

As Introduced

133rd General Assembly

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S. B. No. 57

Senators Hill, Huffman, S.

**Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner,
Fedor, Antonio**

A BILL

To amend sections 3719.01 and 3719.41, to enact 1
sections 928.01, 928.02, 928.03, 928.04, 928.05, 2
928.06, and 928.99 of the Revised Code, and to 3
amend the versions of sections 3719.01 and 4
3719.41 of the Revised Code that are scheduled 5
to take effect on March 22, 2020, to 6
decriminalize hemp and hemp products and to 7
establish a hemp cultivation licensing program. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3719.01 and 3719.41 be amended 9
and sections 928.01, 928.02, 928.03, 928.04, 928.05, 928.06, and 10
928.99 of the Revised Code be enacted to read as follows: 11

Sec. 928.01. As used in this chapter: 12

(A) "Cannabidiol" means the cannabidiol compound derived 13
from hemp. 14

(B) "Hemp" means the plant Cannabis sativa L. and any part 15
of that plant, including the seeds thereof and all derivatives, 16
extracts, cannabinoids, isomers, acids, salts, and salts of 17

isomers, whether growing or not, with a delta-9 18
tetrahydrocannabinol concentration of not more than three-tenths 19
per cent on a dry weight basis. 20

(C) "Hemp cultivation license" means a license to 21
cultivate hemp issued under section 928.02 of the Revised Code. 22

(D) "Hemp product" means any product made with hemp, 23
including cosmetics, personal care products, dietary supplements 24
or food intended for animal or human consumption, cloth, 25
cordage, fiber, fuel, paint, paper, particleboard, and any 26
product containing one or more cannabinoids derived from hemp, 27
including cannabidiol. 28

(E) "University" means a state university as defined in 29
section 3345.011 of the Revised Code and a private nonprofit 30
institution with a certificate of authorization issued pursuant 31
to Chapter 1713. of the Revised Code. 32

(F) "USDA" means the United States department of 33
agriculture. 34

Sec. 928.02. (A) (1) The director of agriculture shall 35
establish a program to monitor and regulate hemp cultivation in 36
this state. Under the program, the director shall issue hemp 37
cultivation licenses in accordance with rules adopted under 38
section 928.03 of the Revised Code. 39

(2) As authorized by the director, the department of 40
agriculture or a university may cultivate hemp without a hemp 41
cultivation license. 42

(B) Except as authorized under division (A) (2) of this 43
section, any person that wishes to cultivate hemp shall apply 44
for and obtain a hemp cultivation license from the director in 45
accordance with rules adopted under section 928.03 of the 46

Revised Code. A hemp cultivation license is valid for five years 47
unless earlier suspended or revoked by the director. 48

(C) The department, a university, or any person may, 49
without a hemp cultivation license, do any of the following: 50

(1) Possess, buy, or sell hemp or a hemp product; 51

(2) Process hemp into a hemp product, including by the 52
addition of one or more cannabinoids derived from hemp, 53
including cannabidiol, to a product to produce a hemp product; 54

(3) Conduct agricultural, academic, or any other research 55
involving hemp or hemp products. 56

(D) Notwithstanding any other provision of the Revised 57
Code to the contrary, the addition of hemp or cannabinoids 58
derived from hemp, including cannabidiol, to any product does 59
not adulterate that product. 60

Sec. 928.03. (A) The director of agriculture, in 61
consultation with the governor and attorney general, shall adopt 62
rules in accordance with Chapter 119. of the Revised Code 63
establishing standards and procedures for the regulation of hemp 64
cultivation. The rules shall include all of the following: 65

(1) The form of an application for a hemp cultivation 66
license and information required to be included in the 67
application; 68

(2) The amount of the application fee that must be 69
submitted with each hemp cultivation license application; 70

(3) Requirements and procedures concerning background 71
investigations of each applicant for a hemp cultivation license; 72

(4) Procedures and requirements for the issuance, renewal, 73

<u>denial, suspension, and revocation of a hemp cultivation</u>	74
<u>license;</u>	75
<u>(5) Grounds for the denial, suspension, and revocation of</u>	76
<u>a hemp cultivation license;</u>	77
<u>(6) A requirement that the director shall not issue a hemp</u>	78
<u>cultivation license to any person who has pleaded guilty to or</u>	79
<u>been convicted of a felony relating to a controlled substance in</u>	80
<u>the ten years immediately prior to the submission of the</u>	81
<u>application for a license;</u>	82
<u>(7) A requirement that any person that materially</u>	83
<u>falsifies information in an application for a hemp cultivation</u>	84
<u>license is ineligible to receive the license;</u>	85
<u>(8) A practice for maintaining relevant information</u>	86
<u>regarding land on which hemp is cultivated by licensees,</u>	87
<u>including a legal description of the land, in accordance with</u>	88
<u>applicable federal law;</u>	89
<u>(9) A procedure for testing, using post-decarboxylation or</u>	90
<u>other similarly reliable methods, delta-9 tetrahydrocannabinol</u>	91
<u>concentration levels of hemp;</u>	92
<u>(10) Requirements and procedures for corrective action</u>	93
<u>plans issued under this chapter;</u>	94
<u>(11) A procedure for conducting annual inspections of a</u>	95
<u>random sample of hemp cultivators to verify that hemp is not</u>	96
<u>being cultivated in violation of this chapter;</u>	97
<u>(12) A procedure for complying with enforcement procedures</u>	98
<u>required under federal law;</u>	99
<u>(13) A procedure for the effective disposal of both of the</u>	100
<u>following:</u>	101

<u>(a) Hemp plants cultivated in violation of this chapter;</u>	102
<u>(b) Products made with hemp derived from plants cultivated</u>	103
<u>in violation of this chapter.</u>	104
<u>(14) Procedures for sharing information regarding hemp</u>	105
<u>cultivators with the secretary of the USDA;</u>	106
<u>(15) Any other requirements or procedures necessary to</u>	107
<u>administer and enforce this chapter.</u>	108
<u>(B) The director of agriculture may adopt rules in</u>	109
<u>accordance with Chapter 119. of the Revised Code establishing</u>	110
<u>standards for the testing and labeling of hemp and hemp</u>	111
<u>products.</u>	112
<u>Sec. 928.04. (A) Except as authorized under division (A)</u>	113
<u>(2) of section 928.02 of the Revised Code, no person shall</u>	114
<u>cultivate hemp without a hemp cultivation license issued by the</u>	115
<u>director of agriculture under this chapter.</u>	116
<u>(B) No person who holds a hemp cultivation license shall</u>	117
<u>violate this chapter or rules adopted under it.</u>	118
<u>(C) No person subject to a corrective action plan issued</u>	119
<u>by the director of agriculture under section 928.05 of the</u>	120
<u>Revised Code shall fail to comply with the plan.</u>	121
<u>Sec. 928.05. (A) The director of agriculture shall issue a</u>	122
<u>corrective action plan to any person that the director</u>	123
<u>determines has negligently violated section 928.04 of the</u>	124
<u>Revised Code. The director shall include in the corrective</u>	125
<u>action plan both of the following:</u>	126
<u>(1) A reasonable date by which the person must correct the</u>	127
<u>violation;</u>	128

(2) A requirement that the person report to the director 129
regarding the person's compliance with the requirements of this 130
chapter, rules adopted under it, and the corrective action plan 131
for two calendar years immediately following the date of the 132
violation. 133

(B) If the director determines that a person negligently 134
violated section 928.04 of the Revised Code three or more times 135
in any five-year period, the director shall revoke the person's 136
hemp cultivation license, if any, and shall refuse to issue a 137
hemp cultivation license to that person for a period of five 138
years beginning on the date that the director determines that 139
the person committed the most recent violation. 140

(C) The director shall report a person who the director 141
determines has violated section 928.04 of the Revised Code with 142
a culpable mental state greater than negligence to the attorney 143
general, the United States attorney general, and the applicable 144
county prosecutor. 145

Sec. 928.06. There is hereby created in the state treasury 146
the hemp cultivation fund. The fund shall consist of all hemp 147
cultivation license application fees collected pursuant to rules 148
adopted under section 928.03 of the Revised Code, money 149
appropriated to the fund, and any other money received from 150
gifts or federal grants. All investment earnings of the fund 151
shall be credited to the fund. The director of agriculture shall 152
use money in the fund to administer and enforce this chapter and 153
rules adopted under it. 154

Sec. 928.99. (A) Whoever recklessly violates section 155
928.04 of the Revised Code is guilty of the following: 156

(1) For a first offense, a minor misdemeanor; 157

(2) For each subsequent offense, a misdemeanor of the 158
fourth degree. 159

The court shall order an offender who is convicted of or 160
pleads guilty to a third or subsequent offense ineligible to 161
receive a hemp cultivation license under this chapter. The court 162
shall provide written notice of that order to the director of 163
agriculture. On receipt of the notice, the director shall revoke 164
any hemp cultivation license the offender holds and shall refuse 165
to issue a hemp cultivation license to the offender beginning on 166
the date of the court order. 167

(B) The prosecuting attorney of the applicable county or 168
the attorney general may prosecute an action under this section. 169

Sec. 3719.01. As used in this chapter: 170

(A) "Administer" means the direct application of a drug, 171
whether by injection, inhalation, ingestion, or any other means 172
to a person or an animal. 173

(B) "Drug enforcement administration" means the drug 174
enforcement administration of the United States department of 175
justice or its successor agency. 176

(C) "Controlled substance" means a drug, compound, 177
mixture, preparation, or substance included in schedule I, II, 178
III, IV, or V. 179

(D) "Dangerous drug" has the same meaning as in section 180
4729.01 of the Revised Code. 181

(E) "Dispense" means to sell, leave with, give away, 182
dispose of, or deliver. 183

(F) "Distribute" means to deal in, ship, transport, or 184
deliver but does not include administering or dispensing a drug. 185

(G) "Drug" has the same meaning as in section 4729.01 of the Revised Code. 186
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(H) "Drug abuse offense," "felony drug abuse offense," "cocaine," and "hashish" have the same meanings as in section 2925.01 of the Revised Code. 188
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(I) "Federal drug abuse control laws" means the "Comprehensive Drug Abuse Prevention and Control Act of 1970," 84 Stat. 1242, 21 U.S.C. 801, as amended. 191
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(J) "Hospital" means an institution for the care and treatment of the sick and injured that is certified by the department of health and approved by the state board of pharmacy as proper to be entrusted with the custody of controlled substances and the professional use of controlled substances. 194
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(K) "Hypodermic" means a hypodermic syringe or needle, or other instrument or device for the injection of medication. 199
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(L) "Isomer," except as otherwise expressly stated, means the optical isomer. 201
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(M) "Laboratory" means a laboratory approved by the state board of pharmacy as proper to be entrusted with the custody of controlled substances and the use of controlled substances for scientific and clinical purposes and for purposes of instruction. 203
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(N) "Manufacturer" means a person who manufactures a controlled substance, as "manufacture" is defined in section 3715.01 of the Revised Code. 208
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(O) "Marihuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; 211
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and every compound, manufacture, salt, derivative, mixture, or 214
preparation of a plant of that type or of its seeds or resin. 215
"Marihuana" does not include the mature stalks of the plant, 216
fiber produced from the stalks, oils or cake made from the seeds 217
of the plant, or any other compound, manufacture, salt, 218
derivative, mixture, or preparation of the mature stalks, except 219
the resin extracted from the mature stalks, fiber, oil or cake, 220
or the sterilized seed of the plant that is incapable of 221
germination. "Marihuana" does not include hemp or a hemp 222
product. 223

(P) "Narcotic drugs" means coca leaves, opium, 224
isonipecaine, amidone, isoamidone, ketobemidone, as defined in 225
this division, and every substance not chemically distinguished 226
from them and every drug, other than cannabis, that may be 227
included in the meaning of "narcotic drug" under the federal 228
drug abuse control laws. As used in this division: 229

(1) "Coca leaves" includes cocaine and any compound, 230
manufacture, salt, derivative, mixture, or preparation of coca 231
leaves, except derivatives of coca leaves, that does not contain 232
cocaine, ecgonine, or substances from which cocaine or ecgonine 233
may be synthesized or made. 234

(2) "Isonipecaine" means any substance identified 235
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 236
ethyl ester, or any salt thereof, by whatever trade name 237
designated. 238

(3) "Amidone" means any substance identified chemically as 239
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 240
by whatever trade name designated. 241

(4) "Isoamidone" means any substance identified chemically 242

as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 243
thereof, by whatever trade name designated. 244

(5) "Ketobemidone" means any substance identified 245
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 246
ketone hydrochloride, or any salt thereof, by whatever trade 247
name designated. 248

(Q) "Official written order" means an order written on a 249
form provided for that purpose by the director of the United 250
States drug enforcement administration, under any laws of the 251
United States making provision for the order, if the order forms 252
are authorized and required by federal law. 253

(R) "Opiate" means any substance having an addiction- 254
forming or addiction-sustaining liability similar to morphine or 255
being capable of conversion into a drug having addiction-forming 256
or addiction-sustaining liability. "Opiate" does not include, 257
unless specifically designated as controlled under section 258
3719.41 of the Revised Code, the dextrorotatory isomer of 3- 259
methoxy-N-methylmorphinan and its salts (dextro-methorphan). 260
"Opiate" does include its racemic and levoratory forms. 261

(S) "Opium poppy" means the plant of the species papaver 262
somniferum L., except its seeds. 263

(T) "Person" means any individual, corporation, 264
government, governmental subdivision or agency, business trust, 265
estate, trust, partnership, association, or other legal entity. 266

(U) "Pharmacist" means a person licensed under Chapter 267
4729. of the Revised Code to engage in the practice of pharmacy. 268

(V) "Pharmacy" has the same meaning as in section 4729.01 269
of the Revised Code. 270

(W) "Poison" means any drug, chemical, or preparation 271
likely to be deleterious or destructive to adult human life in 272
quantities of four grams or less. 273

(X) "Poppy straw" means all parts, except the seeds, of 274
the opium poppy, after mowing. 275

(Y) "Licensed health professional authorized to prescribe 276
drugs," "prescriber," and "prescription" have the same meanings 277
as in section 4729.01 of the Revised Code. 278

(Z) "Registry number" means the number assigned to each 279
person registered under the federal drug abuse control laws. 280

(AA) "Sale" includes delivery, barter, exchange, transfer, 281
or gift, or offer thereof, and each transaction of those natures 282
made by any person, whether as principal, proprietor, agent, 283
servant, or employee. 284

(BB) "Schedule I," "schedule II," "schedule III," 285
"schedule IV," and "schedule V" mean controlled substance 286
schedules I, II, III, IV, and V, respectively, established 287
pursuant to section 3719.41 of the Revised Code, as amended 288
pursuant to section 3719.43 or 3719.44 of the Revised Code. 289

(CC) "Wholesaler" means a person who, on official written 290
orders other than prescriptions, supplies controlled substances 291
that the person has not manufactured, produced, or prepared 292
personally and includes a "wholesale distributor of dangerous 293
drugs" as defined in section 4729.01 of the Revised Code. 294

(DD) "Animal shelter" means a facility operated by a 295
humane society or any society organized under Chapter 1717. of 296
the Revised Code or a dog pound operated pursuant to Chapter 297
955. of the Revised Code. 298

(EE) "Terminal distributor of dangerous drugs" has the 299
same meaning as in section 4729.01 of the Revised Code. 300

(FF) "Category III license" means a license issued to a 301
terminal distributor of dangerous drugs as set forth in section 302
4729.54 of the Revised Code. 303

(GG) "Prosecutor" has the same meaning as in section 304
2935.01 of the Revised Code. 305

(HH) (1) "Controlled substance analog" means, except as 306
provided in division (HH) (2) of this section, a substance to 307
which both of the following apply: 308

(a) The chemical structure of the substance is 309
substantially similar to the structure of a controlled substance 310
in schedule I or II. 311

(b) One of the following applies regarding the substance: 312

(i) The substance has a stimulant, depressant, or 313
hallucinogenic effect on the central nervous system that is 314
substantially similar to or greater than the stimulant, 315
depressant, or hallucinogenic effect on the central nervous 316
system of a controlled substance in schedule I or II. 317

(ii) With respect to a particular person, that person 318
represents or intends the substance to have a stimulant, 319
depressant, or hallucinogenic effect on the central nervous 320
system that is substantially similar to or greater than the 321
stimulant, depressant, or hallucinogenic effect on the central 322
nervous system of a controlled substance in schedule I or II. 323

(2) "Controlled substance analog" does not include any of 324
the following: 325

(a) A controlled substance; 326

(b) Any substance for which there is an approved new drug 327
application; 328

(c) With respect to a particular person, any substance if 329
an exemption is in effect for investigational use for that 330
person pursuant to federal law to the extent that conduct with 331
respect to that substance is pursuant to that exemption; 332

(d) Any substance to the extent it is not intended for 333
human consumption before the exemption described in division 334
(HH) (2) (b) of this section takes effect with respect to that 335
substance. 336

(II) "Benzodiazepine" means a controlled substance that 337
has United States food and drug administration approved labeling 338
indicating that it is a benzodiazepine, benzodiazepine 339
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 340
derivative, including the following drugs and their varying salt 341
forms or chemical congeners: alprazolam, chlordiazepoxide 342
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 343
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 344
oxazepam, quazepam, temazepam, and triazolam. 345

(JJ) "Opioid analgesic" means a controlled substance that 346
has analgesic pharmacologic activity at the opioid receptors of 347
the central nervous system, including the following drugs and 348
their varying salt forms or chemical congeners: buprenorphine, 349
butorphanol, codeine (including acetaminophen and other 350
combination products), dihydrocodeine, fentanyl, hydrocodone 351
(including acetaminophen combination products), hydromorphone, 352
meperidine, methadone, morphine sulfate, oxycodone (including 353
acetaminophen, aspirin, and other combination products), 354
oxymorphone, tapentadol, and tramadol. 355

(KK) "Emergency facility" means a hospital emergency department or any other facility that provides emergency care.

(LL) "Hemp" and "hemp product" have the same meanings as in section 928.01 of the Revised Code.

Sec. 3719.41. Controlled substance schedules I, II, III, IV, and V are hereby established, which schedules include the following, subject to amendment pursuant to section 3719.43 or 3719.44 of the Revised Code.

SCHEDULE I

(A) Narcotics-opiates

Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	383 384
(9) Benzethidine;	385
(10) Betacetylmethadol;	386
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N- phenylpropanamide);	387 388
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	389 390 391
(13) Betameprodine;	392
(14) Betamethadol;	393
(15) Betaprodine;	394
(16) Clonitazene;	395
(17) Dextromoramide;	396
(18) Diampromide;	397
(19) Diethylthiambutene;	398
(20) Difenoxy;	399
(21) Dimenoxadol;	400
(22) Dimepheptanol;	401
(23) Dimethylthiambutene;	402
(24) Dioxaphetyl butyrate;	403
(25) Dipipanone;	404
(26) Ethylmethylthiambutene;	405
(27) Etonitazene;	406

(28) Etoxeridine;	407
(29) Furethidine;	408
(30) Hydroxypethidine;	409
(31) Ketobemidone;	410
(32) Levomoramide;	411
(33) Levophenacylmorphane;	412
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);	413 414
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	415 416
(36) Morpheridine;	417
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	418
(38) Noracymethadol;	419
(39) Norlevorphanol;	420
(40) Normethadone;	421
(41) Norpipanone;	422
(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);	423 424
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);	425
(44) Phenadoxone;	426
(45) Phenampromide;	427
(46) Phenomorphan;	428
(47) Phenoperidine;	429

(48) Piritramide;	430
(49) Proheptazine;	431
(50) Properidine;	432
(51) Propiram;	433
(52) Racemoramide;	434
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	435 436
(54) Tilidine;	437
(55) Trimeperidine.	438
(56) Except as otherwise provided in this section, any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory:	439 440 441 442
(a) A chemical scaffold consisting of both of the following:	443 444
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	445 446
(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen;	447 448 449
(b) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide, or ester;	450 451 452
(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and	453 454
(d) The compound has not been approved for medical use by	455

the United States food and drug administration. 456

(B) Narcotics-opium derivatives 457

Any of the following opium derivatives, including their 458
salts, isomers, and salts of isomers, unless specifically 459
excepted under federal drug abuse control laws, whenever the 460
existence of these salts, isomers, and salts of isomers is 461
possible within the specific chemical designation: 462

(1) Acetorphine; 463

(2) Acetyldihydrocodeine; 464

(3) Benzylmorphine; 465

(4) Codeine methylbromide; 466

(5) Codeine-n-oxide; 467

(6) Cyprenorphine; 468

(7) Desomorphine; 469

(8) Dihydromorphine; 470

(9) Drotebanol; 471

(10) Etorphine (except hydrochloride salt); 472

(11) Heroin; 473

(12) Hydromorphenol; 474

(13) Methyldesorphine; 475

(14) Methyldihydromorphine; 476

(15) Morphine methylbromide; 477

(16) Morphine methylsulfonate; 478

(17) Morphine-n-oxide; 479

(18) Myrophine;	480
(19) Nicocodeine;	481
(20) Nicomorphine;	482
(21) Normorphine;	483
(22) Pholcodine;	484
(23) Thebacon.	485
(C) Hallucinogens	486
Any material, compound, mixture, or preparation that	487
contains any quantity of the following hallucinogenic	488
substances, including their salts, isomers, and salts of	489
isomers, unless specifically excepted under federal drug abuse	490
control laws, whenever the existence of these salts, isomers,	491
and salts of isomers is possible within the specific chemical	492
designation. For the purposes of this division only, "isomer"	493
includes the optical isomers, position isomers, and geometric	494
isomers.	495
(1) Alpha-ethyltryptamine (some trade or other names:	496
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-	497
aminobutyl) indole; alpha-ET; and AET);	498
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other	499
names: 4-bromo-2,5-dimethoxy-alpha-methyphenethylamine; 4-bromo-	500
2,5-DMA);	501
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or	502
other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;	503
alpha-desmethyl DOB; 2C-B, Nexus);	504
(4) 2,5-dimethoxyamphetamine (some trade or other names:	505
2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	506

(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	507 508
(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	509 510 511
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	512
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	513 514 515
(9) 3,4-methylenedioxy amphetamine (MDA);	516
(10) 3,4-methylenedioxymethamphetamine (MDMA);	517
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	518 519 520
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	521 522 523
(13) 3,4,5-trimethoxy amphetamine;	524
(14) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);	525 526 527 528
(15) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);	529 530
(16) Dimethyltryptamine (some trade or other names: DMT);	531
(17) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano- 5H-	532 533

pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	534
(18) Lysergic acid diethylamide;	535
(19) Marihuana;	536
(20) Mescaline;	537
(21) Parahexyl (some trade or other names: 3-hexyl-1-	538
hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-	539
dibenzo[b,d]pyran; synhexyl);	540
(22) Peyote (meaning all parts of the plant presently	541
classified botanically as "Lophophora williamsii Lemaire,"	542
whether growing or not, the seeds of that plant, any extract	543
from any part of that plant, and every compound, manufacture,	544
salts, derivative, mixture, or preparation of that plant, its	545
seeds, or its extracts);	546
(23) N-ethyl-3-piperidyl benzilate;	547
(24) N-methyl-3-piperidyl benzilate;	548
(25) Psilocybin;	549
(26) Psilocyn;	550
(27) Tetrahydrocannabinols (synthetic equivalents of the	551
substances contained in the plant, or in the resinous	552
extractives of Cannabis, sp. and/or synthetic substances,	553
derivatives, and their isomers with similar chemical structure	554
and pharmacological activity such as the following: delta-1-cis	555
or trans tetrahydrocannabinol, and their optical isomers; delta-	556
6-cis or trans tetrahydrocannabinol, and their optical isomers;	557
delta-3,4-cis or trans tetrahydrocannabinol, and its optical	558
isomers. (Since nomenclature of these substances is not	559
internationally standardized, compounds of these structures,	560

regardless of numerical designation of atomic positions, are 561
covered.)), excluding tetrahydrocannabinols found in hemp; 562

(28) Ethylamine analog of phencyclidine (some trade or 563
other names: N-ethyl-1-phenylcyclohexylamine; (1- 564
phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; 565
cyclohexamine; PCE); 566

(29) Pyrrolidine analog of phencyclidine (some trade or 567
other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP); 568

(30) Thiophene analog of phencyclidine (some trade or 569
other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl 570
analog of phencyclidine; TPCP; TCP); 571

(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine; 572

(32) Hashish; 573

(33) Salvia divinorum; 574

(34) Salvinorin A; 575

(35) (1-pentylindol-3-yl)-(2,2,3,3- 576
tetramethylcyclopropyl)methanone (UR-144); 577

(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001); 578

(37) N-adamantyl-1-pentylindole-3-carboxamide; 579

(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48); 580

(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone 581
(methoxetamine); 582

(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT); 583

(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3- 584
tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11); 585

(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	586 587
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3-tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	588 589
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3-tetramethylcyclopropyl) methanone (A-796,260);	590 591
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1-adamantoyl)indole (AM1248);	592 593
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	594
(47) 5-(2-aminopropyl)benzofuran (5-APB);	595
(48) 6-(2-aminopropyl)benzofuran (6-APB);	596
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	597
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	598
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	599
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	600
(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	601
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	602
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	603
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);	604 605
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	606 607
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	608
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	609

(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);	610 611
(61) 4-methoxymethamphetamine (PMMA);	612
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	613
(63) 5-iodo-2-aminoindane (5-IAI);	614
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);	615 616
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	617 618
(66) Desoxypipradrol (2-benzhydrylpiperidine);	619
(67) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical groups:	620 621 622 623 624 625 626 627
(a) Naphthoylindoles: any compound containing a 3-(1-naphthoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent.	628 629 630 631 632 633 634 635 636
Naphthoylindoles include, but are not limited to, 1-[2-(4-	637

morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1-naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole (JWH-073).

(b) Naphthylmethylindeles: any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthylmethylindeles include, but are not limited to, (1-pentylindol-3-yl)(1-naphthyl)methane (JWH-175).

(c) Naphthoylpyrroles: any compound containing a 3-(1-naphthoyl)pyrrole structure with or without substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the pyrrole ring to any extent or whether or not substituted on the naphthyl group to any extent. Naphthoylpyrroles include, but are not limited to, 1-hexyl-2-phenyl-4-(1-naphthoyl)pyrrole (JWH-147).

(d) Naphthylmethylindenes: any compound containing a naphthylmethylindeneindene structure with or without substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-

2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 668
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 669
or 2-(4-morpholinyl)ethyl group, whether or not further 670
substituted on the indene group to any extent or whether or not 671
substituted on the naphthyl group to any extent. 672
Naphthylmethylindenes include, but are not limited to, (1-[(3- 673
pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 674

(e) Phenylacetylindoles: any compound containing a 3- 675
phenylacetylindole structure with or without substitution at the 676
nitrogen atom of the indole ring by an alkyl, haloalkyl, 677
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 678
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 679
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 680
or 2-(4-morpholinyl)ethyl group, whether or not further 681
substituted on the indole ring to any extent or whether or not 682
substituted on the phenyl group to any extent. 683
Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 684
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 685
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 686
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 687

(f) Cyclohexylphenols: any compound containing a 2-(3- 688
hydroxycyclohexyl)phenol structure with or without substitution 689
at the 5-position of the phenolic ring by an alkyl, haloalkyl, 690
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 691
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 692
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 693
or 2-(4-morpholinyl)ethyl group, whether or not further 694
substituted on the cyclohexyl group to any extent. 695
Cyclohexylphenols include, but are not limited to, 5-(1,1- 696
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some 697
trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2- 698

[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: 699
cannabicyclohexanol; CP-47,497 C8 homologue). 700

(g) Benzoylindoles: any compound containing a 3-(1- 701
benzoyl)indole structure with or without substitution at the 702
nitrogen atom of the indole ring by an alkyl, haloalkyl, 703
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 704
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 705
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl 706
or 2-(4-morpholinyl)ethyl group, whether or not further 707
substituted on the indole ring to any extent or whether or not 708
substituted on the phenyl group to any extent. Benzoylindoles 709
include, but are not limited to, 1-pentyl-3-(4- 710
methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2- 711
methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098). 712

(D) Depressants 713

Any material, compound, mixture, or preparation that 714
contains any quantity of the following substances having a 715
depressant effect on the central nervous system, including their 716
salts, isomers, and salts of isomers, unless specifically 717
excepted under federal drug abuse control laws, whenever the 718
existence of these salts, isomers, and salts of isomers is 719
possible within the specific chemical designation: 720

(1) Mecloqualone; 721

(2) Methaqualone. 722

(E) Stimulants 723

Unless specifically excepted or unless listed in another 724
schedule, any material, compound, mixture, or preparation that 725
contains any quantity of the following substances having a 726
stimulant effect on the central nervous system, including their 727

salts, isomers, and salts of isomers:	728
(1) Aminorex (some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine);	729 730
(2) Fenethylamine;	731
(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);	732 733
(4) N-ethylamphetamine;	734
(5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine);	735 736
(6) N-methyl-1-(thiophen-2-yl) propan-2-amine (Methiopropamine);	737 738
(7) Substituted cathinones - any compound except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:	739 740 741 742 743 744
(a) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;	745 746 747 748
(b) By substitution at the 3-position with an acyclic alkyl substituent;	749 750
(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;	751 752
(d) By inclusion of the 2-amino nitrogen atom in a cyclic structure.	753 754

Examples of substituted cathinones include, but are not 755
limited to, methylone (3,4-methylenedioxymethcathinone), MDPV 756
(3,4-methylenedioxypyrovalerone), mephedrone (4- 757
methylethcathinone), 4-methoxymethcathinone, 4- 758
fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2- 759
(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3- 760
benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1- 761
pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1- 762
phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1- 763
phenyl-1-propanone), and methcathinone (2-(methylamino)- 764
propylphenone). 765

SCHEDULE II 766

(A) Narcotics-opium and opium derivatives 767

Unless specifically excepted under federal drug abuse 768
control laws or unless listed in another schedule, any of the 769
following substances whether produced directly or indirectly by 770
extraction from substances of vegetable origin, independently by 771
means of chemical synthesis, or by a combination of extraction 772
and chemical synthesis: 773

(1) Opium and opiate, and any salt, compound, derivative, 774
or preparation of opium or opiate, excluding apomorphine, 775
thebaine-derived butorphanol, dextropropion, nalbuphine, 776
nalmefene, naloxone, and naltrexone, and their respective salts, 777
but including the following: 778

(a) Raw opium; 779

(b) Opium extracts; 780

(c) Opium fluid extracts; 781

(d) Powdered opium; 782

(e) Granulated opium;	783
(f) Tincture of opium;	784
(g) Codeine;	785
(h) Ethylmorphine;	786
(i) Etorphine hydrochloride;	787
(j) Hydrocodone;	788
(k) Hydromorphone;	789
(l) Metopon;	790
(m) Morphine;	791
(n) Oxycodone;	792
(o) Oxymorphone;	793
(p) Thebaine.	794
(2) Any salt, compound, derivative, or preparation thereof	795
that is chemically equivalent to or identical with any of the	796
substances referred to in division (A) (1) of this schedule,	797
except that these substances shall not include the isoquinoline	798
alkaloids of opium;	799
(3) Opium poppy and poppy straw;	800
(4) Coca leaves and any salt, compound, derivative, or	801
preparation of coca leaves (including cocaine and ecgonine,	802
their salts, isomers, and derivatives, and salts of those	803
isomers and derivatives), and any salt, compound, derivative, or	804
preparation thereof that is chemically equivalent to or	805
identical with any of these substances, except that the	806
substances shall not include decocainized coca leaves or	807
extraction of coca leaves, which extractions do not contain	808

cocaine or ecgonine;	809
(5) Concentrate of poppy straw (the crude extract of poppy	810
straw in either liquid, solid, or powder form that contains the	811
phenanthrene alkaloids of the opium poppy).	812
(B) Narcotics-opiates	813
Unless specifically excepted under federal drug abuse	814
control laws or unless listed in another schedule, any of the	815
following opiates, including their isomers, esters, ethers,	816
salts, and salts of isomers, esters, and ethers, whenever the	817
existence of these isomers, esters, ethers, and salts is	818
possible within the specific chemical designation, but excluding	819
dextrophan and levopropoxyphene:	820
(1) Alfentanil;	821
(2) Alphaprodine;	822
(3) Anileridine;	823
(4) Bezitramide;	824
(5) Bulk dextropropoxyphene (non-dosage forms);	825
(6) Carfentanil;	826
(7) Dihydrocodeine;	827
(8) Diphenoxylate;	828
(9) Fentanyl;	829
(10) Isomethadone;	830
(11) Levo-alpha-acetylmethadol (some other names: levo-	831
alpha-acetylmethadol; levomethadyl acetate; LAAM);	832
(12) Levomethorphan;	833

(13) Levorphanol;	834
(14) Metazocine;	835
(15) Methadone;	836
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;	837 838
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	839 840
(18) Pethidine (meperidine);	841
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;	842 843
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;	844 845
(21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;	846 847
(22) Phenazocine;	848
(23) Piminodine;	849
(24) Racemethorphan;	850
(25) Racemorphan;	851
(26) Remifentanil;	852
(27) Sufentanil.	853
(C) Stimulants	854
Unless specifically excepted under federal drug abuse	855
control laws or unless listed in another schedule, any material,	856
compound, mixture, or preparation that contains any quantity of	857
the following substances having a stimulant effect on the	858

central nervous system:	859
(1) Amphetamine, its salts, its optical isomers, and salts	860
of its optical isomers;	861
(2) Methamphetamine, its salts, its isomers, and salts of	862
its isomers;	863
(3) Methylphenidate;	864
(4) Phenmetrazine and its salts;	865
(5) Lisdexamfetamine, its salts, isomers, and salts of its	866
isomers.	867
(D) Depressants	868
Unless specifically excepted under federal drug abuse	869
control laws or unless listed in another schedule, any material,	870
compound, mixture, or preparation that contains any quantity of	871
the following substances having a depressant effect on the	872
central nervous system, including their salts, isomers, and	873
salts of isomers, whenever the existence of these salts,	874
isomers, and salts of isomers is possible within the specific	875
chemical designation:	876
(1) Amobarbital;	877
(2) Gamma-hydroxy-butyrate;	878
(3) Glutethimide;	879
(4) Pentobarbital;	880
(5) Phencyclidine (some trade or other names: 1-(1-	881
phenylcyclohexyl)piperidine; PCP);	882
(6) Secobarbital;	883
(7) 1-aminophenylcyclohexane and all N-mono-substituted	884

and/or all N-N-disubstituted analogs including, but not limited 885
to, the following: 886

- | | |
|--|-----|
| (a) 1-phenylcyclohexylamine; | 887 |
| (b) (1-phenylcyclohexyl) methylamine; | 888 |
| (c) (1-phenylcyclohexyl) dimethylamine; | 889 |
| (d) (1-phenylcyclohexyl) methylethylamine; | 890 |
| (e) (1-phenylcyclohexyl) isopropylamine; | 891 |
| (f) 1-(1-phenylcyclohexyl) morpholine. | 892 |

(E) Hallucinogenic substances 893

(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one).

(F) Immediate precursors 897

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and 902
methamphetamine: 903

(a) Phenylacetone (some trade or other names: phenyl-2- 904
propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); 905

(2) Immediate precursors to phencyclidine (PCP): 906

(a) 1-phenylcyclohexylamine; 907

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 908

(A) Stimulants 910

Unless specifically excepted under federal drug abuse 911
control laws or unless listed in another schedule, any material, 912
compound, mixture, or preparation that contains any quantity of 913
the following substances having a stimulant effect on the 914
central nervous system, including their salts, their optical 915
isomers, position isomers, or geometric isomers, and salts of 916
these isomers, whenever the existence of these salts, isomers, 917
and salts of isomers is possible within the specific chemical 918
designation: 919

(1) All stimulant compounds, mixtures, and preparations 920
included in schedule III pursuant to the federal drug abuse 921
control laws and regulations adopted under those laws; 922

(2) Benzphetamine; 923

(3) Chlorphentermine; 924

(4) Clortermine; 925

(5) Phendimetrazine. 926

(B) Depressants 927

Unless specifically excepted under federal drug abuse 928
control laws or unless listed in another schedule, any material, 929
compound, mixture, or preparation that contains any quantity of 930
the following substances having a depressant effect on the 931
central nervous system: 932

(1) Any compound, mixture, or preparation containing 933
amobarbital, secobarbital, pentobarbital, or any salt of any of 934
these drugs, and one or more other active medicinal ingredients 935
that are not listed in any schedule; 936

(2) Any suppository dosage form containing amobarbital,	937
secobarbital, pentobarbital, or any salt of any of these drugs	938
and approved by the food and drug administration for marketing	939
only as a suppository;	940
(3) Any substance that contains any quantity of a	941
derivative of barbituric acid or any salt of a derivative of	942
barbituric acid;	943
(4) Chlorhexadol;	944
(5) Ketamine, its salts, isomers, and salts of isomers	945
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	946
(methylamino)-cyclohexanone);	947
(6) Lysergic acid;	948
(7) Lysergic acid amide;	949
(8) Methyprylon;	950
(9) Sulfondiethylmethane;	951
(10) Sulfonethylmethane;	952
(11) Sulfonmethane;	953
(12) Tiletamine, zolazepam, or any salt of tiletamine or	954
zolazepam (some trade or other names for a tiletamine-zolazepam	955
combination product: Telazol); (some trade or other names for	956
tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some	957
trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-	958
dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-	959
one; flupyrazapon).	960
(C) Narcotic antidotes	961
(1) Nalorphine.	962

(D) Narcotics-narcotic preparations	963
Unless specifically excepted under federal drug abuse	964
control laws or unless listed in another schedule, any material,	965
compound, mixture, or preparation that contains any of the	966
following narcotic drugs, or their salts calculated as the free	967
anhydrous base or alkaloid, in limited quantities as set forth	968
below:	969
(1) Not more than 1.8 grams of codeine per 100 milliliters	970
or not more than 90 milligrams per dosage unit, with an equal or	971
greater quantity of an isoquinoline alkaloid of opium;	972
(2) Not more than 1.8 grams of codeine per 100 milliliters	973
or not more than 90 milligrams per dosage unit, with one or more	974
active, nonnarcotic ingredients in recognized therapeutic	975
amounts;	976
(3) Not more than 300 milligrams of dihydrocodeinone per	977
100 milliliters or not more than 15 milligrams per dosage unit,	978
with a fourfold or greater quantity of an isoquinoline alkaloid	979
of opium;	980
(4) Not more than 300 milligrams of dihydrocodeinone per	981
100 milliliters or not more than 15 milligrams per dosage unit,	982
with one or more active, nonnarcotic ingredients in recognized	983
therapeutic amounts;	984
(5) Not more than 1.8 grams of dihydrocodeine per 100	985
milliliters or not more than 90 milligrams per dosage unit, with	986
one or more active, nonnarcotic ingredients in recognized	987
therapeutic amounts;	988
(6) Not more than 300 milligrams of ethylmorphine per 100	989
milliliters or not more than 15 milligrams per dosage unit, with	990
one or more active, nonnarcotic ingredients in recognized	991

therapeutic amounts; 992

(7) Not more than 500 milligrams of opium per 100 993
milliliters or per 100 grams or not more than 25 milligrams per 994
dosage unit, with one or more active, nonnarcotic ingredients in 995
recognized therapeutic amounts; 996

(8) Not more than 50 milligrams of morphine per 100 997
milliliters or per 100 grams, with one or more active, 998
nonnarcotic ingredients in recognized therapeutic amounts. 999

(E) Anabolic steroids 1000

Unless specifically excepted under federal drug abuse 1001
control laws or unless listed in another schedule, any material, 1002
compound, mixture, or preparation that contains any quantity of 1003
the following substances, including their salts, esters, 1004
isomers, and salts of esters and isomers, whenever the existence 1005
of these salts, esters, and isomers is possible within the 1006
specific chemical designation: 1007

(1) Anabolic steroids. Except as otherwise provided in 1008
division (E)(1) of schedule III, "anabolic steroids" means any 1009
drug or hormonal substance that is chemically and 1010
pharmacologically related to testosterone (other than estrogens, 1011
progestins, and corticosteroids) and that promotes muscle 1012
growth. "Anabolic steroids" does not include an anabolic steroid 1013
that is expressly intended for administration through implants 1014
to cattle or other nonhuman species and that has been approved 1015
by the United States secretary of health and human services for 1016
that administration, unless a person prescribes, dispenses, or 1017
distributes this type of anabolic steroid for human use. 1018
"Anabolic steroid" includes, but is not limited to, the 1019
following: 1020

(a) Boldenone;	1021
(b) Chlorotestosterone (4-chlortestosterone);	1022
(c) Clostebol;	1023
(d) Dehydrochlormethyltestosterone;	1024
(e) Dihydrotestosterone (4-dihydrotestosterone);	1025
(f) Drostanolone;	1026
(g) Ethylestrenol;	1027
(h) Fluoxymesterone;	1028
(i) Formebolone (formebolone);	1029
(j) Mesterolone;	1030
(k) Methandienone;	1031
(l) Methandranone;	1032
(m) Methandriol;	1033
(n) Methandrostenolone;	1034
(o) Methenolone;	1035
(p) Methyltestosterone;	1036
(q) Mibolerone;	1037
(r) Nandrolone;	1038
(s) Norethandrolone;	1039
(t) Oxandrolone;	1040
(u) Oxymesterone;	1041
(v) Oxymetholone;	1042

(w) Stanolone;	1043
(x) Stanozolol;	1044
(y) Testolactone;	1045
(z) Testosterone;	1046
(aa) Trenbolone;	1047
(bb) Any salt, ester, isomer, or salt of an ester or	1048
isomer of a drug or hormonal substance described or listed in	1049
division (E) (1) of schedule III if the salt, ester, or isomer	1050
promotes muscle growth.	1051
(F) Hallucinogenic substances	1052
(1) Dronabinol (synthetic) in sesame oil and encapsulated	1053
in a soft gelatin capsule in a United States food and drug	1054
administration approved drug product (some other names for	1055
dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl-	1056
3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)-	1057
tetrahydrocannabinol).	1058
SCHEDULE IV	1059
(A) Narcotic drugs	1060
Unless specifically excepted by federal drug abuse control	1061
laws or unless listed in another schedule, any material,	1062
compound, mixture, or preparation that contains any of the	1063
following narcotic drugs, or their salts calculated as the free	1064
anhydrous base or alkaloid, in limited quantities as set forth	1065
below:	1066
(1) Not more than one milligram of difenoxin and not less	1067
than 25 micrograms of atropine sulfate per dosage unit;	1068
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-	1069

diphenyl-3-methyl-2- propionoxybutane) [final dosage forms].	1070
(B) Depressants	1071
Unless specifically excepted under federal drug abuse	1072
control laws or unless listed in another schedule, any material,	1073
compound, mixture, or preparation that contains any quantity of	1074
the following substances, including their salts, isomers, and	1075
salts of isomers, whenever the existence of these salts,	1076
isomers, and salts of isomers is possible within the specific	1077
chemical designation:	1078
(1) Alprazolam;	1079
(2) Barbital;	1080
(3) Bromazepam;	1081
(4) Camazepam;	1082
(5) Chloral betaine;	1083
(6) Chloral hydrate;	1084
(7) Chlordiazepoxide;	1085
(8) Clobazam;	1086
(9) Clonazepam;	1087
(10) Clorazepate;	1088
(11) Clotiazepam;	1089
(12) Cloxazolam;	1090
(13) Delorazepam;	1091
(14) Diazepam;	1092
(15) Estazolam;	1093

(16) Ethchlorvynol;	1094
(17) Ethinamate;	1095
(18) Ethyl loflazepate;	1096
(19) Fludiazepam;	1097
(20) Flunitrazepam;	1098
(21) Flurazepam;	1099
(22) Halazepam;	1100
(23) Haloxazolam;	1101
(24) Ketazolam;	1102
(25) Loprazolam;	1103
(26) Lorazepam;	1104
(27) Lormetazepam;	1105
(28) Mebutamate;	1106
(29) Medazepam;	1107
(30) Meprobamate;	1108
(31) Methohexital;	1109
(32) Methylphenobarbital (mephobarbital);	1110
(33) Midazolam;	1111
(34) Nimetazepam;	1112
(35) Nitrazepam;	1113
(36) Nordiazepam;	1114
(37) Oxazepam;	1115

(38) Oxazolam;	1116
(39) Paraldehyde;	1117
(40) Petrichloral;	1118
(41) Phenobarbital;	1119
(42) Pinazepam;	1120
(43) Prazepam;	1121
(44) Quazepam;	1122
(45) Temazepam;	1123
(46) Tetrazepam;	1124
(47) Triazolam;	1125
(48) Zaleplon;	1126
(49) Zolpidem.	1127
(C) Fenfluramine	1128

Any material, compound, mixture, or preparation that 1129
contains any quantity of the following substances, including 1130
their salts, their optical isomers, position isomers, or 1131
geometric isomers, and salts of these isomers, whenever the 1132
existence of these salts, isomers, and salts of isomers is 1133
possible within the specific chemical designation: 1134

(1) Fenfluramine. 1135

(D) Stimulants 1136

Unless specifically excepted under federal drug abuse 1137
control laws or unless listed in another schedule, any material, 1138
compound, mixture, or preparation that contains any quantity of 1139
the following substances having a stimulant effect on the 1140

central nervous system, including their salts, their optical 1141
isomers, position isomers, or geometric isomers, and salts of 1142
these isomers, whenever the existence of these salts, isomers, 1143
and salts of isomers is possible within the specific chemical 1144
designation: 1145

- (1) Cathine ((+)-norpseudoephedrine); 1146
- (2) Diethylpropion; 1147
- (3) Fencamfamin; 1148
- (4) Fenproporex; 1149
- (5) Mazindol; 1150
- (6) Mefenorex; 1151
- (7) Modafinil; 1152
- (8) Pemoline (including organometallic complexes and 1153
chelates thereof); 1154
- (9) Phentermine; 1155
- (10) Pipradrol; 1156
- (11) Sibutramine; 1157
- (12) SPA [(-)-1-dimethylamino-1,2-diphenylethane]. 1158
- (E) Other substances 1159

Unless specifically excepted under federal drug abuse 1160
control laws or unless listed in another schedule, any material, 1161
compound, mixture, or preparation that contains any quantity of 1162
the following substances, including their salts: 1163

- (1) Pentazocine; 1164
- (2) Butorphanol (including its optical isomers). 1165

SCHEDULE V	1166
(A) Narcotic drugs	1167
Unless specifically excepted under federal drug abuse	1168
control laws or unless listed in another schedule, any material,	1169
compound, mixture, or preparation that contains any of the	1170
following narcotic drugs, and their salts, as set forth below:	1171
(1) Buprenorphine.	1172
(B) Narcotics-narcotic preparations	1173
Narcotic drugs containing non-narcotic active medicinal	1174
ingredients. Any compound, mixture, or preparation that contains	1175
any of the following narcotic drugs, or their salts calculated	1176
as the free anhydrous base or alkaloid, in limited quantities as	1177
set forth below, and that includes one or more nonnarcotic	1178
active medicinal ingredients in sufficient proportion to confer	1179
upon the compound, mixture, or preparation valuable medicinal	1180
qualities other than those possessed by narcotic drugs alone:	1181
(1) Not more than 200 milligrams of codeine per 100	1182
milliliters or per 100 grams;	1183
(2) Not more than 100 milligrams of dihydrocodeine per 100	1184
milliliters or per 100 grams;	1185
(3) Not more than 100 milligrams of ethylmorphine per 100	1186
milliliters or per 100 grams;	1187
(4) Not more than 2.5 milligrams of diphenoxylate and not	1188
less than 25 micrograms of atropine sulfate per dosage unit;	1189
(5) Not more than 100 milligrams of opium per 100	1190
milliliters or per 100 grams;	1191
(6) Not more than 0.5 milligram of difenoxin and not less	1192

than 25 micrograms of atropine sulfate per dosage unit. 1193

(C) Stimulants 1194

Unless specifically exempted or excluded under federal 1195
drug abuse control laws or unless listed in another schedule, 1196
any material, compound, mixture, or preparation that contains 1197
any quantity of the following substances having a stimulant 1198
effect on the central nervous system, including their salts, 1199
isomers, and salts of isomers: 1200

(1) Ephedrine, except as provided in division (K) of 1201
section 3719.44 of the Revised Code; 1202

(2) Pyrovalerone. 1203

(D) Approved cannabidiol drugs 1204

Unless specifically exempted or excluded under federal 1205
drug abuse control laws or unless listed in another schedule, 1206
any drug product in finished dosage formulation that has been 1207
approved by the United States food and drug administration that 1208
contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2- 1209
cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis 1210
and not more than 0.1 per cent (w/w) residual 1211
tetrahydrocannabinols. 1212

Section 2. That the existing sections 3719.01 and 3719.41 1213
of the Revised Code are hereby repealed. 1214

Section 3. That the versions of sections 3719.01 and 1215
3719.41 of the Revised Code that are scheduled to take effect on 1216
March 22, 2020, be amended to read as follows: 1217

Sec. 3719.01. As used in this chapter: 1218

(A) "Administer" means the direct application of a drug, 1219

whether by injection, inhalation, ingestion, or any other means	1220
to a person or an animal.	1221
(B) "Drug enforcement administration" means the drug	1222
enforcement administration of the United States department of	1223
justice or its successor agency.	1224
(C) "Controlled substance" means a drug, compound,	1225
mixture, preparation, or substance included in schedule I, II,	1226
III, IV, or V.	1227
(D) "Dangerous drug" has the same meaning as in section	1228
4729.01 of the Revised Code.	1229
(E) "Dispense" means to sell, leave with, give away,	1230
dispose of, or deliver.	1231
(F) "Distribute" means to deal in, ship, transport, or	1232
deliver but does not include administering or dispensing a drug.	1233
(G) "Drug" has the same meaning as in section 4729.01 of	1234
the Revised Code.	1235
(H) "Drug abuse offense" and "felony drug abuse offense"	1236
have the same meanings as in section 2925.01 of the Revised	1237
Code.	1238
(I) "Federal drug abuse control laws" means the	1239
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"	1240
84 Stat. 1242, 21 U.S.C. 801, as amended.	1241
(J) "Hospital" means a facility registered as a hospital	1242
with the department of health under section 3701.07 of the	1243
Revised Code.	1244
(K) "Hypodermic" means a hypodermic syringe or needle, or	1245
other instrument or device for the injection of medication.	1246

(L) "Manufacturer" means a person who manufactures a controlled substance, as "manufacture" is defined in section 3715.01 of the Revised Code, and includes a "manufacturer of dangerous drugs" as defined in section 4729.01 of the Revised Code.

(M) "Marihuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marihuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Marihuana" does not include hemp or a hemp product.

(N) "Narcotic drugs" means coca leaves, opium, isonipecaine, amidone, isoamidone, ketobemidone, as defined in this division, and every substance not chemically distinguished from them and every drug, other than cannabis, that may be included in the meaning of "narcotic drug" under the federal drug abuse control laws. As used in this division:

(1) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves, that does not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(2) "Isonipecaine" means any substance identified

chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 1277
ethyl ester, or any salt thereof, by whatever trade name 1278
designated. 1279

(3) "Amidone" means any substance identified chemically as 1280
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 1281
by whatever trade name designated. 1282

(4) "Isoamidone" means any substance identified chemically 1283
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 1284
thereof, by whatever trade name designated. 1285

(5) "Ketobemidone" means any substance identified 1286
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 1287
ketone hydrochloride, or any salt thereof, by whatever trade 1288
name designated. 1289

(6) "Cocaine" has the same meaning as in section 2925.01 1290
of the Revised Code. 1291

(O) "Official written order" means an order written on a 1292
form provided for that purpose by the director of the United 1293
States drug enforcement administration, under any laws of the 1294
United States making provision for the order, if the order forms 1295
are authorized and required by federal law. 1296

(P) "Person" means any individual, corporation, 1297
government, governmental subdivision or agency, business trust, 1298
estate, trust, partnership, association, or other legal entity. 1299

(Q) "Pharmacist" means a person licensed under Chapter 1300
4729. of the Revised Code to engage in the practice of pharmacy. 1301

(R) "Pharmacy" has the same meaning as in section 4729.01 1302
of the Revised Code. 1303

(S) "Poison" means any drug, chemical, or preparation 1304

likely to be deleterious or destructive to adult human life in 1305
quantities of four grams or less. 1306

(T) "Licensed health professional authorized to prescribe 1307
drugs," "prescriber," and "prescription" have the same meanings 1308
as in section 4729.01 of the Revised Code. 1309

(U) "Sale" includes delivery, barter, exchange, transfer, 1310
or gift, or offer thereof, and each transaction of those natures 1311
made by any person, whether as principal, proprietor, agent, 1312
servant, or employee. 1313

(V) "Schedule I," "schedule II," "schedule III," "schedule 1314
IV," and "schedule V" mean controlled substance schedules I, II, 1315
III, IV, and V, respectively, as established by rule adopted 1316
under section 3719.41 of the Revised Code, as amended pursuant 1317
to section 3719.43 or 3719.44 of the Revised Code, or as 1318
established by emergency rule adopted under section 3719.45 of 1319
the Revised Code. 1320

(W) "Wholesaler" means a person who, on official written 1321
orders other than prescriptions, supplies controlled substances 1322
that the person has not manufactured, produced, or prepared 1323
personally and includes a "wholesale distributor of dangerous 1324
drugs" as defined in section 4729.01 of the Revised Code. 1325

(X) "Animal shelter" means a facility operated by a humane 1326
society or any society organized under Chapter 1717. of the 1327
Revised Code or a dog pound operated pursuant to Chapter 955. of 1328
the Revised Code. 1329

(Y) "Terminal distributor of dangerous drugs" has the same 1330
meaning as in section 4729.01 of the Revised Code. 1331

(Z) (1) "Controlled substance analog" means, except as 1332
provided in division (Z) (2) of this section, a substance to 1333

which both of the following apply: 1334

(a) The chemical structure of the substance is 1335
substantially similar to the structure of a controlled substance 1336
in schedule I or II. 1337

(b) One of the following applies regarding the substance: 1338

(i) The substance has a stimulant, depressant, or 1339
hallucinogenic effect on the central nervous system that is 1340
substantially similar to or greater than the stimulant, 1341
depressant, or hallucinogenic effect on the central nervous 1342
system of a controlled substance in schedule I or II. 1343

(ii) With respect to a particular person, that person 1344
represents or intends the substance to have a stimulant, 1345
depressant, or hallucinogenic effect on the central nervous 1346
system that is substantially similar to or greater than the 1347
stimulant, depressant, or hallucinogenic effect on the central 1348
nervous system of a controlled substance in schedule I or II. 1349

(2) "Controlled substance analog" does not include any of 1350
the following: 1351

(a) A controlled substance; 1352

(b) Any substance for which there is an approved new drug 1353
application; 1354

(c) With respect to a particular person, any substance if 1355
an exemption is in effect for investigational use for that 1356
person pursuant to federal law to the extent that conduct with 1357
respect to that substance is pursuant to that exemption; 1358

(d) Any substance to the extent it is not intended for 1359
human consumption before the exemption described in division (Z) 1360
(2) (b) of this section takes effect with respect to that 1361

substance. 1362

(AA) "Benzodiazepine" means a controlled substance that 1363
has United States food and drug administration approved labeling 1364
indicating that it is a benzodiazepine, benzodiazepine 1365
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 1366
derivative, including the following drugs and their varying salt 1367
forms or chemical congeners: alprazolam, chlordiazepoxide 1368
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 1369
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 1370
oxazepam, quazepam, temazepam, and triazolam. 1371

(BB) "Opioid analgesic" means a controlled substance that 1372
has analgesic pharmacologic activity at the opioid receptors of 1373
the central nervous system, including the following drugs and 1374
their varying salt forms or chemical congeners: buprenorphine, 1375
butorphanol, codeine (including acetaminophen and other 1376
combination products), dihydrocodeine, fentanyl, hydrocodone 1377
(including acetaminophen combination products), hydromorphone, 1378
meperidine, methadone, morphine sulfate, oxycodone (including 1379
acetaminophen, aspirin, and other combination products), 1380
oxymorphone, tapentadol, and tramadol. 1381

(CC) "Outsourcing facility," "repackager of dangerous 1382
drugs," and "third-party logistics provider" have the same 1383
meanings as in section 4729.01 of the Revised Code. 1384

(DD) "Hemp" and "hemp product" have the same meanings as 1385
in section 928.01 of the Revised Code. 1386

Sec. 3719.41. (A) For purposes of administration, 1387
enforcement, and regulation of the manufacture, distribution, 1388
dispensing, and possession of controlled substances, the state 1389
board of pharmacy shall adopt rules in accordance with Chapter 1390

119. of the Revised Code establishing schedule I, schedule II, 1391
schedule III, schedule IV, and schedule V incorporating the five 1392
schedules of controlled substances under the federal drug abuse 1393
control laws. 1394

The board may include in the schedules any compound, 1395
mixture, preparation, or substance that was included in the 1396
schedules immediately prior to ~~the effective date of this~~ 1397
~~amendment~~ March 22, 2020, as long as the inclusion does not have 1398
the effect of providing less stringent control of the compound, 1399
mixture, preparation, or substance than is provided under the 1400
federal drug abuse control laws or regulations adopted under 1401
those laws. 1402

(B) Except as provided in section 3719.45 of the Revised 1403
Code, the board periodically shall update the schedules by rule 1404
adopted in accordance with Chapter 119. of the Revised Code to 1405
correspond to any change in the federal drug abuse control laws 1406
or regulations adopted under those laws, any addition, transfer, 1407
or removal by congress or the attorney general of the United 1408
States as described in section 3719.43 of the Revised Code, and 1409
any addition, transfer, or removal by the board by rule adopted 1410
under section 3719.44 of the Revised Code. 1411

(C) Notwithstanding divisions (A) and (B) of this section, 1412
the board shall not adopt rules including hemp or a hemp product 1413
in a schedule as a controlled substance. 1414

(D) As used in this section, "hemp" and "hemp product" 1415
have the same meanings as in section 928.01 of the Revised Code. 1416

Section 4. That the existing versions of sections 3719.01 1417
and 3719.41 of the Revised Code that are scheduled to take 1418
effect on March 22, 2020, are hereby repealed. 1419

Section 5. Not later than one hundred and eighty days	1420
after the effective date of this section, the Director of	1421
Agriculture, in consultation with the Governor and Attorney	1422
General, shall submit a plan for the regulation of hemp	1423
cultivation to the Secretary of the United States Department of	1424
Agriculture for approval in accordance with the Agriculture	1425
Improvement Act of 2018, Pub. L. No. 115-334.	1426