

The House Committee on Judiciary Non-civil offers the following substitute to SB 93:

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 I, III, IV, and
3 V 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:

6 SECTION 1.

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

- 11 "(D) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 12 (E) 2-(2-Methoxyphenyl)-1-(1-pentylindole-3-yl) ethanone (JWH-250);
- 13 (F) 4-Methoxynaphthalen-1-yl-(1-pentylindole-3-yl) methanone (JWH-081)."

14 SECTION 2.

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

- 17 "(BBB) 3,4-Methylenedioxypropylvalerone (MDPV);
- 18 (CCC) 4-Methylmethcathinone (Mephedrone);
- 19 (DDD) 3,4-Methylenedioxymethcathinone (Methylone);
- 20 (EEE) 4-Methoxymethcathinone;
- 21 (FFF) 4-Fluoromethcathinone;"

22 SECTION 3.

23 Said chapter is further amended in Code Section 16-13-27, relating to Schedule III controlled
24 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; provided, further, that wholesale
48 drug distributors located within this state and licensed by the State Board of Pharmacy
49 and which are registered and regulated by the U.S. Drug Enforcement Administration
50 (DEA) shall not be subject to any board requirements for controlled substances for the
51 storage, reporting, recordkeeping, or physical security of drug products containing
52 pseudoephedrine which are more stringent than those included in DEA regulations."

53 **SECTION 7.**

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

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

57 "(383.5) Fexofenadine – See exceptions;"

58 ~~"(406.93) Fospropofol;"~~
 59 ~~"(793.5) Propofol;"~~
 60 "(806) Pseudoephedrine -- See exceptions Reserved;"
 61 "(935) ~~Reserved~~ Tesamorelin;"

62 **SECTION 8.**

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

65 "(19.3) Alcaftadine;"
 66 "(122.3) Cabazitaxel;"
 67 "(153.35) Ceftaroline;"
 68 "(213.1) Collagenase clostridium histolyticum;"
 69 "(235.5) Dabigatran;"
 70 "(237.1) Dalfampridine;"
 71 "(247.7) Denosumab;"
 72 "(273.5) Dienogest;"
 73 "(346.05) Eribulin;"
 74 "(386.7) Fingolimod;"
 75 "(469.05) IncobotulinumtoxinA;"
 76 "(525.2) Liraglutide;"
 77 "(531.7) Lurasidone;"
 78 "(692.517) Pegloticase;"
 79 "(747.4) Polidocanol;"
 80 "(1018.5) Ulipristal;"
 81 "(1027.3) Velaglucerase;"

82 **SECTION 9.**

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

85 "(9.6) Fexofenadine – when packaged for distribution as an over-the-counter (OTC) drug
 86 product;"

87 **SECTION 10.**

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

