 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (also known as
 24 MT-45).
 25 (1a) Fentanyl derivatives. – Any compounds structurally derived from
 26 N-[1-(2-phenylethyl)-4-piperidinyl]-N-phenylpropanamide (Fentanyl) by
 27 any substitution on or replacement of the phenethyl group, any substitution
 28 on the piperidine ring, any substitution on or replacement of the
 29 propanamide group, any substitution on the anilido phenyl group, or any
 30 combination of the above unless specifically excepted or listed in another
 31 schedule to include their salts, isomers, and salts of isomers. Fentanyl
 32 derivatives include, but are not limited to, the following:
 33 a. N-(1-phenylethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide (also
 34 known as Furanyl Fentanyl).
 35 b. N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide;
 36 N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (also known as
 37 Butyryl Fentanyl).
 38 c.
 39 N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenyl
 40 propionamide;
 41 N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropana
 42 mide (also known as Beta-Hydroxythiofentanyl).
 43 d. N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]-2propenamide (also
 44 known as Acrylfentanyl).
 45 e. N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-pentanamide (also
 46 known as Valeryl Fentanyl).
 47 f.
 48 N-(2-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propana
 49 mide (also known as 2-fluorofentanyl).

- 1 g. N-(3-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propana
2 mid (also known as 3-fluorofentanyl).
3
4 h. N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carbox
5 amide (also known as tetrahydrofuran fentanyl).
6
7 i. N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]
8 -propanamide (also known as 4-fluoroisobutyryl fentanyl, 4-FIBF).
9
10 j. N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide
11 (also known as 4-fluorobutyryl fentanyl, 4-FBF).
12 (2) Opium derivatives. – Any of the following opium derivatives, including their
13 salts, isomers, and salts of isomers, unless specifically excepted, or listed in
14 another schedule, whenever the existence of such salts, isomers, and salts of
15 isomers is possible within the specific chemical designation:
16 a. Acetorphine.
17 b. Acetyldihydrocodeine.
18 c. Benzylmorphine.
19 d. Codeine methylbromide.
20 e. Codeine-N-Oxide.
21 f. Cyprenorphine.
22 g. Desomorphine.
23 h. Dihydromorphine.
24 i. Etorphine (except hydrochloride salt).
25 j. Heroin.
26 k. Hydromorphanol.
27 l. Methyldesorphine.
28 m. Methyldihydromorphine.
29 n. Morphine methylbromide.
30 o. Morphine methylsulfonate.
31 p. Morphine-N-Oxide.
32 q. Myrophine.
33 r. Nicocodeine.
34 s. Nicomorphine.
35 t. Normorphine.
36 u. Pholcodine.
37 v. Thebacon.
38 w. Drotebanol.
39 (3) Hallucinogenic substances. – Any material, compound, mixture, or
40 preparation which contains any quantity of the following hallucinogenic
41 substances, including their salts, isomers, and salts of isomers, unless
42 specifically excepted, or listed in another schedule, whenever the existence
43 of such salts, isomers, and salts of isomers is possible within the specific
44 chemical designation:
45 a. 3, 4-methylenedioxyamphetamine.
46 b. 5-methoxy-3, 4-methylenedioxyamphetamine.
47 c. 3, 4-Methylenedioxyamphetamine (MDMA).
48 d. 3,4-methylenedioxy-N-ethylamphetamine (also known as
49 N-ethyl-alpha-methyl-3,4-(methylenedioxy) phenethylamine, N-ethyl
50 MDA, MDE, and MDEA).

- 1 e. N-hydroxy-3,4-methylenedioxyamphetamine (also known as
2 N-hydroxy/y-alpha-methyl-3,4-(methylenedioxy) phenethylamine,
3 and N-hydroxy MDA).
- 4 f. 3, 4, 5-trimethoxyamphetamine.
- 5 g. Alpha-ethyltryptamine. Some trade or other names: etryptamine,
6 Monase, alpha-ethyl-1H-indole-3-ethanamine, 3-(2-aminobutyl)
7 indole, alpha-ET, and AET.
- 8 h. Bufotenine.
- 9 i. Diethyltryptamine.
- 10 j. Dimethyltryptamine.
- 11 k. 4-methyl-2, 5-dimethoxyamphetamine.
- 12 l. Ibogaine.
- 13 m. Lysergic acid diethylamide.
- 14 n. Mescaline.
- 15 o. Peyote, meaning all parts of the plant presently classified botanically
16 as Lophophora Williamsii Lemaire, whether growing or not; the
17 seeds thereof; any extract from any part of such plant; and every
18 compound, manufacture, salt, derivative, mixture or preparation of
19 such plant, its seed or extracts.
- 20 p. N-ethyl-3-piperidyl benzilate.
- 21 q. N-methyl-3-piperidyl benzilate.
- 22 r. Psilocybin.
- 23 s. Psilocin.
- 24 t. 2, 5-dimethoxyamphetamine.
- 25 u. 2, 5-dimethoxy-4-ethylamphetamine. Some trade or other names:
26 DOET.
- 27 v. 4-bromo-2, 5-dimethoxyamphetamine.
- 28 w. 4-methoxyamphetamine.
- 29 x. Ethylamine analog of phencyclidine. Some trade or other names:
30 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine,
31 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.
- 32 y. Pyrrolidine analog of phencyclidine. Some trade or other names:
33 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
- 34 z. Thiophene analog of phencyclidine. Some trade or other names:
35 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of
36 phencyclidine, TPCP, TCP.
- 37 aa. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names: TCPy.
- 38 bb. Parahexyl.
- 39 cc. 4-Bromo-2, 5-Dimethoxyphenethylamine.
- 40 dd. Alpha-Methyltryptamine.
- 41 ee. 5-Methoxy-n-diisopropyltryptamine.
- 42 ff. Methoxetamine (other names: MXE, 3-MeO-2-Oxo-PCE).
- 43 gg. BTCP (Benzothiophenylcyclohexylpiperidine).
- 44 hh. Deschloroketamine.
- 45 jj. 3-MeO-PCP (3-methoxyphencyclidine).
- 46 kk. 4-hydroxy-MET.
- 47 ll. 4-OH-MiPT (4-hydroxy-N-methyl-N-isopropyltryptamine).
- 48 mm. 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT).
- 49 (4) Systemic depressants. – Any material compound, mixture, or preparation
50 which contains any quantity of the following substances having a depressant
51 effect on the central nervous system, including its salts, isomers, and salts of

- 1 isomers whenever the existence of such salts, isomers, and salts of isomers is
2 possible within the specific chemical designation, unless specifically
3 excepted or unless listed in another schedule:
- 4 a. Mecloqualone.
 - 5 b. Methaqualone.
 - 6 c. Gamma hydroxybutyric acid; Some other names: GHB,
7 gamma-hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic
8 acid; sodium oxybate; sodium oxybutyrate.
 - 9 d. Etizolam.
 - 10 e. Flubromazepam.
 - 11 f. Phenazepam.
- 12 (5) Stimulants. – Unless specifically excepted or unless listed in another
13 schedule, any material, compound, mixture, or preparation that contains any
14 quantity of the following substances having a stimulant effect on the central
15 nervous system, including its salts, isomers, and salts of isomers:
- 16 a. Aminorex. Some trade or other names: aminoxaphen;
17 2-amino-5-phenyl-2-oxazoline; or
18 4,5-dihydro-5-phenyl-2-oxazolamine.
 - 19 b. Cathinone. Some trade or other names:
20 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
21 2-aminopropiophenone, and norephedrone.
 - 22 c. Fenethylamine.
 - 23 d. Methcathinone. Some trade or other names:
24 2-(methylamino)- propiophenone,
25 alpha-(methylamino)propiophenone,
26 2-(methylamino)-1-phenylpropan-1-one,
27 alpha-N-methylamino- propiophenone, monomethylpropion,
28 ephedrone, N-methylcathinone, methylcathinone, AL-464, AL-422,
29 AL-463, and UR1432.
 - 30 e. (+)-cis-4-methylaminorex
31 [(+)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine] (also known
32 as 2-amino-4-methyl-5-phenyl-2-oxazoline).
 - 33 f. N,N-dimethylamphetamine. Some other names:
34 N,N,alpha-tri- methylbenzeneethanamine;
35 N,N,alpha-trimethylphenethylamine.
 - 36 g. N-ethylamphetamine.
 - 37 h. 4-methylmethcathinone (also known as mephedrone).
 - 38 i. 3,4-Methylenedioxypyrovalerone (also known as MDPV).
 - 39 j. Substituted cathinones. A compound, other than bupropion, that is
40 structurally derived from 2-amino-1-phenyl-1-propanone by
41 modification in any of the following ways: (i) by substitution in the
42 phenyl ring to any extent with alkyl, alkoxy, alkylendioxy,
43 haloalkyl, or halide substituents, whether or not further substituted in
44 the phenyl ring by one or more other univalent substituents; (ii) by
45 substitution at the 3-position ~~with an alkyl substituent; to any extent;~~
46 or (iii) by substitution at the nitrogen atom with ~~alkyl or dialkyl~~
47 alkyl, dialkyl, benzyl, or methoxybenzyl groups or by inclusion of
48 the nitrogen atom in a cyclic structure.
 - 49 k. N-Benzylpiperazine.
 - 50 l. 2,5 – Dimethoxy-4-(n)-propylthiophenethylamine.

- 1 (6) ~~NBOMe Compounds.~~ NBOMe compounds. – Any material compound,
2 mixture, or preparation which contains any quantity of the following
3 substances, including its salts, isomers, and salts of isomers whenever the
4 existence of such salts, isomers, and salts of isomers is possible within the
5 specific chemical designation unless specifically excepted or unless listed in
6 another schedule:
- 7 a. 25B-NBOMe
8 (2C-B-NBOMe)-2-(4-Bromo-2,5-dimethoxyphenyl)-N-(2-methoxyb
9 enzy)ethanamine.
 - 10 b. 25C-NBOMe
11 (2C-C-NBOMe)-2-(4-Chloro-2,5-dimethoxyphenyl)-N-(2-methoxyb
12 enzy)ethanamine.
 - 13 c. 25D-NBOMe
14 (2C-D-NBOMe)-2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxyb
15 enzy)ethanamine.
 - 16 d. 25E-NBOMe
17 (2C-E-NBOMe)-2-(4-Ethyl-2,5-dimethoxyphenyl)-N-(2-methoxyben
18 zyl)ethanamine.
 - 19 e. 25G-NBOMe
20 (2C-G-NBOMe)-2-(2,5-dimethoxy-3,4-dimethylphenyl)-N-(2-metho
21 xybenzy)ethanamine.
 - 22 f. 25H-NBOMe
23 (2C-H-NBOMe)-2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzy)etha
24 namine.
 - 25 g. 25I-NBOMe
26 (2C-I-NBOMe)-2-(4-Iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenz
27 yl)ethanamine.
 - 28 h. 25N-NBOMe
29 (2C-N-NBOMe)-2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxyben
30 zyl)ethanamine.
 - 31 i. 25P-NBOMe
32 (2C-P-NBOMe)-2-(4-Propyl-2,5-dimethoxyphenyl)-N-(2-methoxybe
33 nzy)ethanamine.
 - 34 j. 25T2-NBOMe
35 (2C-T2-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-(
36 methylthio)-benzeneethanamine.
 - 37 k. 25T4-NBOMe
38 (2C-T4-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-[(
39 1-methylethyl)thio]-benzeneethanamine.
 - 40 l. 25T7-NBOMe
41 (2C-T7-NBOMe)-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-4-(p
42 ropylthio)-benzeneethanamine.
- 43 (7) Synthetic cannabinoids. – Any quantity of any synthetic chemical compound
44 that (i) is a cannabinoid receptor agonist and mimics the pharmacological
45 effect of naturally occurring substances or (ii) has a stimulant, depressant, or
46 hallucinogenic effect on the central nervous system that is not listed as a
47 controlled substance in Schedules I through V, and is not an FDA-approved
48 drug. Synthetic cannabinoids include, but are not limited to, the substances
49 listed in sub-subdivisions a. through p. of this subdivision and any substance
50 that contains any quantity of their salts, isomers (whether optical, positional,
51 or geometric), homologues, and salts of isomers and homologues, unless

1 specifically excepted, whenever the existence of these salts, isomers,
2 homologues, and salts of isomers and homologues is possible within the
3 specific chemical designation. The following substances are examples of
4 synthetic cannabinoids and are not intended to be inclusive of the substances
5 included in this Schedule:

- 6 a. Naphthoylindoles. Any compound containing a
7 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom
8 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
9 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or
10 2-(4-morpholinyl)ethyl group, whether or not further substituted in
11 the indole ring to any extent and whether or not substituted in the
12 naphthyl ring to any extent. Some trade or other names: JWH-015,
13 JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200,
14 JWH-210, JWH-398, AM-2201, and WIN 55-212.
- 15 b. Naphthylmethyloindoles. Any compound containing a
16 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the
17 nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
18 cycloalkylmethyl, cycloalkylethyl,
19 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
20 whether or not further substituted in the indole ring to any extent and
21 whether or not substituted in the naphthyl ring to any extent.
- 22 c. Naphthoylpyrroles. Any compound containing a
23 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen
24 atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl,
25 cycloalkylmethyl, cycloalkylethyl,
26 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
27 whether or not further substituted in the pyrrole ring to any extent
28 and whether or not substituted in the naphthyl ring to any extent.
29 Another name: JWH-307.
- 30 d. Naphthylmethyloindenes. Any compound containing a
31 naphthylideneindene structure with substitution at the 3-position of
32 the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
33 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or
34 2-(4-morpholinyl)ethyl group, whether or not further substituted in
35 the indene ring to any extent and whether or not substituted in the
36 naphthyl ring to any extent.
- 37 e. Phenylacetylindoles. Any compound containing a
38 3-phenylacetylindole structure with substitution at the nitrogen atom
39 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
40 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or
41 2-(4-morpholinyl)ethyl group, whether or not further substituted in
42 the indole ring to any extent and whether or not substituted in the
43 phenyl ring to any extent. Some trade or other names: SR-18, RCS-8,
44 JWH-250, and JWH-203.
- 45 f. Cyclohexylphenols. Any compound containing a
46 2-(3-hydroxycyclohexyl)phenol structure with substitution at the
47 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl,
48 cycloalkylmethyl, cycloalkylethyl,
49 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
50 whether or not substituted in the cyclohexyl ring to any extent. Some

- 1 trade or other names: CP 47,497 (and homologues),
2 cannabicyclohexanol.
- 3 g. Benzoylindoles. Any compound containing a 3-(benzoyl)indole
4 structure with substitution at the nitrogen atom of the indole ring by
5 an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group,
7 whether or not further substituted in the indole ring to any extent and
8 whether or not substituted in the phenyl ring to any extent. Some
9 trade or other names: AM-694, Pravadoline (WIN 48,098), and
10 RCS-4.
- 11 h. 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,
12 4-benzoxazin-6-yl]-1-naphthalenylmethanone. Some trade or other
13 name: WIN 55,212-2.
- 14 i. (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)
15 - 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol 7370. Some trade or
16 other name: HU-210.
- 17 j. 3-(cyclopropylmethanone) indole or 3-(cyclobutylmethanone) indole
18 or 3-(cyclopentylmethanone) indole by substitution at the nitrogen
19 atom of the indole ring, whether or not further substituted in the
20 indole ring to any extent, whether or not further substituted on the
21 cyclopropyl, cyclobutyl, or cyclopentyl rings to any extent.
22 Substances in this class include, but are not limited to: UR-144,
23 fluoro-UR-144, XLR-11, A-796,260, and A-834,735.
- 24 k. Indole carboxaldehydes. Any compound structurally derived from
25 1H-indole-3-carboxaldehyde or 1H-indole-2-carboxaldehyde
26 substituted in both of the following ways:
- 27 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
28 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
29 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
30 1-(N-methyl-2-pyrrolidinyl)methyl,
31 1-(N-methyl-3-morpholinyl)methyl,
32 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
- 33 2. At the carbon of the carboxaldehyde by a phenyl, benzyl,
34 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
35 whether or not the compound is further modified to any extent in the
36 following ways: (i) substitution to the indole ring to any extent, (ii)
37 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
38 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
39 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
40 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
41 in this class include, but are not limited to: AB-001.
- 42 l. Indole carboxamides. Any compound structurally derived from
43 1H-indole-3-carboxamide or 1H-indole-2-carboxamide substituted in
44 both of the following ways:
- 45 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
46 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
47 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
48 1-(N-methyl-2-pyrrolidinyl)methyl,
49 1-(N-methyl-3-morpholinyl)methyl,
50 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and

- 1 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
2 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
3 whether or not the compound is further modified to any extent in the
4 following ways: (i) substitution to the indole ring to any extent, (ii)
5 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
6 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
7 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
8 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
9 in this class include, but are not limited to: SDB-001 and STS-135.
- 10 m. Indole carboxylic acids. Any compound structurally derived from
11 1H-indole-3-carboxylic acid or 1H-indole-2-carboxylic acid
12 substituted in both of the following ways:
- 13 1. At the nitrogen atom of the indole ring by an alkyl, haloalkyl,
14 cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
15 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
16 1-(N-methyl-2-pyrrolidinyl)methyl,
17 1-(N-methyl-3-morpholinyl)methyl,
18 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
- 19 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
20 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
21 whether or not the compound is further modified to any
22 extent in the following ways: (i) substitution to the indole ring
23 to any extent, (ii) substitution to the phenyl, benzyl, naphthyl,
24 adamantyl, cyclopropyl, or propionaldehyde group to any
25 extent, (iii) a nitrogen heterocyclic analog of the indole ring,
26 or (iv) a nitrogen heterocyclic analog of the phenyl, benzyl,
27 naphthyl, adamantyl, or cyclopropyl ring. Substances in this
28 class include, but are not limited to: SDB-001 and STS-135.
29 whether or not the compound is further modified to any extent in the
30 following ways: (i) substitution to the indole ring to any extent, (ii)
31 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
32 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
33 analog of the indole ring, or (iv) a nitrogen heterocyclic analog of the
34 phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring. Substances
35 in this class include, but are not limited to: PB-22 and fluoro-PB-22.
- 36 n. Indazole carboxaldehydes. Any compound structurally derived from
37 1H-indazole-3-carboxaldehyde or 1H-indazole-2-carboxaldehyde
38 substituted in both of the following ways:
- 39 1. At the nitrogen atom of the indazole ring by an alkyl,
40 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
41 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
42 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
43 1-(N-methyl-3-morpholinyl)methyl,
44 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
- 45 2. At the carbon of the carboxaldehyde by a phenyl, benzyl,
46 whether or not the compound is further modified to any extent in the
47 following ways: (i) substitution to the indazole ring to any extent, (ii)
48 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
49 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
50 analog of the indazole ring, or (iv) a nitrogen heterocyclic analog of
51 the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.

- 1 o. Indazole carboxamides. Any compound structurally derived from
2 1H-indazole-3-carboxamide or 1H-indazole-2-carboxamide
3 substituted in both of the following ways:
4 1. At the nitrogen atom of the indazole ring by an alkyl,
5 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
6 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
7 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
8 1-(N-methyl-3-morpholinyl)methyl,
9 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
10 2. At the nitrogen of the carboxamide by a phenyl, benzyl,
11 naphthyl, adamantyl, cyclopropyl, or propionaldehyde group;
12 whether or not the compound is further modified to any extent in the
13 following ways: (i) substitution to the indazole ring to any extent, (ii)
14 substitution to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,
15 or propionaldehyde group to any extent, (iii) a nitrogen heterocyclic
16 analog of the indazole ring, or (iv) a nitrogen heterocyclic analog of
17 the phenyl, benzyl, naphthyl, adamantyl, or cyclopropyl ring.
18 Substances in this class include, but are not limited to: AKB-48,
19 fluoro-AKB-48, APINCACA, AB-PINACA, AB-FUBINACA,
20 ADB-FUBINACA, and ADB-PINACA.
- 21 p. Indazole carboxylic acids. Any compound structurally derived from
22 1H-indazole-3-carboxylic acid or 1H-indazole-2-carboxylic acid
23 substituted in both of the following ways:
24 1. At the nitrogen atom of the indazole ring by an alkyl,
25 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
26 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
27 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
28 1-(N-methyl-3-morpholinyl)methyl,
29 tetrahydropyranylmethyl, benzyl, or halo benzyl group; and
30 2. At the hydroxyl group of the carboxylic acid by a phenyl,
31 benzyl, naphthyl, adamantyl, cyclopropyl, or
32 propionaldehyde group; whether or not the compound is
33 further modified to any extent in the following ways: (i)
34 substitution to the indazole ring to any extent, (ii) substitution
35 to the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl, or
36 propionaldehyde group to any extent, (iii) a nitrogen
37 heterocyclic analog of the indazole ring, or (iv) a nitrogen
38 heterocyclic analog of the phenyl, benzyl, naphthyl,
39 adamantyl, or cyclopropyl ring.
- 40 q. Carbazoles. Any compound containing a carbazole ring system with
41 a substituent on the nitrogen atom and bearing an additional
42 substituent at the 1, 2, or 3 position of the carbazole ring system, with
43 a linkage connecting the ring system to the substituent:
44 1. Where the linkage connecting the carbazole ring system to
45 the substituent if its 1, 2, or 3 position is any of the following:
46 Alkyl, Carbonyl, Ester, Thione, Thioester, Amino,
47 Alkylamino, Amido, or Alkylamido.
48 2. Where the substituent at the 1, 2, or 3 position of the
49 carbazole ring system, disregarding the linkage, is any of the
50 following groups: Naphthyl, Quinolinyl, Adamantyl, Phenyl,
51 Cycloalkyl (limited to cyclopropyl, cyclobutyl, cyclopentyl,

1 or cyclohexyl), Biphenyl, Alkylamido (limited to ethylamido,
 2 propylamido, butanamido, pentamido), Benzyl, Carboxylic
 3 acid, Ester, Ether, Phenylpropylamido, or
 4 Phenylpropylamino; whether or not further substituted in
 5 either of the following ways: (i) the substituent at the 1, 2, or
 6 3 position of the carbazole ring system, disregarding the
 7 linkage, is further substituted to any extent (ii) further
 8 substitution on the carbazole ring system to any extent. This
 9 class includes, but is not limited to, the following: MDMA
 10 CHMCZCA, EG-018, and EG-2201.

- 11 r. Naphthoynaphthalenes. Any compound structurally derived from
 12 naphthalene-1-yl-(naphthalene-1-yl) methanone with substitutions on
 13 either of the naphthalene rings to any extent. Substances in this class
 14 include, but are not limited to: CB-13."

15 **SECTION 4.** G.S. 90-90 reads as rewritten:

16 **"§ 90-90. Schedule II controlled substances.**

17 This schedule includes the controlled substances listed or to be listed by whatever official
 18 name, common or usual name, chemical name, or trade name designated. In determining that a
 19 substance comes within this schedule, the Commission shall find: a high potential for abuse;
 20 currently accepted medical use in the United States, or currently accepted medical use with
 21 severe restrictions; and the abuse of the substance may lead to severe psychic or physical
 22 dependence. The following controlled substances are included in this schedule:

- 23 (1) Any of the following substances whether produced directly or indirectly by
 24 extraction from substances of vegetable origin, or independently by means
 25 of chemical synthesis, or by a combination of extraction and chemical
 26 synthesis, unless specifically excepted or unless listed in another schedule:
- 27 a. ~~Opium and Opium~~, opiate, or opioid and any salt, compound,
 28 derivative, or preparation of opium and opiate, excluding
 29 apomorphine, nalbuphine, dextrophan, naloxone, naltrexone and
 30 nalmefene, and their respective salts, but including the following:
- 31 1. Raw opium.
 - 32 2. Opium extracts.
 - 33 3. Opium fluid extracts.
 - 34 4. Powdered opium.
 - 35 5. Granulated opium.
 - 36 6. Tincture of opium.
 - 37 7. Codeine.
 - 38 8. Ethylmorphine.
 - 39 9. Etorphine hydrochloride.
 - 40 10. ~~Hydrocodone~~ Any material, compound, mixture, or
 41 preparation which contains any quantity of hydrocodone.
 - 42 11. Hydromorphone.
 - 43 12. Metopon.
 - 44 13. Morphine.
 - 45 14. Oxycodone.
 - 46 15. Oxymorphone.
 - 47 16. Thebaine.
 - 48 17. Dihydroetorphine.
- 49 b. Any salt, compound, derivative, or preparation thereof which is
 50 chemically equivalent or identical with any of the substances referred

- 1 to in paragraph 1 of this subdivision, except that these substances
 2 shall not include the isoquinoline alkaloids of opium.
- 3 c. Opium poppy and poppy straw.
- 4 d. Cocaine and any salt, isomer, salts of isomers, compound, derivative,
 5 or preparation thereof, or coca leaves and any salt, isomer, salts of
 6 isomers, compound, derivative, or preparation of coca leaves, or any
 7 salt, isomer, salts of isomers, compound, derivative, or preparation
 8 thereof which is chemically equivalent or identical with any of these
 9 substances, except that the substances shall not include decocanized
 10 coca leaves or extraction of coca leaves, which extractions do not
 11 contain cocaine or ecgonine.
- 12 e. Concentrate of poppy straw (the crude extract of poppy straw in
 13 either liquid, solid or powder form which contains the phenanthrine
 14 alkaloids of the opium poppy).
- 15 (2) Any of the following ~~opiates,~~ opiates or opioids, including their isomers,
 16 esters, ethers, salts, and salts of isomers, whenever the existence of such
 17 isomers, esters, ethers, and salts is possible within the specific chemical
 18 designation unless specifically exempted or listed in other schedules:
- 19 a. Alfentanil.
- 20 b. Alphaprodine.
- 21 c. Anileridine.
- 22 d. Bezitramide.
- 23 e. Carfentanil.
- 24 f. Dihydrocodeine.
- 25 g. Diphenoxylate.
- 26 h. Fentanyl.
- 27 i. Isomethadone.
- 28 j. Levo-alphaacetylmethadol. Some trade or other names:
 29 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM.
- 30 k. Levomethorphan.
- 31 l. Levorphanol.
- 32 m. Metazocine.
- 33 n. Methadone.
- 34 o. Methadone – Intermediate, 4-cyano-2-dimethylamino-4,
 35 4/y- diphenyl butane.
- 36 p. Moramide – Intermediate, 2-methyl-3-morpholino-1,
 37 1-diphenyl-propane-carboxylic acid.
- 38 q. Pethidine.
- 39 r. Pethidine – Intermediate – A,
 40 4-cyano-1-methyl-4/y-phenylpiperidine.
- 41 s. Pethidine – Intermediate – B,
 42 ethyl-4-phenylpiperidine-4-carboxylate.
- 43 t. Pethidine – Intermediate – C,
 44 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 45 u. Phenazocine.
- 46 v. Piminodine.
- 47 w. Racemethorphan.
- 48 x. Racemorphan.
- 49 y. Remifentanil.
- 50 z. Sufentanil.
- 51 aa. Tapentadol.

1 "

2 **SECTION 5.** G.S. 90-91 reads as rewritten:

3 "**§ 90-91. Schedule III controlled substances.**

4 This schedule includes the controlled substances listed or to be listed by whatever official
5 name, common or usual name, chemical name, or trade name designated. In determining that a
6 substance comes within this schedule, the Commission shall find: a potential for abuse less than
7 the substances listed in Schedules I and II; currently accepted medical use in the United States;
8 and abuse may lead to moderate or low physical dependence or high psychological dependence.
9 The following controlled substances are included in this schedule:

10 ...

11 (d) Any material, compound, mixture, or preparation containing limited quantities of
12 any of the following narcotic drugs, or any salts thereof unless specifically exempted or listed
13 in another schedule:

- 14 1. Not more than 1.80 grams of codeine per 100 milliliters or not more than 90
15 milligrams per dosage unit with an equal or greater quantity of an
16 isoquinoline alkaloid of opium.
- 17 2. Not more than 1.80 grams of codeine per 100 milliliters or not more than 90
18 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
19 in recognized therapeutic amounts.
- 20 ~~3. Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
21 ~~more than 15 milligrams per dosage unit with a four fold or greater quantity~~
22 ~~of an isoquinoline alkaloid of opium.~~
- 23 ~~4. Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
24 ~~more than 15 milligrams per dosage unit, with one or more active,~~
25 ~~nonnarcotic ingredients in recognized therapeutic amounts.~~
- 26 5. Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more
27 than 90 milligrams per dosage unit, with one or more active, nonnarcotic
28 ingredients in recognized therapeutic amounts.
- 29 6. Not more than 300 milligrams of ethylmorphine per 100 milliliters or not
30 more than 15 milligrams per dosage unit, with one or more active,
31 nonnarcotic ingredients in recognized therapeutic amounts.
- 32 7. Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
33 or not more than 25 milligrams per dosage unit, with one or more active,
34 nonnarcotic ingredients in recognized therapeutic amounts.
- 35 8. Not more than 50 milligrams of morphine per 100 milliliters or per 100
36 grams with one or more active, nonnarcotic ingredients in recognized
37 therapeutic amounts.
- 38 9. Buprenorphine.

39 ...

40 (k) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal
41 substance, chemically and pharmacologically related to testosterone (other than estrogens,
42 progestins, and corticosteroids) that promotes muscle growth, including, but not limited to, the
43 following:

- 44 1. Methandrostenolone,
- 45 2. Stanozolol,
- 46 3. Ethylestrenol,
- 47 4. Nandrolone phenpropionate,
- 48 5. Nandrolone decanoate,
- 49 6. Testosterone propionate,
- 50 7. Chorionic gonadotropin,
- 51 8. Boldenone,

- 1 8a. Boldione,
2 9. Chlorotestosterone (4-chlorotestosterone),
3 10. Clostebol,
4 11. Dehydrochlormethyltestosterone,
5 11a. Desoxymethyltestosterone
6 (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol) (also known as
7 madol),
8 12. Dibydrotestosterone (4-dihydrotestosterone),
9 13. Drostanolone,
10 14. Fluoxymesterone,
11 15. Formebolone (formebolone),
12 16. Mesterolene,
13 17. Methandienone,
14 18. Methandranone,
15 19. Methandriol,
16 19a. Methasterone,
17 20. Methenolene,
18 21. Methyltestosterone,
19 22. Mibolerone,
20 23. Nandrolene,
21 24. Norethandrolene,
22 25. Oxandrolone,
23 26. Oxymesterone,
24 27. Oxymetholone,
25 28. Stanolone,
26 29. Testolactone,
27 30. Testosterone,
28 31. Trenbolone,~~and~~
29 31a. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione), and
30 32. Any salt, ester, or isomer of a drug or substance described or listed in this
31 subsection, if that salt, ester, or isomer promotes muscle growth. Except
32 such term does not include (i) an anabolic steroid which is expressly
33 intended for administration through implants to cattle or other nonhuman
34 species and which has been approved by the Secretary of Health and Human
35 Services for such administration or (ii) chorionic gonadotropin when
36 administered by injection for veterinary use by a licensed veterinarian or the
37 veterinarian's designated agent. If any person prescribes, dispenses, or
38 distributes such steroid for human use, such person shall be considered to
39 have prescribed, dispensed, or distributed an anabolic steroid within the
40 meaning of this subsection.

41 "

42 **SECTION 6.** G.S. 90-92 reads as rewritten:

43 **"§ 90-92. Schedule IV controlled substances.**

44 (a) This schedule includes the controlled substances listed or to be listed by whatever
45 official name, common or usual name, chemical name, or trade name designated. In
46 determining that a substance comes within this schedule, the Commission shall find: a low
47 potential for abuse relative to the substances listed in Schedule III of this Article; currently
48 accepted medical use in the United States; and limited physical or psychological dependence
49 relative to the substances listed in Schedule III of this Article. The following controlled
50 substances are included in this schedule:

- 1 (1) Depressants. – Unless specifically excepted or unless listed in another
2 schedule, any material, compound, mixture, or preparation which contains
3 any quantity of the following substances, including its salts, isomers, and
4 salts of isomers whenever the existence of such salts, isomers, and salts of
5 isomers is possible within the specific chemical designation:
- 6 a. Alprazolam.
 - 7 b. Barbitol.
 - 8 c. Bromazepam.
 - 9 d. Camazepam.
 - 10 d1. Carisoprodol.
 - 11 e. Chloral betaine.
 - 12 f. Chloral hydrate.
 - 13 g. Chlordiazepoxide.
 - 14 h. Clobazam.
 - 15 i. Clonazepam.
 - 16 j. Clorazepate.
 - 17 k. Clotiazepam.
 - 18 l. Cloxazolam.
 - 19 m. Delorazepam.
 - 20 n. Diazepam.
 - 21 n1. Dichloralphenazone.
 - 22 o. Estazolam.
 - 23 p. Ethchlorvynol.
 - 24 q. Ethinamate.
 - 25 r. Ethyl loflazepate.
 - 26 s. Fludiazepam.
 - 27 t. Flunitrazepam.
 - 28 u. Flurazepam.
 - 29 u1. Fospropol.
 - 30 v. Repealed by Session Laws 2000, c. 140, s. 92.2(c).
 - 31 w. Halazepam.
 - 32 x. Haloxazolam.
 - 33 y. Ketazolam.
 - 34 z. Loprazolam.
 - 35 aa. Lorazepam.
 - 36 bb. Lormetazepam.
 - 37 cc. Mebutamate.
 - 38 dd. Medazepam.
 - 39 ee. Meprobamate.
 - 40 ff. Methohexital.
 - 41 gg. Methylphenobarbital (mephobarbital).
 - 42 hh. Midazolam.
 - 43 ii. Nimetazepam.
 - 44 jj. Nitrazepam.
 - 45 kk. Nordiazepam.
 - 46 ll. Oxazepam.
 - 47 mm. Oxazolam.
 - 48 nn. Paraldehyde.
 - 49 oo. Petrichloral.
 - 50 pp. Phenobarbital.
 - 51 qq. Pinazepam.

- 1 rr. Prazepam.
 2 ss. Quazepam.
 3 tt. Temazepam.
 4 uu. Tetrazepam.
 5 vv. Triazolam.
 6 ww. Zolpidem.
 7 xx. Zaleplon.
 8 yy. Zopiclone.

- 9 ...
 10 (5) Narcotic Drugs. – Unless specifically excepted or unless listed in another
 11 schedule, any material, compound, mixture, or preparation containing
 12 limited quantities of any of the following narcotic drugs, or any salts thereof:
 13 a. Not more than 1 milligram of difenoxin and not less than 25
 14 micrograms of atropine sulfate per dosage unit.
 15 b. ~~Buprenorphine.~~
 16 c. Tramadol."

17 **SECTION 7.** G.S. 90-93(a) is amended by adding a new subdivision to read:

18 **"§ 90-93. Schedule V controlled substances.**

19 (a) This schedule includes the controlled substances listed or to be listed by whatever
 20 official name, common or usual name, chemical name, or trade name designated. In
 21 determining that a substance comes within this schedule, the Commission shall find: a low
 22 potential for abuse relative to the substances listed in Schedule IV of this Article; currently
 23 accepted medical use in the United States; and limited physical or psychological dependence
 24 relative to the substances listed in Schedule IV of this Article. The following controlled
 25 substances are included in this schedule:

- 26 ...
 27 (4) Anticonvulsants. – Unless specifically exempted or excluded or unless listed
 28 in another schedule, any material, compound, mixture, or preparation which
 29 contains any quantity of the following substances having a stimulant effect
 30 on the central nervous system, including its salts, isomers, and salts of
 31 isomers:
 32 a. Ezogabine.
 33 b. Lacosamide.
 34 c. Brivaracetam.
 35 d. Pregabalin."

36 **SECTION 8.** G.S. 90-94(3) is repealed.

37 **SECTION 9.** G.S. 14-17 reads as rewritten:

38 **"§ 14-17. Murder in the first and second degree defined; punishment.**

39 ...
 40 (b) A murder other than described in subsection (a) of this section or in G.S. 14-23.2
 41 shall be deemed second degree murder. Any person who commits second degree murder shall
 42 be punished as a Class B1 felon, except that a person who commits second degree murder shall
 43 be punished as a Class B2 felon in either of the following circumstances:

- 44 ...
 45 (2) The murder is one that was proximately caused by the unlawful distribution
 46 of ~~opium or any opium, opiate, or opioid;~~ any synthetic or natural salt,
 47 compound, derivative, or preparation of opium, or ~~opiate, or opioid;~~ cocaine
 48 or other substance described in ~~G.S. 90-90(1)d.,~~ or
 49 ~~methamphetamine;~~ G.S. 90-90(1)d.; methamphetamine; or a depressant
 50 described in G.S. 90-92(a)(1), and the ingestion of such substance caused the
 51 death of the user.

...."

SECTION 10.(a) Creation. – There is established the Task Force on Sentencing Reforms for Opioid Drug Convictions. The Task Force shall have 22 members. The Attorney General, Secretary of Health and Human Services, Secretary of Public Safety, Chief Deputy Secretary of Adult Correction and Juvenile Justice, Director of the Administrative Office of the Courts, and Executive Director of the North Carolina Sentencing and Advisory Commission or their designees shall be ex officio members of the Task Force and shall serve with the same rights and privileges, including voting rights, as other members. Appointments to the Task Force shall be made as follows:

- (1) The Speaker of the House of Representatives shall appoint the following members:
 - a. Two members of the House of Representatives.
 - b. A sitting or former superior court judge of the General Court of Justice.
 - c. A sitting or former district court judge of the General Court of Justice.
 - d. A person who is a substance abuse treatment and recovery professional.
 - e. A representative from the North Carolina Conference of District Attorneys.
 - f. A person who is a criminal defense attorney.
 - g. One member at large.
- (2) The President Pro Tempore of the Senate shall appoint the following members:
 - a. Two members of the Senate.
 - b. A sitting or former superior court judge of the General Court of Justice.
 - c. A sitting or former district court judge of the General Court of Justice.
 - d. A person who is a substance abuse and recovery professional.
 - e. A representative from the North Carolina of District Attorneys.
 - f. A person who is a criminal defense attorney.
 - g. One member at large.

SECTION 10.(b) Study. – The purpose of the Task Force shall be to study and review cases of inmates who are incarcerated solely for convictions of opioid drug offenses that require active sentences under structured sentencing; to consider how to identify inmates who would be able to successfully reintegrate into society; and to develop and consider options for modifying existing statutes. Specifically, the Task Force shall do all of the following:

- (1) Study the advisability of reducing sentences imposed under structured sentencing for opioid drug convictions based on the case facts and records of incarcerated inmates.
- (2) Study the potential cost-savings and fiscal impact of an early release process for inmates convicted of opioid drug offenses.
- (3) Identify and consider sentencing options that will help restore the ability of judges to use judgment, logic, and facts when imposing a sentence for a conviction of an opioid drug offense.
- (4) Consider whether the mandatory sentences imposed under structured sentencing for convictions of opioid drug offenses serve as a deterrent.
- (5) Consider options such as reclassifying opioid drug offenses, allowing courts to divert convicted offenders into treatment programs in lieu of imposing a sentence of active time in prison, increasing weight thresholds for trafficking

1 in opioids or changing how quantities are measured, aligning minimum
2 mandatory sentence lengths with those for most other drug offenses.

3 (6) Consider establishing a "pardon and parole board" that may recommend
4 pardons and paroles for inmates convicted of opioid drug offenses.

5 (7) Consider any other options the Task Force deems relevant to this study.

6 **SECTION 10.(c)** Cochairs; Quorum; Vacancies. – The Speaker of the House of
7 Representatives shall designate one representative to serve as cochair, and the President Pro
8 Tempore of the Senate shall designate one senator to serve as cochair. A majority of the Task
9 Force shall constitute a quorum for the transaction of its business. A vacancy on the Task Force
10 shall be filled by the original appointing authority using the criteria set out in this act for the
11 original appointment.

12 **SECTION 10.(d)** Per Diem, Travel, and Expenses. – Members of the Task Force
13 shall receive per diem and necessary travel and subsistence expenses in accordance with
14 G.S. 120-3.1, 138-5, and 138-6, as applicable.

15 **SECTION 10.(e)** Powers. – The Task Force, while in the discharge of its official
16 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through
17 G.S. 120-19.4. The Task Force may meet at any time upon the call of the chair. The Committee
18 may meet in the Legislative Building or in the Legislative Office Building.

19 **SECTION 10.(f)** Staffing. – The Legislative Services Commission, through the
20 Legislative Services Officer, shall assign professional staff to assist the Task Force in its work.
21 The Directors of Legislative Assistants of the Senate and of the House of Representatives shall
22 assign clerical staff to the Task Force and the expenses relating to the clerical employees shall
23 be borne by the Task Force.

24 **SECTION 10.(g)** Report. – The Task Force shall submit an interim report to the
25 2017 General Assembly when it reconvenes in 2018. The Task Force shall submit a final
26 report, including findings and legislative recommendations, to the 2019 General Assembly. The
27 Task Force shall terminate upon filing its final report.

28 **SECTION 11.** G.S. 90-95 reads as rewritten:

29 **"§ 90-95. Violations; penalties.**

30 ...

31 (b) Except as provided in subsections (h) and (i) of this section, any person who
32 violates G.S. 90-95(a)(1) with respect to:

33 (1) A controlled substance classified in Schedule I or II shall be punished as a
34 Class H felon, except as follows: (i) the sale of a controlled substance
35 classified in Schedule I or II shall be punished as a Class G felony, and (ii)
36 the manufacture of methamphetamine shall be punished as provided by
37 subdivision (1a) of this subsection.

38 (1a) The manufacture of methamphetamine shall be punished as a Class C felony
39 unless the offense was one of the following: packaging or repackaging
40 methamphetamine, or labeling or relabeling the methamphetamine container.
41 The offense of packaging or repackaging methamphetamine, or labeling or
42 relabeling the methamphetamine container shall be punished as a Class H
43 felony.

44 (2) A controlled substance classified in Schedule III, IV, V, or VI shall be
45 punished as a Class I felon, except that the sale of a controlled substance
46 classified in Schedule III, IV, V, or VI shall be punished as a Class H felon.
47 The transfer of less than 5 grams of marijuana ~~or less than 2.5 grams of a~~
48 ~~synthetic cannabinoid or any mixture containing such substance~~ for no
49 remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).

50 ...

1 (d) Except as provided in subsections (h) and (i) of this section, any person who
2 violates G.S. 90-95(a)(3) with respect to:

3 ...

4 (4) A controlled substance classified in Schedule VI shall be guilty of a Class 3
5 misdemeanor, but any sentence of imprisonment imposed must be suspended
6 and the judge may not require at the time of sentencing that the defendant
7 serve a period of imprisonment as a special condition of probation. If the
8 quantity of the controlled substance exceeds one-half of an ounce
9 (avoirdupois) of marijuana ~~7 grams of a synthetic cannabinoid or any~~
10 ~~mixture containing such substance,~~ or one-twentieth of an ounce
11 (avoirdupois) of the extracted resin of marijuana, commonly known as
12 hashish, the violation shall be punishable as a Class 1 misdemeanor. If the
13 quantity of the controlled substance exceeds one and one-half ounces
14 (avoirdupois) of marijuana, ~~21 grams of a synthetic cannabinoid or any~~
15 ~~mixture containing such substance,~~ or three-twentieths of an ounce
16 (avoirdupois) of the extracted resin of marijuana, commonly known as
17 hashish, or if the controlled substance consists of any quantity of synthetic
18 tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of
19 marijuana, the violation shall be punishable as a Class I felony.

20"

21 **SECTION 12.** Sections 1-9 and 11 of this act become effective December 1, 2017,
22 and apply to offenses committed on or after that date. The remainder of this act becomes
23 effective when it becomes law.