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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2385

03/11/2019 Authored by Howard
The bill was read for the first time and referred to the Committee on Ways and Means
03/04/2020 By motion, recalled and re-referred to the Public Safety and Criminal Justice Reform Finance and Policy Division
03/11/2020 Adoption of Report: Placed on the General Register
Read for the Second Time

- 1.1 A bill for an act
1.2 relating to public safety; modifying the schedules of controlled substances;
1.3 amending Minnesota Statutes 2018, section 152.02, subdivisions 2, 3, 6.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.5 Section 1. Minnesota Statutes 2018, section 152.02, subdivision 2, is amended to read:
1.6 Subd. 2. Schedule I. (a) Schedule I consists of the substances listed in this subdivision.
1.7 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the
1.8 following substances, including their analogs, isomers, esters, ethers, salts, and salts of
1.9 isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers,
1.10 and salts is possible:
1.11 (1) acetylmethadol;
1.12 (2) allylprodine;
1.13 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl
1.14 acetate);
1.15 (4) alphameprodine;
1.16 (5) alphamethadol;
1.17 (6) alpha-methylfentanyl benzethidine;
1.18 (7) betacetylmethadol;
1.19 (8) betameprodine;
1.20 (9) betamethadol;

- 2.1 (10) betaprodine;
- 2.2 (11) clonitazene;
- 2.3 (12) dextromoramide;
- 2.4 (13) diampromide;
- 2.5 (14) diethylambutene;
- 2.6 (15) difenoxin;
- 2.7 (16) dimenoxadol;
- 2.8 (17) dimepheptanol;
- 2.9 (18) dimethylambutene;
- 2.10 (19) dioxaphetyl butyrate;
- 2.11 (20) dipipanone;
- 2.12 (21) ethylmethylthiambutene;
- 2.13 (22) etonitazene;
- 2.14 (23) etoxeridine;
- 2.15 (24) furethidine;
- 2.16 (25) hydroxypethidine;
- 2.17 (26) ketobemidone;
- 2.18 (27) levomoramide;
- 2.19 (28) levophenacilmorphan;
- 2.20 (29) 3-methylfentanyl;
- 2.21 (30) acetyl-alpha-methylfentanyl;
- 2.22 (31) alpha-methylthiofentanyl;
- 2.23 (32) benzylfentanyl beta-hydroxyfentanyl;
- 2.24 (33) beta-hydroxy-3-methylfentanyl;
- 2.25 (34) 3-methylthiofentanyl;
- 2.26 (35) thenylfentanyl;
- 2.27 (36) thiofentanyl;

- 3.1 (37) para-fluorofentanyl;
- 3.2 (38) morpheridine;
- 3.3 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 3.4 (40) noracymethadol;
- 3.5 (41) norlevorphanol;
- 3.6 (42) normethadone;
- 3.7 (43) norpipanone;
- 3.8 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 3.9 (45) phenadoxone;
- 3.10 (46) phenampromide;
- 3.11 (47) phenomorphan;
- 3.12 (48) phenoperidine;
- 3.13 (49) piritramide;
- 3.14 (50) proheptazine;
- 3.15 (51) properidine;
- 3.16 (52) propiram;
- 3.17 (53) racemoramide;
- 3.18 (54) tilidine;
- 3.19 (55) trimeperidine;
- 3.20 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 3.21 (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-
- 3.22 methylbenzamide(U47700);
- 3.23 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl);
- 3.24 ~~and~~
- 3.25 (59) 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadol);
- 3.26 (60) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Cyclopropyl
- 3.27 fentanyl);
- 3.28 (61) N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide) (butyryl fentanyl);

- 4.1 (62) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine) (MT-45);
- 4.2 (63) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopentyl
4.3 fentanyl);
- 4.4 (64) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl);
- 4.5 (65) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl);
- 4.6 (66) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide
4.7 (para-chloroisobutyryl fentanyl);
- 4.8 (67) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl
4.9 fentanyl);
- 4.10 (68) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide
4.11 (para-methoxybutyryl fentanyl);
- 4.12 (69) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil);
- 4.13 (70) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (4-fluoroisobutyryl
4.14 fentanyl or para-fluoroisobutyryl fentanyl);
- 4.15 (71) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl or
4.16 acryloylfentanyl);
- 4.17 (72) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl
4.18 fentanyl);
- 4.19 (73) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (ortho-fluorofentanyl
4.20 or 2-fluorofentanyl);
- 4.21 (74) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide
4.22 (tetrahydrofuranyl fentanyl); and
- 4.23 (75) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers,
4.24 esters and ethers, meaning any substance not otherwise listed under another federal
4.25 Administration Controlled Substance Code Number or not otherwise listed in this section,
4.26 and for which no exemption or approval is in effect under section 505 of the Federal Food,
4.27 Drug, and Cosmetic Act, United States Code , title 21, section 355, that is structurally related
4.28 to fentanyl by one or more of the following modifications:
- 4.29 (i) replacement of the phenyl portion of the phenethyl group by any monocycle, whether
4.30 or not further substituted in or on the monocycle;

5.1 (ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo,
5.2 haloalkyl, amino, or nitro groups;

5.3 (iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether,
5.4 hydroxyl, halo, haloalkyl, amino, or nitro groups;

5.5 (iv) replacement of the aniline ring with any aromatic monocycle whether or not further
5.6 substituted in or on the aromatic monocycle; or

5.7 (v) replacement of the N-propionyl group by another acyl group.

5.8 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
5.9 and salts of isomers, unless specifically excepted or unless listed in another schedule,
5.10 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

5.11 (1) acetorphine;

5.12 (2) acetyldihydrocodeine;

5.13 (3) benzylmorphine;

5.14 (4) codeine methylbromide;

5.15 (5) codeine-n-oxide;

5.16 (6) cyprenorphine;

5.17 (7) desomorphine;

5.18 (8) dihydromorphine;

5.19 (9) drotebanol;

5.20 (10) etorphine;

5.21 (11) heroin;

5.22 (12) hydromorphanol;

5.23 (13) methyl-desorphine;

5.24 (14) methyl-dihydromorphine;

5.25 (15) morphine methylbromide;

5.26 (16) morphine methylsulfonate;

5.27 (17) morphine-n-oxide;

5.28 (18) myrophine;

- 6.1 (19) nicocodeine;
- 6.2 (20) nicomorphine;
- 6.3 (21) normorphine;
- 6.4 (22) pholcodine; and
- 6.5 (23) thebacon.

6.6 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any
6.7 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,
6.8 or geometric), and salts of isomers, unless specifically excepted or unless listed in another
6.9 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is
6.10 possible:

- 6.11 (1) methylenedioxy amphetamine;
- 6.12 (2) methylenedioxymethamphetamine;
- 6.13 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 6.14 (4) n-hydroxy-methylenedioxyamphetamine;
- 6.15 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 6.16 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 6.17 (7) 4-methoxyamphetamine;
- 6.18 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 6.19 (9) alpha-ethyltryptamine;
- 6.20 (10) bufotenine;
- 6.21 (11) diethyltryptamine;
- 6.22 (12) dimethyltryptamine;
- 6.23 (13) 3,4,5-trimethoxyamphetamine;
- 6.24 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 6.25 (15) ibogaine;
- 6.26 (16) lysergic acid diethylamide (LSD);
- 6.27 (17) mescaline;
- 6.28 (18) parahexyl;

- 7.1 (19) N-ethyl-3-piperidyl benzilate;
- 7.2 (20) N-methyl-3-piperidyl benzilate;
- 7.3 (21) psilocybin;
- 7.4 (22) psilocyn;
- 7.5 (23) tenocyclidine (TPCP or TCP);
- 7.6 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 7.7 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 7.8 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 7.9 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 7.10 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 7.11 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 7.12 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 7.13 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 7.14 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 7.15 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 7.16 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 7.17 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 7.18 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 7.19 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 7.20 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 7.21 (2-CB-FLY);
- 7.22 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 7.23 (40) alpha-methyltryptamine (AMT);
- 7.24 (41) N,N-diisopropyltryptamine (DiPT);
- 7.25 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 7.26 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 7.27 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);

- 8.1 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 8.2 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 8.3 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 8.4 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 8.5 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 8.6 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 8.7 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 8.8 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 8.9 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 8.10 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 8.11 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 8.12 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 8.13 (57) methoxetamine (MXE);
- 8.14 (58) 5-iodo-2-aminoindane (5-IAI);
- 8.15 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 8.16 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 8.17 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 8.18 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 8.19 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 8.20 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 8.21 (65) N,N-Dipropyltryptamine (DPT);
- 8.22 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 8.23 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 8.24 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 8.25 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 8.26 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylnorketamine,
8.27 ethketamine, NENK);

- 9.1 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 9.2 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 9.3 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

9.4 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*

9.5 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,

9.6 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,

9.7 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not

9.8 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian

9.9 Church, and members of the American Indian Church are exempt from registration. Any

9.10 person who manufactures peyote for or distributes peyote to the American Indian Church,

9.11 however, is required to obtain federal registration annually and to comply with all other

9.12 requirements of law.

9.13 (f) Central nervous system depressants. Unless specifically excepted or unless listed in

9.14 another schedule, any material compound, mixture, or preparation which contains any

9.15 quantity of the following substances, their analogs, salts, isomers, and salts of isomers

9.16 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 9.17 (1) mecloqualone;
- 9.18 (2) methaqualone;
- 9.19 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 9.20 (4) flunitrazepam; ~~and~~
- 9.21 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
- 9.22 methoxyketamine);
- 9.23 (6) tianeptine;
- 9.24 (7) clonazolam;
- 9.25 (8) etizolam;
- 9.26 (9) flubromazolam; and
- 9.27 (10) flubromazepam.

9.28 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any

9.29 material compound, mixture, or preparation which contains any quantity of the following

9.30 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the

9.31 analogs, salts, isomers, and salts of isomers is possible:

- 10.1 (1) aminorex;
- 10.2 (2) cathinone;
- 10.3 (3) fenethylamine;
- 10.4 (4) methcathinone;
- 10.5 (5) methylaminorex;
- 10.6 (6) N,N-dimethylamphetamine;
- 10.7 (7) N-benzylpiperazine (BZP);
- 10.8 (8) methylmethcathinone (mephedrone);
- 10.9 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);
- 10.10 (10) methoxymethcathinone (methedrone);
- 10.11 (11) methylenedioxypropylamphetamine (MDPV);
- 10.12 (12) 3-fluoro-N-methylcathinone (3-FMC);
- 10.13 (13) methylethcathinone (MEC);
- 10.14 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 10.15 (15) dimethylmethcathinone (DMMC);
- 10.16 (16) fluoroamphetamine;
- 10.17 (17) fluoromethamphetamine;
- 10.18 (18) α -methylaminobutyrophenone (MABP or buphedrone);
- 10.19 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 10.20 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 10.21 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
- 10.22 naphyrone);
- 10.23 (22) (alpha-pyrrolidinopropiophenone (alpha-PVP);
- 10.24 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 10.25 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 10.26 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 10.27 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);

- 11.1 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 11.2 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 11.3 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 11.4 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 11.5 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 11.6 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 11.7 (33) 1-phenyl-2-(1-pyrrolidiny)-1-heptanone (PV8);
- 11.8 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 11.9 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 11.10 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 11.11 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 11.12 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP); ~~and~~
- 11.13 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
- 11.14 and
- 11.15 (40) any other substance, except bupropion or compounds listed under a different
- 11.16 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
- 11.17 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
- 11.18 compound is further modified in any of the following ways:
- 11.19 (i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
- 11.20 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
- 11.21 system by one or more other univalent substituents;
- 11.22 (ii) by substitution at the 3-position with an acyclic alkyl substituent;
- 11.23 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
- 11.24 methoxybenzyl groups; or
- 11.25 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.
- 11.26 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
- 11.27 excepted or unless listed in another schedule, any natural or synthetic material, compound,
- 11.28 mixture, or preparation that contains any quantity of the following substances, their analogs,
- 11.29 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
- 11.30 of the isomers, esters, ethers, or salts is possible:

- 12.1 (1) marijuana;
- 12.2 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, synthetic
12.3 equivalents of the substances contained in the cannabis plant or in the resinous extractives
12.4 of the plant, or synthetic substances with similar chemical structure and pharmacological
12.5 activity to those substances contained in the plant or resinous extract, including, but not
12.6 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
12.7 cis or trans tetrahydrocannabinol;
- 12.8 (3) synthetic cannabinoids, including the following substances:
- 12.9 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
12.10 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
12.11 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
12.12 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
12.13 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
12.14 naphthoylindoles include, but are not limited to:
- 12.15 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);
- 12.16 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
- 12.17 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- 12.18 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 12.19 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- 12.20 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- 12.21 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);
- 12.22 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);
- 12.23 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
- 12.24 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).
- 12.25 (ii) Naphthylmethylindoles, which are any compounds containing a
12.26 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the
12.27 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
12.28 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
12.29 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
12.30 ring to any extent. Examples of naphthylmethylindoles include, but are not limited to:
- 12.31 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

13.1 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

13.2 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
13.3 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
13.4 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
13.5 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
13.6 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
13.7 naphthoylpyrroles include, but are not limited to,
13.8 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

13.9 (iv) Naphthylmethylindenes, which are any compounds containing a naphthylideneindene
13.10 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,
13.11 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
13.12 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any
13.13 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
13.14 naphthylemethylindenes include, but are not limited to,
13.15 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

13.16 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole
13.17 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
13.18 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
13.19 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
13.20 extent, whether or not substituted in the phenyl ring to any extent. Examples of
13.21 phenylacetylindoles include, but are not limited to:

13.22 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

13.23 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

13.24 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);

13.25 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).

13.26 (vi) Cyclohexylphenols, which are compounds containing a
13.27 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
13.28 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
13.29 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
13.30 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
13.31 limited to:

13.32 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

- 14.1 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
14.2 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 14.3 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
14.4 -phenol (CP 55,940).
- 14.5 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure
14.6 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
14.7 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
14.8 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
14.9 extent and whether or not substituted in the phenyl ring to any extent. Examples of
14.10 benzoylindoles include, but are not limited to:
- 14.11 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 14.12 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
- 14.13 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN
14.14 48,098 or Pravadoline).
- 14.15 (viii) Others specifically named:
- 14.16 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
14.17 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 14.18 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
14.19 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 14.20 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
14.21 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 14.22 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 14.23 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
14.24 (XLR-11);
- 14.25 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
14.26 (AKB-48(APINACA));
- 14.27 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
14.28 (5-Fluoro-AKB-48);
- 14.29 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 14.30 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);

- 15.1 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide
15.2 (AB-PINACA);
- 15.3 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-
15.4 1H-indazole-3-carboxamide (AB-FUBINACA);
- 15.5 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-
15.6 indazole-3-carboxamide(AB-CHMINACA);
- 15.7 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
15.8 (5-fluoro-AMB);
- 15.9 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 15.10 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone
15.11 (FUBIMINA);
- 15.12 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
15.13 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 15.14 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
15.15 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 15.16 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
15.17 -1H-indole-3-carboxamide;
- 15.18 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
15.19 -1H-indazole-3-carboxamide;
- 15.20 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 15.21 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1
15.22 H-indazole-3-carboxamide (MAB-CHMINACA);
- 15.23 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
15.24 (ADB-PINACA);
- 15.25 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 15.26 (X) N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
15.27 3-carboxamide. (APP-CHMINACA);
- 15.28 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 15.29 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).
- 15.30 (ix) Additional substances specifically named:

- 16.1 (A) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
 16.2 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 16.3 (B) 1-(4-cyanobutyl)-N-(2- phenylpropan-2-yl)-1 H-indazole-3-carboxamide
 16.4 (4-CN-Cumyl-Butinaca);
- 16.5 (C) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201; CBL2201);
- 16.6 (D) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1
 16.7 H-indazole-3-carboxamide (5F-ABPINACA);
- 16.8 (E) methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
 16.9 (MDMB CHMICA);
- 16.10 (F) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
 16.11 (5F-ADB; 5F-MDMB-PINACA); and
- 16.12 (G) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
 16.13 1H-indazole-3-carboxamide (ADB-FUBINACA).
- 16.14 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended
 16.15 for human consumption.
- 16.16 Sec. 2. Minnesota Statutes 2018, section 152.02, subdivision 3, is amended to read:
- 16.17 Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this subdivision.
- 16.18 (b) Unless specifically excepted or unless listed in another schedule, any of the following
 16.19 substances whether produced directly or indirectly by extraction from substances of vegetable
 16.20 origin or independently by means of chemical synthesis, or by a combination of extraction
 16.21 and chemical synthesis:
- 16.22 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
 16.23 opiate.
- 16.24 (i) Excluding:
- 16.25 (A) apomorphine;
- 16.26 (B) thebaine-derived butorphanol;
- 16.27 (C) dextrophan;
- 16.28 (D) nalbuphine;
- 16.29 (E) nalmefene;
- 16.30 (F) naloxegol;

- 17.1 (G) naloxone;
- 17.2 (H) naltrexone; and
- 17.3 (I) their respective salts;
- 17.4 (ii) but including the following:
- 17.5 (A) opium, in all forms and extracts;
- 17.6 (B) codeine;
- 17.7 (C) dihydroetorphine;
- 17.8 (D) ethylmorphine;
- 17.9 (E) etorphine hydrochloride;
- 17.10 (F) hydrocodone;
- 17.11 (G) hydromorphone;
- 17.12 (H) metopon;
- 17.13 (I) morphine;
- 17.14 (J) oxycodone;
- 17.15 (K) oxymorphone;
- 17.16 (L) thebaine;
- 17.17 (M) oripavine;
- 17.18 (2) any salt, compound, derivative, or preparation thereof which is chemically equivalent
- 17.19 or identical with any of the substances referred to in clause (1), except that these substances
- 17.20 shall not include the isoquinoline alkaloids of opium;
- 17.21 (3) opium poppy and poppy straw;
- 17.22 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca leaves
- 17.23 (including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers
- 17.24 and derivatives), and any salt, compound, derivative, or preparation thereof which is
- 17.25 chemically equivalent or identical with any of these substances, except that the substances
- 17.26 shall not include decocainized coca leaves or extraction of coca leaves, which extractions
- 17.27 do not contain cocaine or ecgonine;
- 17.28 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid,
- 17.29 or powder form which contains the phenanthrene alkaloids of the opium poppy).

18.1 (c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
18.2 of isomers, esters and ethers, unless specifically excepted, or unless listed in another schedule,
18.3 whenever the existence of such isomers, esters, ethers and salts is possible within the specific
18.4 chemical designation:

18.5 (1) alfentanil;

18.6 (2) alphaprodine;

18.7 (3) anileridine;

18.8 (4) bezitramide;

18.9 (5) bulk dextropropoxyphene (nondosage forms);

18.10 (6) carfentanil;

18.11 (7) dihydrocodeine;

18.12 (8) dihydromorphinone;

18.13 (9) diphenoxylate;

18.14 (10) fentanyl;

18.15 (11) isomethadone;

18.16 (12) levo-alpha-acetylmethadol (LAAM);

18.17 (13) levomethorphan;

18.18 (14) levorphanol;

18.19 (15) metazocine;

18.20 (16) methadone;

18.21 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

18.22 (18) moramide - intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic
18.23 acid;

18.24 (19) pethidine;

18.25 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;

18.26 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;

18.27 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

18.28 (23) phenazocine;

- 19.1 (24) piminodine;
- 19.2 (25) racemethorphan;
- 19.3 (26) racemorphan;
- 19.4 (27) remifentanil;
- 19.5 (28) sufentanil;
- 19.6 (29) tapentadol;
- 19.7 (30) 4-Anilino-N-phenethyl-4-piperidine (ANPP).

19.8 (d) Unless specifically excepted or unless listed in another schedule, any material,
19.9 compound, mixture, or preparation which contains any quantity of the following substances
19.10 having a stimulant effect on the central nervous system:

- 19.11 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 19.12 (2) methamphetamine, its salts, isomers, and salts of its isomers;
- 19.13 (3) phenmetrazine and its salts;
- 19.14 (4) methylphenidate;
- 19.15 (5) lisdexamfetamine.

19.16 (e) Unless specifically excepted or unless listed in another schedule, any material,
19.17 compound, mixture, or preparation which contains any quantity of the following substances
19.18 having a depressant effect on the central nervous system, including its salts, isomers, and
19.19 salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible
19.20 within the specific chemical designation:

- 19.21 (1) amobarbital;
- 19.22 (2) glutethimide;
- 19.23 (3) secobarbital;
- 19.24 (4) pentobarbital;
- 19.25 (5) phencyclidine;
- 19.26 (6) phencyclidine immediate precursors:
 - 19.27 (i) 1-phenylcyclohexylamine;
 - 19.28 (ii) 1-piperidinocyclohexanecarbonitrile;
- 19.29 (7) phenylacetone.

20.1 (f) ~~Hallucinogenic substances~~ Cannabinoids:

20.2 (1) nabilone;

20.3 (2) dronabinol [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)] in an oral solution
20.4 in a drug product approved for marketing by the United States Food and Drug Administration.

20.5 Sec. 3. Minnesota Statutes 2018, section 152.02, subdivision 6, is amended to read:

20.6 Subd. 6. **Schedule V; restrictions on methamphetamine precursor drugs.** (a) As used
20.7 in this subdivision, the following terms have the meanings given:

20.8 (1) "methamphetamine precursor drug" means any compound, mixture, or preparation
20.9 intended for human consumption containing ephedrine or pseudoephedrine as its sole active
20.10 ingredient or as one of its active ingredients; and

20.11 (2) "over-the-counter sale" means a retail sale of a drug or product but does not include
20.12 the sale of a drug or product pursuant to the terms of a valid prescription.

20.13 (b) The following items are listed in Schedule V:

20.14 (1) any compound, mixture, or preparation containing any of the following limited
20.15 quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal
20.16 ingredients in sufficient proportion to confer upon the compound, mixture or preparation
20.17 valuable medicinal qualities other than those possessed by the narcotic drug alone:

20.18 (i) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;

20.19 (ii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;

20.20 (iii) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of
20.21 atropine sulfate per dosage unit;

20.22 (iv) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

20.23 (v) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine
20.24 sulfate per dosage unit.

20.25 (2) Stimulants. Unless specifically exempted or excluded or unless listed in another
20.26 schedule, any material, compound, mixture, or preparation that contains any quantity of the
20.27 following substance having a stimulant effect on the central nervous system, including its
20.28 salts, isomers, and salts of isomers: pyrovalerone.

20.29 (3) Depressants. Unless specifically exempted or excluded or unless listed in another
20.30 schedule, any material, compound, mixture, or preparation that contains any quantity of the

21.1 following substance having a depressant effect on the central nervous system, including its
21.2 salts, isomers, and salts of isomers:

21.3 (i) ezogabine;

21.4 (ii) pregabalin;

21.5 (iii) lacosamide; and

21.6 (iv) gabapentin.

21.7 (4) Any compound, mixture, or preparation containing ephedrine or pseudoephedrine
21.8 as its sole active ingredient or as one of its active ingredients.

21.9 (5) A drug product in finished dosage formulation that has been approved by the United
21.10 States Food and Drug Administration that contains cannabidiol
21.11 (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived
21.12 from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols.

21.13 (c) No person may sell in a single over-the-counter sale more than two packages of a
21.14 methamphetamine precursor drug or a combination of methamphetamine precursor drugs
21.15 or any combination of packages exceeding a total weight of six grams, calculated as the
21.16 base.

21.17 (d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

21.18 (1) packages containing not more than a total of three grams of one or more
21.19 methamphetamine precursor drugs, calculated in terms of ephedrine base or pseudoephedrine
21.20 base; or

21.21 (2) for nonliquid products, sales in blister packs, where each blister contains not more
21.22 than two dosage units, or, if the use of blister packs is not technically feasible, sales in unit
21.23 dose packets or pouches.

21.24 (e) A business establishment that offers for sale methamphetamine precursor drugs in
21.25 an over-the-counter sale shall ensure that all packages of the drugs are displayed behind a
21.26 checkout counter where the public is not permitted and are offered for sale only by a licensed
21.27 pharmacist, a registered pharmacy technician, or a pharmacy clerk. The establishment shall
21.28 ensure that the person making the sale requires the buyer:

21.29 (1) to provide photographic identification showing the buyer's date of birth; and

21.30 (2) to sign a written or electronic document detailing the date of the sale, the name of
21.31 the buyer, and the amount of the drug sold.

22.1 A document described under clause (2) must be retained by the establishment for at least
22.2 three years and must at all reasonable times be open to the inspection of any law enforcement
22.3 agency.

22.4 Nothing in this paragraph requires the buyer to obtain a prescription for the drug's
22.5 purchase.

22.6 (f) No person may acquire through over-the-counter sales more than six grams of
22.7 methamphetamine precursor drugs, calculated as the base, within a 30-day period.

22.8 (g) No person may sell in an over-the-counter sale a methamphetamine precursor drug
22.9 to a person under the age of 18 years. It is an affirmative defense to a charge under this
22.10 paragraph if the defendant proves by a preponderance of the evidence that the defendant
22.11 reasonably and in good faith relied on proof of age as described in section 340A.503,
22.12 subdivision 6.

22.13 (h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of a
22.14 misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to
22.15 payment of a fine of not more than \$1,000, or both.

22.16 (i) An owner, operator, supervisor, or manager of a business establishment that offers
22.17 for sale methamphetamine precursor drugs whose employee or agent is convicted of or
22.18 charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal penalties
22.19 for violating any of those paragraphs if the person:

22.20 (1) did not have prior knowledge of, participate in, or direct the employee or agent to
22.21 commit the violation; and

22.22 (2) documents that an employee training program was in place to provide the employee
22.23 or agent with information on the state and federal laws and regulations regarding
22.24 methamphetamine precursor drugs.

22.25 (j) Any person employed by a business establishment that offers for sale
22.26 methamphetamine precursor drugs who sells such a drug to any person in a suspicious
22.27 transaction shall report the transaction to the owner, supervisor, or manager of the
22.28 establishment. The owner, supervisor, or manager may report the transaction to local law
22.29 enforcement. A person who reports information under this subdivision in good faith is
22.30 immune from civil liability relating to the report.

22.31 (k) Paragraphs (b) to (j) do not apply to:

22.32 (1) pediatric products labeled pursuant to federal regulation primarily intended for
22.33 administration to children under 12 years of age according to label instructions;

23.1 (2) methamphetamine precursor drugs that are certified by the Board of Pharmacy as
23.2 being manufactured in a manner that prevents the drug from being used to manufacture
23.3 methamphetamine;

23.4 (3) methamphetamine precursor drugs in gel capsule or liquid form; or

23.5 (4) compounds, mixtures, or preparations in powder form where pseudoephedrine
23.6 constitutes less than one percent of its total weight and is not its sole active ingredient.

23.7 (l) The Board of Pharmacy, in consultation with the Department of Public Safety, shall
23.8 certify methamphetamine precursor drugs that meet the requirements of paragraph (k),
23.9 clause (2), and publish an annual listing of these drugs.

23.10 (m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy
23.11 pursuant to sections 151.42 to 151.51 and registered with and regulated by the United States
23.12 Drug Enforcement Administration are exempt from the methamphetamine precursor drug
23.13 storage requirements of this section.

23.14 (n) This section preempts all local ordinances or regulations governing the sale by a
23.15 business establishment of over-the-counter products containing ephedrine or
23.16 pseudoephedrine. All ordinances enacted prior to the effective date of this act are void.