

House Bill 368 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164th, Parrish of the 156th, Carter of the 159th, Harden of the 147th, and Parham of the 141st

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 certain provisions relating to Schedule II, III, and IV
3 controlled substances; to change certain provisions relating to the definition of "dangerous
4 drug"; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

8 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled
9 substances, is amended in Code Section 16-13-26, relating to Schedule II controlled
10 substances, as follows:

11 "16-13-26.

12 The controlled substances listed in this Code section are included in Schedule II:

13 (1) Any of the following substances, or salts thereof, except those narcotic drugs
14 specifically exempted or listed in other schedules, whether produced directly or indirectly
15 by extraction from substances of vegetable origin, or independently by extraction from
16 substances of vegetable origin, or independently by means of chemical synthesis, or by
17 combination of extraction and chemical synthesis:

18 (A) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
19 opiate, excluding naloxone hydrochloride, but including the following:

20 (i) Raw opium;

21 (ii) Opium extracts;

22 (iii) Opium fluid extracts;

23 (iv) Powdered opium;

24 (v) Granulated opium;

25 (vi) Tincture of opium;

26 (vii) Codeine;

27 (viii) Ethylmorphine;

- 28 (ix) Hydrocodone;
- 29 (x) Hydromorphone;
- 30 (xi) Metopon;
- 31 (xii) Morphine;
- 32 (xiii) Oripavine;
- 33 ~~(xiii)~~(xiv) Oxycodone;
- 34 ~~(xiv)~~(xv) Oxymorphone;
- 35 ~~(xv)~~(xvi) Thebaine;
- 36 (B) Any salt, compound, isomer, derivative, or preparation thereof which is chemically
37 equivalent or identical with any of the substances referred to in subparagraph (A) of this
38 paragraph, except that these substances shall not include the isoquinoline alkaloids of
39 opium;
- 40 (C) Opium poppy and poppy straw;
- 41 (D) Cocaine, coca leaves, any salt, compound, derivative, stereoisomers of cocaine, or
42 preparation of coca leaves, and any salt, compound, derivative, stereoisomers of
43 cocaine, or preparation thereof which is chemically equivalent or identical with any of
44 these substances, but not including decocainized coca leaves or extractions which do
45 not contain cocaine or ecgonine;
- 46 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
47 of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible
48 within the specific chemical designation:
- 49 (A) Alfentanil;
- 50 (A.1) Alphaprodine;
- 51 (B) Anileridine;
- 52 (C) Bezitramide;
- 53 (D) Dihydrocodeine;
- 54 (E) Diphenoxylate;
- 55 (F) Fentanyl;
- 56 (G) Isomethadone;
- 57 (G.5) Levo-alphaacetylmethadol (some other names: levomethadyl acetate, LAAM);
- 58 (H) Levomethorphan;
- 59 (I) Levorphanol;
- 60 (J) Methazocine;
- 61 (K) Methadone;
- 62 (L) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- 63 (M) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic
64 acid;

- 65 (N) Pethidine (meperidine);
- 66 (O) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 67 (P) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 68 (Q) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 69 (R) Phenazocine;
- 70 (S) Piminodine;
- 71 (T) Racemethorphan;
- 72 (U) Racemorphan;
- 73 (U.1) Remifentanil;
- 74 (V) Sufentanil;
- 75 (W) 4-anilino-N-phenethyl-4-piperidine (ANPP);

76 (3) Unless specifically excepted or unless listed in another schedule, any material,
 77 compound, mixture, or preparation which contains any quantity of the following
 78 substances included as having a stimulant effect on the central nervous system:

- 79 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 80 (B) Any substance which contains any quantity of methamphetamine, including its
 81 salts, isomers, and salts of isomers;
- 82 (C) Phenmetrazine and its salts;
- 83 (D) Methylphenidate, including its salts, isomers, and salts of isomers;
- 84 (E) Carfentanil;
- 85 (F) Nabilone;
- 86 (G) Lisdexamfetamine;

87 (4) Unless specifically excepted or unless listed in another schedule, any material,
 88 compound, mixture, or preparation which contains any of the following substances
 89 included as having a depressant effect on the central nervous system, including its salts,
 90 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of
 91 isomers is possible within the specific chemical designation:

- 92 (A) Amobarbital;
- 93 (A.5) Glutethimide;
- 94 (B) Secobarbital;
- 95 (C) Pentobarbital."

96 SECTION 2.

97 Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled
 98 substances, by adding new subparagraphs to paragraph (6) to read as follows:

99 "(A.5) Boldione (Androsta-1,4-diene-3,17-dione);"

100 "(BB) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);"

101 "(D.1) Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-17-ol, madol);"

102 **SECTION 3.**

103 Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled
104 substances, by adding a new paragraph to subsection (a) to read as follows:

105 "(16.15) Indiplon;"

106 **SECTION 4.**

107 Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled
108 substances, by deleting paragraph (11.5) of subsection (a), which reads as follows:

109 "(11.5) Eszopiclone;"

110 **SECTION 5.**

111 Said chapter is further amended in Code Section 16-13-71, relating to the definition of
112 dangerous drug, by adding new paragraphs to subsection (b) to read as follows:

113 "(26.5) Alvimopan;"

114 "(82.7) Bendamustine;"

115 "(160) Certolizumab;"

116 "(196.5) Clevidipine;"

117 "(240.6) Darifenacin;"

118 "(256.5) Desvenlafaxine;"

119 "(277.57) Difluprednate;"

120 "(331.06) Eltrombopag;"

121 "(379.5) Etravirine;"

122 "(381.75) Fenofibric acid;"

123 "(383.45) Fesoterodine;"

124 "(406.35) Fosaprepitant;"

125 "(406.93) Fospropofol;"

126 "(408.85) Gadoxetate;"

127 "(509.7) Lacosamide;"

128 "(517.25) Levoleucovorin;"

129 "(604.5) Methylnaltrexone;"

130 "(742.3) Plerixafor;"

131 "(832.5) Regadenoson;"

132 "(842.17) Riloncept;"

133 "(845.15) Romiplostim;"

134 "(848.5) Rufinamide;"

135 "(855.9) Silodosin;"

136 "(939.5) Tetrabenazine;"

137 **SECTION 6.**

138 This Act shall become effective upon its approval by the Governor or upon its becoming law
139 without such approval.

140 **SECTION 7.**

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