2019 Regular Session

HOUSE BILL NO. 452

BY REPRESENTATIVE TURNER

ACT No. 231

1	AN ACT
2	To enact R.S. 40:964(Schedule I)(A)(62) through (67) and (C)(65) and (G), (Schedule
3	II)(G), (Schedule III)(H), (Schedule IV)(F), and (Schedule V)(G) and to repeal R.S.
4	40:989.3, relative to the Uniform Controlled Dangerous Substances Law; to add
5	certain substances to the Uniform Controlled Dangerous Substances Law; to repeal
6	the crime of unlawful distribution of products containing Mitragyna speciosa to a
7	minor; to provide for special effective dates; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 40:964(Schedule I)(A)(62) through (67) and (C)(65) and (G) are
10	hereby enacted to read as follows:
11	§964. Composition of schedules
12	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
13	40:962, consist of the following drugs or other substances, by whatever official
14	name, common or usual name, chemical name, or brand name designated:
15	SCHEDULE I
16	A. Opiates. Unless specifically excepted or unless listed in another schedule,
17	any of the following opiates, including their isomers, esters, ethers, salts, or salts of
18	isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers,
19	or salts is possible within the specific chemical designation:
20	* * *

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1	(62) Methoxyacetylfentanyl (2-methoxy-N-[1-(2-phenylethyl)piperidin-4-
2	yl]-N-phenylacetamide)
3	(63) Para-fluorobutyrylfentanyl (N-(4-fluorophenyl)-N-[1-(2-phenylethyl)
4	piperidin-4-yl]butanamide)
5	(64) Tetrahydrofuranylfentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-
6	yl]tetrahydrofuran-2-carboxamide)
7	(65) U-49900 (3,4-dichloro-N-[2-(diethylamino)cyclohexyl]-N-methyl-
8	benzamide)
9	(66) U-51754 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-
10	benzeneacetamide)
11	(67) U-48800 (2,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-
12	benzeneacetamide)
13	* * *
14	C. Hallucinogenic substances. Unless specifically excepted or unless listed
15	in another schedule, any material, compound, mixture, or preparation, which
16	contains any quantity of the following hallucinogenic substances, or which contains
17	any of their salts, isomers, or salts of isomers, whenever the existence of such salts,
18	isomers, or salts of isomers is possible within the specific chemical designation, for
19	purposes of this Paragraph only, the term "isomer" includes the optical, position, and
20	geometric isomers:
21	* * *
22	(65) Deschloro-N-ethyl-ketamine (2-(ethylamino)-2-phenylcyclohexan-1-
23	<u>one)</u>
24	* * *
25	G. Miscellaneous. Unless specifically excepted or contained within a
26	pharmaceutical product approved by the United States Food and Drug
27	Administration, or unless listed in another schedule, any material, compound,
28	mixture, or preparation which contains any quantity of the following substances
29	including its salts, isomers, or salts of isomers, whenever the existence of such salts,
30	isomers, or salts of isomers is possible within the specific chemical designation:

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1	(1) Mitragynine
2	(2) 7-Hydroxy-mitragynine
3	* * *
4	Section 2. R.S. 40:964(Schedule II)(G) is hereby enacted to read as follows:
5	§964. Composition of schedules
6	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
7	40:962, consist of the following drugs or other substances, by whatever official
8	name, common or usual name, chemical name, or brand name designated:
9	* * *
10	SCHEDULE II
11	* * *
12	G. Miscellaneous. Unless specifically excepted or contained within a
13	pharmaceutical product approved by the United States Food and Drug
14	Administration, or unless listed in another schedule, any material, compound,
15	mixture, or preparation which contains any quantity of the following substances
16	including its salts, isomers, or salts of isomers, whenever the existence of such salts,
17	isomers, or salts of isomers is possible within the specific chemical designation:
18	(1) Mitragynine
19	(2) 7-Hydroxy-mitragynine
20	* * *
21	Section 3. R.S. 40:964(Schedule III)(H) is hereby enacted to read as follows:
22	§964. Composition of schedules
23	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
24	40:962, consist of the following drugs or other substances, by whatever official
25	name, common or usual name, chemical name, or brand name designated:
26	* * *
27	SCHEDULE III
28	* * *
29	H. Miscellaneous. Unless specifically excepted or contained within a
30	pharmaceutical product approved by the United States Food and Drug

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1	Administration, or unless listed in another schedule, any material, compound,
2	mixture, or preparation which contains any quantity of the following substances
3	including its salts, isomers, or salts of isomers, whenever the existence of such salts,
4	isomers, or salts of isomers is possible within the specific chemical designation:
5	(1) Mitragynine
6	(2) 7-Hydroxy-mitragynine
7	* * *
8	Section 4. R.S. 40:964(Schedule IV)(F) is hereby enacted to read as follows:
9	§964. Composition of schedules
10	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
11	40:962, consist of the following drugs or other substances, by whatever official
12	name, common or usual name, chemical name, or brand name designated:
13	* * *
14	SCHEDULE IV
15	* * *
16	F. Miscellaneous. Unless specifically excepted or contained within a
17	pharmaceutical product approved by the United States Food and Drug
18	Administration, or unless listed in another schedule, any material, compound,
19	mixture, or preparation which contains any quantity of the following substances
20	including its salts, isomers, or salts of isomers, whenever the existence of such salts,
21	isomers, or salts of isomers is possible within the specific chemical designation:
22	(1) Mitragynine
23	(2) 7-Hydroxy-mitragynine
24	* * *
25	Section 5. R.S. 40:964(Schedule V)(G) is hereby enacted to read as follows:
26	§964. Composition of schedules
27	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
28	40:962, consist of the following drugs or other substances, by whatever official
29	name, common or usual name, chemical name, or brand name designated:
30	* * *

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1	SCHEDULE V
2	* * *
3	G. Miscellaneous. Unless specifically excepted or contained within a
4	pharmaceutical product approved by the United States Food and Drug
5	Administration, or unless listed in another schedule, any material, compound,
6	mixture, or preparation which contains any quantity of the following substances
7	including its salts, isomers, or salts of isomers, whenever the existence of such salts,
8	isomers, or salts of isomers is possible within the specific chemical designation:
9	(1) Mitragynine
10	(2) 7-Hydroxy-mitragynine
11	Section 6. R.S. 40:989.3 is hereby repealed in its entirety.
12	Section 7.(A) The provisions of Section 1 of this Act shall become effective if and
13	when the Drug Enforcement Administration of the United States classifies Mitragynine as
14	a Schedule I Controlled Dangerous Substance.
15	(B) The provisions of Section 2 of this Act shall become effective if and when the
16	Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule
17	II Controlled Dangerous Substance.
18	(C) The provisions of Section 3 of this Act shall become effective if and when the
19	Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule
20	III Controlled Dangerous Substance.
21	(D) The provisions of Section 4 of this Act shall become effective if and when the
22	Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule
23	IV Controlled Dangerous Substance.
24	(E) The provisions of Section 5 of this Act shall become effective if and when the
25	Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule
26	V Controlled Dangerous Substance.
27	Section 8. The provisions of Section 6 of this Act shall become effective if and when
28	Section 1, 2, 3, 4, or 5 of this Act becomes effective.

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- 1 Section 9. The provisions of this Section and Sections 7 and 8 of this Act shall
- 2 become effective August 1, 2019.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____