

**SENATE BILL No. 325**

By Committee on Public Health and Welfare

1-24

1 AN ACT concerning controlled substances; relating to schedules IV and  
2 V; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing  
3 the existing sections.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Sec. 1. K.S.A. 2011 Supp. 65-4111 is hereby amended to read as  
7 follows: 65-4111. (a) The controlled substances listed in this section are  
8 included in schedule IV and the number set forth opposite each drug or  
9 substance is the DEA controlled substances code which has been assigned  
10 to it.

11 (b) Any material, compound, mixture or preparation which contains  
12 any quantity of the following substances including its salts, isomers and  
13 salts of isomers whenever the existence of such salts, isomers and salts of  
14 isomers is possible within the specific chemical designation and having a  
15 potential for abuse associated with a depressant effect on the central  
16 nervous system:

17	(1)Alprazolam.....	2882
18	(2) Barbital .....	2145
19	(3) Bromazepam.....	2748
20	(4) Camazepam .....	2749
21	(5) Carisoprodol.....	8192
22	<del>(5)</del> (6) Chloral betaine .....	2460
23	<del>(6)</del> (7) Chloral hydrate .....	2465
24	<del>(7)</del> (8) Chlordiazepoxide .....	2744
25	<del>(8)</del> (9)Clobazam.....	2751
26	<del>(9)</del> (10) Clonazepam.....	2737
27	<del>(10)</del> (11)Clorazepate .....	2768
28	<del>(11)</del> (12) Clotiazepam .....	2752
29	<del>(12)</del> (13) Cloxazolam .....	2753
30	<del>(13)</del> (14) Delorazepam .....	2754
31	<del>(14)</del> (15) Diazepam .....	2765
32	<del>(15)</del> (16) Dichloralphenazone .....	2467
33	<del>(16)</del> (17) Estazolam .....	2756
34	<del>(17)</del> (18) Ethchlorvynol .....	2540
35	<del>(18)</del> (19) Ethinamate .....	2545
36	<del>(19)</del> (20) Ethyl loflazepate .....	2758

1	<del>(20)</del> (21) Fludiazepam .....	2759
2	<del>(21)</del> (22) Flunitrazepam .....	2763
3	<del>(22)</del> (23) Flurazepam .....	2767
4	<del>(23)</del> (24) Fospropofol .....	2138
5	<del>(24)</del> (25) Halazepam .....	2762
6	<del>(25)</del> (26) Haloxazolam .....	2771
7	<del>(26)</del> (27) Ketazolam .....	2772
8	<del>(27)</del> (28) Loprazolam .....	2773
9	<del>(28)</del> (29) Lorazepam .....	2885
10	<del>(29)</del> (30) Lormetazepam .....	2774
11	<del>(30)</del> (31) Mebutamate .....	2800
12	<del>(31)</del> (32) Medazepam .....	2836
13	<del>(32)</del> (33) Meprobamate .....	2820
14	<del>(33)</del> (34) Methohexital .....	2264
15	<del>(34)</del> (35) Methylphenobarbital (mephobarbital) .....	2250
16	<del>(35)</del> (36) Midazolam .....	2884
17	<del>(36)</del> (37) Nimetazepam .....	2837
18	<del>(37)</del> (38) Nitrazepam .....	2834
19	<del>(38)</del> (39) Nordiazepam .....	2838
20	<del>(39)</del> (40) Oxazepam .....	2835
21	<del>(40)</del> (41) Oxazolam .....	2839
22	<del>(41)</del> (42) Paraldehyde .....	2585
23	<del>(42)</del> (43) Petrichloral .....	2591
24	<del>(43)</del> (44) Phenobarbital .....	2285
25	<del>(44)</del> (45) Pinazepam .....	2883
26	<del>(45)</del> (46) Prazepam .....	2764
27	<del>(46)</del> (47) Quazepam .....	2881
28	<del>(47)</del> (48) Temazepam .....	2925
29	<del>(48)</del> (49) Tetrazepam .....	2886
30	<del>(49)</del> (50) Triazolam .....	2887
31	<del>(50)</del> (51) Zolpidem .....	2783
32	<del>(51)</del> (52) Zaleplon .....	2781
33	<del>(52)</del> (53) Zopiclone .....	2784

(c) Any material, compound, mixture, or preparation which contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any

1 quantity of the following substances having a stimulant effect on the  
 2 central nervous system, including its salts, isomers (whether optical,  
 3 position or geometric) and salts of such isomers whenever the existence of  
 4 such salts, isomers and salts of isomers is possible within the specific  
 5 chemical designation:

6	(1) Cathine ((+)-norpseudoephedrine) .....	1230
7	(2) Diethylpropion .....	1610
8	(3) Fencamfamin .....	1760
9	(4) Fenproporex .....	1575
10	(5) Mazindol .....	1605
11	(6) Mefenorex .....	1580
12	(7) Pemoline (including organometallic complexes and	
13	chelates thereof) .....	1530
14	(8) Phentermine .....	1640

15 The provisions of this subsection (d)(8) shall expire on the date  
 16 phentermine and its salts and isomers are removed from schedule IV of the  
 17 federal controlled substances act (21 U.S.C. § 812; 21 code of federal  
 18 regulations 1308.14).

19	(9) Pipradrol .....	1750
20	(10) SPA((-)-1-dimethylamino-1, 2-diphenylethane) .....	1635
21	(11) Sibutramine .....	1675
22	(12) Mondafinil .....	1680

23 (e) Unless specifically excepted or unless listed in another schedule,  
 24 any material, compound, mixture or preparation which contains any  
 25 quantity of the following, including salts thereof:

26	(1) Pentazocine .....	9709
27	(2) Butorphanol (including its optical isomers) .....	9720

28 (f) Unless specifically excepted or unless listed in another schedule,  
 29 any material, compound, mixture or preparation containing any of the  
 30 following narcotic drugs, or their salts calculated as the free anhydrous  
 31 base or alkaloid, in limited quantities as set forth below:

32	(1) Not more than 1 milligram of difenoxin and not less than 25	
33	micrograms of atropine sulfate per dosage unit .....	9167
34	(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,	
35	2-diphenyl-3-methyl-2-propion-oxybutane) .....	9278

36 (g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

37 (h) The board may except by rule and regulation any compound,  
 38 mixture or preparation containing any depressant substance listed in  
 39 subsection (b) from the application of all or any part of this act if the  
 40 compound, mixture or preparation contains one or more active medicinal  
 41 ingredients not having a depressant effect on the central nervous system,  
 42 and if the admixtures are included therein in combinations, quantity,  
 43 proportion or concentration that vitiate the potential for abuse of the

1 substances which have a depressant effect on the central nervous system.

2 Sec. 2. K.S.A. 2011 Supp. 65-4113 is hereby amended to read as  
3 follows: 65-4113. (a) The controlled substances or drugs, by whatever  
4 official name, common or usual name, chemical name or brand name  
5 designated, listed in this section are included in schedule V.

6 (b) Any compound, mixture or preparation containing limited  
7 quantities of any of the following narcotic drugs which also contains one  
8 or more nonnarcotic active medicinal ingredients in sufficient proportion  
9 to confer upon the compound, mixture or preparation valuable medicinal  
10 qualities other than those possessed by the narcotic drug alone:

11 (1) Not more than 200 milligrams of codeine or any of its salts per  
12 100 milliliters or per 100 grams.

13 (2) Not more than 100 milligrams of dihydrocodeine or any of its  
14 salts per 100 milliliters or per 100 grams.

15 (3) Not more than 100 milligrams of ethylmorphine or any of its salts  
16 per 100 milliliters or per 100 grams.

17 (4) Not more than 2.5 milligrams of diphenoxylate and not less than  
18 25 micrograms of atropine sulfate per dosage unit.

19 (5) Not more than 100 milligrams of opium per 100 milliliters or per  
20 100 grams.

21 (6) Not more than .5 milligram of difenoxin (9168) and not less than  
22 25 micrograms of atropine sulfate per dosage unit.

23 (c) Unless specifically excepted or unless listed in another schedule,  
24 any material, compound, mixture or preparation which contains any  
25 quantity of the following substances having a stimulant effect on the  
26 central nervous system, including its salts, isomers (whether optical,  
27 position or geometric) and salts of such isomers whenever the existence of  
28 such salts, isomers and salts of isomers is possible within the specific  
29 chemical designation:

30 (1) Propylhexedrine (except when part of a compound used for  
31 nasal decongestion which is authorized to be sold lawfully over  
32 the counter without a prescription under the federal food, drug  
33 and cosmetic act, so long as it is used only for such purpose).....8161

34 (2) Pyrovalerone.....1485

35 (d) Any compound, mixture or preparation containing any detectable  
36 quantity of ephedrine, its salts or optical isomers, or salts of optical  
37 isomers.

38 (e) Any compound, mixture or preparation containing any detectable  
39 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical  
40 isomers.

41 (f) Unless specifically exempted or excluded or unless listed in  
42 another schedule, any material, compound, mixture, or preparation which  
43 contains any quantity of the following substances having a depressant

- 1 effect on the central nervous system, including its salts:
- 2 (1) *Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-*
- 3 *carbamic acid ethyl ester* .....2779
- 4 (±)(2) *Lacosamide [(R)-2-acetoamido-N-benzyl-*
- 5 *3-methoxy-propionamide]*.....2746
- 6 (±)(3) *Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]*. 2782
- 7 Sec. 3. K.S.A. 2011 Supp. 65-4111 and 65-4113 are hereby repealed.
- 8 Sec. 4. This act shall take effect and be in force from and after its
- 9 publication in the statute book.