

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 138

Short Title: Salvia Divinorum Schedule I. (Public)

Sponsors: Senators Purcell; Bingham, Dorsett, Snow, and Weinstein.

Referred to: Judiciary II.

February 12, 2009

A BILL TO BE ENTITLED
AN ACT TO CLASSIFY SALVIA DIVINORUM AS A SCHEDULE I CONTROLLED
SUBSTANCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-89 reads as rewritten:

"§ 90-89. Schedule I controlled substances.

This schedule includes the controlled substances listed or to be listed by whatever official name, common or usual name, chemical name, or trade name designated. In determining that a substance comes within this schedule, the Commission shall find: a high potential for abuse, no currently accepted medical use in the United States, or a lack of accepted safety for use in treatment under medical supervision. The following controlled substances are included in this schedule:

- (1) Any of the following opiates, including the isomers, esters, ethers, salts and salts of isomers, esters, and ethers, unless specifically excepted, or listed in another schedule, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - a. Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N-phenylacetamide).
 - b. Acetylmethadol.
 - c. Repealed by Session Laws 1987, c. 412, s. 2.
 - d. Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide).
 - e. Allylprodine.
 - f. Alphacetylmethadol.
 - g. Alphameprodine.
 - h. Alphamethadol.
 - i. Alpha-methylfentanyl (N-(1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl) propionalilide; 1(1-methyl-2-phenethyl-ethyl)-4-(N-propanilido) piperidine).
 - j. Benzethidine.
 - k. Betacetylmethadol.
 - l. Beta-hydroxfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidiny]-N-phenylpropanamide).



1	m.	Beta-hydroxy-3-methylfentanyl
2		(N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpro
3		panamide).
4	n.	Betameprodine.
5	o.	Betamethadol.
6	p.	Betaprodine.
7	q.	Clonitazene.
8	r.	Dextromoramide.
9	s.	Diampromide.
10	t.	Diethylthiambutene.
11	u.	Difenoxin.
12	v.	Dimenoxadol.
13	w.	Dimepheptanol.
14	x.	Dimethylthiambutene.
15	y.	Dioxaphetyl butyrate.
16	z.	Dipipanone.
17	aa.	Ethylmethylthiambutene.
18	bb.	Etonitazene.
19	cc.	Etoxidine.
20	dd.	Furethidine.
21	ee.	Hydroxypethidine.
22	ff.	Ketobemidone.
23	gg.	Levomoramide.
24	hh.	Levophenacilmorphan.
25	ii.	1-methyl-4-phenyl-4-propionox ypiperidine (MPPP).
26	jj.	3-Methylfentanyl
27		(N-[3-methyl-1-(2-Phenylethyl)-4-Pi-peridyl]-N-Phenylpropanamide
28).
29	kk.	3-Methylthiofentanyl
30		(N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropa
31		namide).
32	lo .	Morpheridine.
33	mm.	Noracymethadol.
34	nn.	Norlevorphanol.
35	oo.	Normethadone.
36	pp.	Norpipanone.
37	qq.	Para-fluorofentanyl
38		(N-(4-fluorophenyl)-N-[1-(2-phen-ethyl)-4-piperidinyl]-propanamide
39		.
40	rr.	Phenadoxone.
41	ss.	Phenampramide.
42	tt.	1-(2-phenethyl)-4-phenyl-4-ac etoxypiperidine (PEPAP).
43	uu.	Phenomorphan.
44	vv.	Phenoperidine.
45	ww.	Piritramide.
46	xx.	Proheptazine.
47	yy.	Properidine.
48	zz.	Propiram.
49	aaa.	Racemoramide.
50	bbb.	Thiofentanyl
51		(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide.

- 1 ccc. Tilidine.
- 2 ddd. Trimeperidine.
- 3 (2) Any of the following opium derivatives, including their salts, isomers, and
- 4 salts of isomers, unless specifically excepted, or listed in another schedule,
- 5 whenever the existence of such salts, isomers, and salts of isomers is
- 6 possible within the specific chemical designation:
- 7 a. Acetorphine.
- 8 b. Acetyldihydrocodeine.
- 9 c. Benzylmorphine.
- 10 d. Codeine methylbromide.
- 11 e. Codeine-N-Oxide.
- 12 f. Cyprenorphine.
- 13 g. Desomorphine.
- 14 h. Dihydromorphine.
- 15 i. Etorphine (except hydrochloride salt).
- 16 j. Heroin.
- 17 k. Hydromorphanol.
- 18 l. Methyldesorphine.
- 19 m. Methyldihydromorphine.
- 20 n. Morphine methylbromide.
- 21 o. Morphine methylsulfonate.
- 22 p. Morphine-N-Oxide.
- 23 q. Myrophine.
- 24 r. Nicocodeine.
- 25 s. Nicomorphine.
- 26 t. Normorphine.
- 27 u. Pholcodine.
- 28 v. Thebacon.
- 29 w. Drotebanol.
- 30 (3) Any material, compound, mixture, or preparation which contains any
- 31 quantity of the following hallucinogenic substances, including their salts,
- 32 isomers, and salts of isomers, unless specifically excepted, or listed in
- 33 another schedule, whenever the existence of such salts, isomers, and salts of
- 34 isomers is possible within the specific chemical designation:
- 35 a. 3, 4-methylenedioxyamphetamine.
- 36 b. 5-methoxy-3, 4-methylenedioxyamphetamine.
- 37 c. 3, 4-Methylenedioxymethamphetamine (MDMA).
- 38 d. 3,4-methylenedioxy-N-ethylamphetamine (also known as
- 39 N-ethyl-alpha-methyl-3,4-(methylenedioxy)phenethylamine, N-ethyl
- 40 MDA, MDE, and MDEA).
- 41 e. N-hydroxy-3,4-methylenedioxyamphetamine (also known as
- 42 N-hydroxy-alpha-methyl-3,4-(methylenedioxy)phenethylamine, and
- 43 N-hydroxy MDA).
- 44 f. 3, 4, 5-trimethoxyamphetamine.
- 45 g. Alpha-ethyltryptamine. Some trade or other names: etryptamine,
- 46 Monase, alpha-ethyl-1H-indole-3- ethanamine, 3-(2-aminobutyl)
- 47 indole, alpha-ET, and AET.
- 48 h. Bufotenine.
- 49 i. Diethyltryptamine.
- 50 j. Dimethyltryptamine.
- 51 k. 4-methyl-2, 5-dimethoxyamphetamine.

- 1 l. Ibogaine.
- 2 m. Lysergic acid diethylamide.
- 3 n. Mescaline.
- 4 o. Peyote, meaning all parts of the plant presently classified botanically
- 5 as *Lophophora Williamsii* Lemaire, whether growing or not; the
- 6 seeds thereof; any extract from any part of such plant; and every
- 7 compound, manufacture, salt, derivative, mixture or preparation of
- 8 such plant, its seed or extracts.
- 9 p. N-ethyl-3-piperidyl benzilate.
- 10 q. N-methyl-3-piperidyl benzilate.
- 11 r. Psilocybin.
- 12 s. Psilocin.
- 13 t. 2, 5-dimethoxyamphetamine.
- 14 u. 2, 5-dimethoxy-4-ethylamphetamine e. Some trade or other names:
- 15 DOET.
- 16 v. 4-bromo-2, 5-dimethoxyamphetamine.
- 17 w. 4-methoxyamphetamine.
- 18 x. Ethylamine analog of phencyclidine. Some trade or other names:
- 19 N-ethyl-1-phenylcyclohexylamine, (1- phenylcyclohexyl)
- 20 ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine,
- 21 PCE.
- 22 y. Pyrrolidine analog of phencyclidine. Some trade or other names:
- 23 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP.
- 24 z. Thiophene analog of phencyclidine. Some trade or other names:
- 25 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2- thienyl analog of
- 26 phencyclidine, TCP, TCP.
- 27 aa. 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; Some other names: TCPy.
- 28 bb. Parahexyl.
- 29 cc. 4-Bromo-2, 5-Dimethoxyphenethylamine.
- 30 dd. *Salvia divinorum*, *Salvinorin A*.
- 31 (4) Any material compound, mixture, or preparation which contains any
- 32 quantity of the following substances having a depressant effect on the central
- 33 nervous system, including its salts, isomers, and salts of isomers whenever
- 34 the existence of such salts, isomers, and salts of isomers is possible within
- 35 the specific chemical designation, unless specifically excepted or unless
- 36 listed in another schedule:
- 37 a. Mecloqualone.
- 38 b. Methaqualone.
- 39 c. Gamma hydroxybutyric acid; Some other names: GHB,
- 40 gamma-hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic
- 41 acid; sodium oxybate; sodium oxybutyrate.
- 42 (5) Stimulants. – Unless specifically excepted or unless listed in another
- 43 schedule, any material, compound, mixture, or preparation that contains any
- 44 quantity of the following substances having a stimulant effect on the central
- 45 nervous system, including its salts, isomers, and salts of isomers:
- 46 a. Aminorex. Some trade or other names: aminoxaphen;
- 47 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-
- 48 phenyl-2-oxazolamine.
- 49 b. Cathinone. Some trade or other names:
- 50 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone,
- 51 2-aminopropiophenone, and norephedrone.

- 1 c. Fenethylamine.
- 2 d. Methcathinone. Some trade or other names:
- 3 2-(methylamino)propionophenone,
- 4 alpha-(methylamino)propionophenone, 2- (methylamino)-1-
- 5 phenylpropan-1-one, alpha-N-methylaminopropionophenone,
- 6 monomethylpropion, ephedrone, N-methylcathinone,
- 7 methylcathinone, AL- 464, AL-422, AL-463, and UR1432.
- 8 e. (+/-)cis-4-methylaminorex |(+/-)cis-4,5-dihydro-4-
- 9 methyl-5-phenyl-2-oxazolamine_ (also known as
- 10 2-amino-4-methyl-5-phenyl-2-oxazoline).
- 11 f. N,N-dimethylamphetamine. Some other names:
- 12 N,N,alpha-trimethylbenzeneetha neamine;
- 13 N,N,alpha-trimethylphenethylamine.
- 14 g. N-ethylamphetamine."
- 15 **SECTION 2.** This act becomes effective October 1, 2009.