Senate Bill 93

By: Senators Carter of the 1st, Goggans of the 7th and Bethel of the 54th

AS PASSED

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:
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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-Methylenedioxypyrovalerone (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

substances, by revising subparagraph (L) of paragraph (2) as follows: 24

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"(L) Tiletamine/Zolozepam (Telazol)	Tiletamine/Zolazepam	(Telazol);"
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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	" <u>(30.03)</u> 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."					
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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: $((142) \text{ D}) = 100 \text{ m} \text{ m}^{-1} \text{ m}^{-1}$					
56	"(143) Reserved <u>Carglumic Acid;</u> "					
57	"(383.5) Fexofenadine <u>– See exceptions;</u> "					

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- 58 "(406.93) Fospropofol;"
- 59 "(793.5) Propofol;"
- 60 "(806) Pseudoephedrine -- See exceptions <u>Reserved;</u>"
- 61 "(935) Reserved Tesamorelin;"
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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 "<u>(19.3) Alcaftadine;</u>"
- 66 "<u>(122.3) Cabazitaxel;</u>"
- 67 "<u>(153.35) Ceftaroline;</u>"
- 68 "(213.1) Collagenase clostridium histolyticum;"
- 69 "<u>(235.5) Dabigatran;</u>"
- 70 "(237.1) Dalfampridine;"
- 71 "(247.7) Denosumab;"
- 72 "(273.5) Dienogest;"
- 73 "<u>(346.05) Eribulin;</u>"
- 74 "<u>(386.7) Fingolimod;</u>"
- 75 "(469.05) IncobotulinumtoxinA;"
- 76 "<u>(525.2) Liraglutide;</u>"
- 77 "<u>(531.7) Lurasidone;</u>"
- 78 "<u>(692.517) Pegloticase;</u>"
- 79 "<u>(747.4) Polidocanol;</u>"
- 80 "<u>(1018.5) Ulipristal;</u>"
- 81 "(1027.3) Velaglucerase;"
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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:"
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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:

00	''(22)	Decudocarhadina	when	~	ainala	dococo	mit	:-	60	100.0	~**	1000	0.11	whon
90	(23)	Pseudoephedrine -	- when	a	single	uosage	um	15	00	mg.	01	1688	01	when

91 manufactured in an extended release form with a dosage unit of 240 mg. or less <u>Reserved</u>;"

92 SECTION 11.

93 This Act shall become effective upon its approval by the Governor or upon its becoming law

94 without such approval.

- 95 SECTION 12.
- 96 All laws and parts of laws in conflict with this Act are repealed.