

The Senate Health and Human Services Committee offered the following substitute to SB 93:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedule I, III, IV, and V controlled substances; to change certain provisions relating to the definition of "dangerous drug"; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended in paragraph (12) of Code Section 16-13-25, relating to Schedule I controlled substances, by replacing the period at the end of subparagraph (C) with a semicolon and by adding new subparagraphs to read as follows:

"(D) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

(E) 2-(2-Methoxyphenyl)-1-(1-pentylindole-3-yl) ethanone (JWH-250);

(F) 4-Methoxynaphthalen-1-yl-(1-pentylindole-3-yl) methanone (JWH-081)."

SECTION 2.

Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled substances, by adding new subparagraphs to paragraph (3) to read as follows:

"(BBB) 3,4-Methylenedioxypropylvalerone (MDPV);

(CCC) 4-Methylmethcathinone (Mephedrone);

(DDD) 3,4-Methylenedioxymethcathinone (Methylone);

(EEE) 4-Methoxymethcathinone;

(FFF) 4-Fluoromethcathinone;"

SECTION 3.

Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled substances, by revising subparagraph (L) of paragraph (2) as follows:

25 ~~"(L) Tiletamine/Zolozepam (Telazol)~~ Tiletamine/Zolazepam (Telazol);"

26 **SECTION 4.**

27 Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled
28 substances, by replacing the period at the end of paragraph (11) with a semicolon and by
29 adding a new paragraph to read as follows:

30 "(12) Any drug product in hard or soft gelatin capsule form containing natural dronabinol
31 (derived from the cannabis plant) or synthetic dronabinol (produced from synthetic
32 materials) in sesame oil, for which an abbreviated new drug application (ANDA) has
33 been approved by the FDA under section 505(j) of the Federal Food, Drug, and Cosmetic
34 Act (21 U.S.C. 355(j)) which references as its listed drug the drug product referred to in
35 paragraph (8) of this Code section."

36 **SECTION 5.**

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

39 "(30.03) Propofol;"

40 **SECTION 6.**

41 Said chapter is further amended in Code Section 16-13-29, relating to Schedule V controlled
42 substances, by deleting "or" at the end of paragraph (3), by replacing the period at the end
43 of paragraph (4) with "; or", and by adding a new paragraph to read as follows:

44 "(5) Pseudoephedrine as an exempt over-the-counter (OTC) Schedule V controlled
45 substance distributed in the same manner as set forth in Code Section 16-13-29.2;
46 provided, however, that such exemption shall take effect immediately and shall not
47 require rulemaking by the State Board of Pharmacy."

48 **SECTION 7.**

49 Said chapter is further amended in Code Section 16-13-71, relating to the definition of
50 dangerous drug, by revising the following paragraphs of subsection (b) as follows:

51 ~~"(143) Reserved Carglumic Acid;"~~

52 ~~"(383.5) Fexofenadine – See exceptions;"~~

53 ~~"(406.93) Fospropofol;"~~

54 ~~"(793.5) Propofol;"~~

55 ~~"(806) Pseudoephedrine --- See exceptions~~ Reserved;"

56 ~~"(935) Reserved~~ Tesamorelin;"

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SECTION 8.

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

- "(19.3) Alcaftadine;"
"(122.3) Cabazitaxel;"
"(153.35) Ceftaroline;"
"(213.1) Collagenase clostridium histolyticum;"
"(235.5) Dabigatran;"
"(237.1) Dalfampridine;"
"(247.7) Denosumab;"
"(273.5) Dienogest;"
"(346.05) Eribulin;"
"(386.7) Fingolimod;"
"(469.05) IncobotulinumtoxinA;"
"(525.2) Liraglutide;"
"(531.7) Lurasidone;"
"(692.517) Pegloticase;"
"(747.4) Polidocanol;"
"(1018.5) Ulipristal;"
"(1027.3) Velaglucerase;"

SECTION 9.

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

- "(9.6) Fexofenadine – when packaged for distribution as an over-the-counter (OTC) drug product;"

SECTION 10.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of dangerous drug, by revising paragraph (23) of subsection (c) as follows:

- ~~"(23) Pseudoephedrine -- when a single dosage unit is 60 mg. or less or when manufactured in an extended release form with a dosage unit of 240 mg. or less~~
Reserved;"

SECTION 11.

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

91 **SECTION 12.**
92 All laws and parts of laws in conflict with this Act are repealed.