FOR AN ACT ENTITLED, An Act to place certain substances on the controlled substance
schedules and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-20B-13 be amended to read:

34-20B-13. Any of the following opium derivatives, their salts, isomers, and salts of
isomers, is included in Schedule I, unless specifically excepted, whenever the existence of such
salts, isomers, esters, ethers, and salts of isomers, esters, and ethers is possible within the
specific chemical designation:

(1) Acetylcodone;
(2) Benzylmorphine;
(3) Codeine methylbromide;
(4) Codeine-N-Oxide;
(5) Desomorphine;
(6) Drotebanol;
(7) Heroin;
(8) Hydromorphinol;
(9) Methydesorphine;
(10) Methylhydromorphine;
(11) Morphine methylbromide;
(12) Morphine methylsulfonate;
(13) Morphine-N-Oxide;
(14) Myrophine;
(15) Nicocodeine;
(16) Nicomorphine;
(17) Normorphine;
(18) Thebacon;
(19) 3-Methylfentanyl;
(20) Fentanyl analogs, including acetyl fentanyl:
   (a) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl); and
   (b) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide (furanyl fentanyl);
(21) 1-Methyl-4-phenyl-4-propionoxypiperidine; and
(22) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine; and
(23) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide (U-47700).

Section 2. That § 34-20B-17 be amended to read:

34-20B-17. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, is included in Schedule II, unless specifically excepted, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:
1 (1) Alphaprodine;
2 (2) Anileridine;
3 (3) Bezitramide;
4 (4) Diphenoxylate;
5 (5) Fentanyl;
6 (6) Isomethadone;
7 (7) Levomethorphan;
8 (8) Levorphanol;
9 (9) Metazocine;
10 (10) Methadone;
11 (11) Methadone-intermediate, 4-cyano-2-dimethylamine-1, 4-diphenyl butane;
12 (12) Moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;
13 (13) Pethidine;
14 (14) Pethidine-intermediate, A, 4-cyano-1-methyl-4-phenylpiperidine;
15 (15) Pethidine-intermediate, B, ethyl-4-phenylpiperidine-4-carboxylate;
16 (16) Pethidine-intermediate, C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
17 (17) Phenazocine;
18 (18) Piminodine;
19 (19) Racemethorphan;
20 (20) Racemorphan;
21 (21) Sufentanil;
22 (22) Alfentanil;
23 (23) Carfentanil;
(24) Levo-alphacetylmethadol, also known as levo-alpha-acetylmethadyl acetate or LAAM;

(25) Remifentanil;

(26) Oxymorphone;

(27) Oripavine (3-O-demethylthebaine or 6,7,8,14-tetrahydro-4,5-alpha-epoxy-6-methoxy-17-methylmorphinan-3-ol);

(28) 4-anilino-N-phenethyl-4-piperidine (ANPP);

(29) Morphine, except when it meets subdivision 34-20B-23(8);

(30) Hydrocodone (Dihydrocodeinone);

(31) Codeine, except when it meets subdivision 34-20B-23(1), 34-20B-23(2), or 34-20B-26(1);

(32) Dihydrocodeine, except when it meets subdivision 34-20B-23(5) or 34-20B-26(2);

(33) Ethylmorphine, except when it meets subdivision 34-20B-23(6) or 34-20B-26(3);

(34) Oxycodone; and

(35) Hydromorphone; and

(36) Thiafentanil.

Section 3. That § 34-20B-25 be amended to read:

34-20B-25. The following are included in Schedule IV:

(1) Chlordiazepoxide, but not including librax (chlordiazepoxide hydrochloride and clindinium bromide) or menrium (chlordiazepoxide and water soluble esterified estrogens);

(2) Clonazepam;

(3) Clorazepate;

(4) Diazepam;
1. (4A) Flunitrazepam;
2. (5) Flurazepam;
3. (6) Mebutamate;
4. (7) Oxazepam;
5. (8) Prazepam;
6. (9) Lorazepam;
7. (10) Triazolam;
8. (11) Any substance which contains any quantity of a benzodiazepine, or salt of benzodiazepine, except substances which are specifically listed in other schedules;
9. (11A) Alprazolam;
10. (11B) Midazolam;
11. (11C) Temazepam;
12. (12) Repealed by SL 2003, ch 183, § 4;
13. (13) Cathine;
14. (14) Fencamfamine;
15. (15) Fenproporex;
16. (16) Mefenorex;
17. (17) Pyrovalerone;
18. (18) Propoxyphene;
19. (19) Pentazocine;
20. (20) Diethylpropion;
21. (21) Ethchlorvynol;
22. (22) Ethinamate;
23. (23) Fenfluramine;
(24) Mazindol;
(25) Mephobarbital;
(26) Methohexitol;
(27) Paraldehyde;
(28) Pemoline;
(29) Petrichloral;
(30) Phentermine;
(31) Barbital;
(32) Phenobarbital;
(33) Meprobamate;
(34) Zolpidem;
(35) Butorphanol;
(36) Modafinil, including its salts, isomers, and salts of isomers;
(37) Sibutramine;
(38) Zaleplon;
(39) Dichloralphenazone;
(40) Zopiclone (also known as eszopiclone), including its salts, isomers, and salts of isomers;
(41) Pregabalin;
(42) Lacosamide;
(43) Fospropofol, including its salts, isomers, and salts of isomers;
(44) Clobazam;
(45) Carisoprodol, including its salts, isomers, and salts of isomers;
(46) Ezogabine,[-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester],
including its salts, isomers, and salts of isomers;

(47) Lorcanerin, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible;

(48) Alfaxalone, 5[alpha]-pregnan-3[alpha]-ol-11,20-dione, including its salts, isomers, and salts of isomers;

(49) Tramadol, 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers;

(50) Suvorexant, including its salts, isomers, and salts of isomers; and

(51) Eluxadoline, (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) including its optical isomers and its salts, isomers, and salts of isomers; and

(52) Brivaracetam.

Section 4. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.