

House Bill 510

By: Representatives Parham of the 122<sup>nd</sup>, Stephens of the 150<sup>th</sup>, Graves of the 125<sup>th</sup>, Parrish of the 144<sup>th</sup> and Twiggs of the 8<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to  
2 controlled substances, so as to change the listings of controlled substances and dangerous  
3 drugs; to provide for penalties related to violations and restitution to the state for cleanup of  
4 environmental hazards; to provide for definitions; provide for related matters; to provide an  
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled  
9 substances, is amended by striking paragraph (5) of Code Section 16-13-25, relating to  
10 Schedule I controlled substances, and inserting in its place the following:

11 "(5) Any material, compound, mixture, or preparation which contains any quantity of the  
12 following substances, their salts, isomers; (whether optical, position, or geometrics), and  
13 salts of isomers, unless specifically excepted, whenever the existence of these substances,  
14 their salts, isomers, and salts of isomers is possible within the specific chemical  
15 designation:

16 gamma hydroxybutyric acid (gamma hydroxy butyrate); provided, however, that this  
17 does not include any amount naturally and normally occurring in the human body; and"

18 **SECTION 2.**

19 Said chapter is further amended by striking Code Section 16-13-56, relating to penalties for  
20 violations, and inserting in its place the following:

21 "16-13-56.

22 (a) Unless otherwise specified with respect to a particular offense, any person who violates  
23 any provision of this article shall be guilty of a misdemeanor.

24 (b) In addition to any other penalty imposed by law for a violation of this article, if the  
25 sentencing court finds that in committing a violation of this article, the defendant

1 contributed to a release of hazardous waste, a hazardous constituent, or a hazardous  
 2 substance as such terms are defined by Code Sections 12-8-62 and 12-8-92, the court shall  
 3 require such defendant to make restitution to the State of Georgia pursuant to subsection (a)  
 4 of Code Section 12-8-96.1 for the reasonable costs of activities associated with the cleanup  
 5 of environmental hazards, including legal expenses incurred by the state. Restitution made  
 6 pursuant to this Code section shall not preclude the State of Georgia from obtaining any  
 7 other civil or criminal remedy available under any other provision of law. The restitution  
 8 authorized by this Code section is supplemental and not exclusive."

### 9 SECTION 3.

10 Said chapter is further amended by adding following Code Section 16-13-70, a new Code  
 11 Section 16-13-70.1 to read as follows:

12 "16-13-70.1.

13 Any term used in this article and not defined in this article but defined in Code Section  
 14 16-3-21 shall have the meaning provided for that term in Code Section 16-13-21."

### 15 SECTION 4.

16 Said chapter is further amended by striking from subsection (b) of Code Section 16-13-71,  
 17 relating to the list of dangerous drugs, the following paragraphs:

18 "(160.2) Chenodiol;"

19 "(160.15) Cetirizine;"

20 "(920) Sulfathiazole;"

### 21 SECTION 5.

22 Said chapter is further amended by adding in the appropriate positions in subsection (b) of  
 23 Code Section 16-13-71, relating to the list of dangerous drugs, the following paragraphs:

24 "(22.5) Alosetron;"

25 "(62.8) Argatroban;"

26 "(64.1) Arsenic trioxide;"

27 "(76.5) Balsalazide;"

28 "(97.3) Bexarotene;"

29 "(160.15) Cetirizine;"

30 "(160.16) Cetrorelix;"

31 "(160.17) Cevimeline;"

32 "(160.2) Chenodiol;"

33 "(192.03) Ciclopirox;"

34 "(192.4) Cilexetil;"

- 1 "(221.5) Cupric chloride — injectable;"  
 2 "(315.7) Docosanol — See exceptions;"  
 3 "(390.7) Fludeoxyglucose;"  
 4 "(404.3) Follitropin;"  
 5 "(408.8) Gadoversetamide;"  
 6 "(412.03) Gatifloxacin;"  
 7 "(412.3) Gemtuzumab ozogamicin;"  
 8 "(474.4) Insulin glargine;"  
 9 "(516.07) Levobetaxolol;"  
 10 "(522.5) Linezolid;"  
 11 "(529.5) Lopinavir;"  
 12 "(552.5) Meloxicam;"  
 13 "(563.5) Mequinol;"  
 14 "(622.3) Mitoxantrone;"  
 15 "(644.9) Nitric oxide — for use in humans;"  
 16 "(667.5) Oxcarbazepine;"  
 17 "(680.5) Ozogamicin;"  
 18 "(685.7) Pantoprazole;"  
 19 "(703.6) Perfluoroalkylpolyether;"  
 20 "(751.5) Polytetrafluoroethylene;"  
 21 "(752.2) Poractant Alpha;"  
 22 "(785.5) Proguanil;"  
 23 "(843.83) Rivastigmine;"  
 24 "(920) Reserved;"  
 25 "(922.5) Sulfathiazole;"  
 26 "(967.2) Tinzaparin;"  
 27 "(1002.5) Triptorelin;"  
 28 "(1019.5) Unoprostone;"  
 29 "(1029.5) Verteporfin;"  
 30 "(1042.92) Zonisamide;"

31 **SECTION 6.**

32 Said chapter is further amended by adding in the appropriate place in subsection (c) of Code  
 33 Section 16-13-71, relating to the list of dangerous drugs, the following:

- 34 "(8.5) Docosanol – when used in 10 percent topical preparation to treat fever blisters, cold  
 35 sores, or fever blisters and cold sores."

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**SECTION 7.**

2 All laws and parts of laws in conflict with this Act are repealed.