

AN ACT

ENTITLED, An Act to schedule certain controlled substances and to declare an emergency.

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

Section 1. That § 34-20B-16 be amended to read as follows:

34-20B-16. Any of the following substances including their salts, isomers, and salts of isomers is included in Schedule II except those narcotic drugs listed in other schedules whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (1) Opium, coca leaves, and opiate;
- (2) Any salt, compound, derivative, or preparation of opium, coca leaves, or opiate, excluding apomorphine, dextrorphan, and naloxone;
- (3) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivisions (1) and (2), except that these substances may not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; and may not include the isoquinoline alkaloids of opium;
- (4) Opium poppy and poppy straw;
- (5) Amphetamine;
- (6) Methamphetamine;
- (7) Amobarbital;
- (8) Pentobarbital;
- (9) Secobarbital;
- (10) Methylphenidate;
- (11) Phenmetrazine;
- (12) Etorphine;

- (13) Diprenorphine;
- (14)
- (15) Nabilone;
- (16) Glutethimide;
- (17) Phencyclidine immediate precursors:
  - (a) 1-phenylcyclohexylamine;
  - (b) 1-piperidinocyclohexanecarbonitrile (PCC).

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

34-20B-20. Depressants specifically included in Schedule III. Any material, compound, mixture, or preparation is included in Schedule III which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;
- (2) Chloral betaine;
- (3) Chloral hydrate;
- (4) Chlorhexadol;
- (5) Lysergic acid;
- (6) Lysergic acid amide;
- (7) Methyprylon;
- (8) Sulfondiethylmethane;
- (9) Sulfonethylmethane;
- (10) Sulfonmethane;
- (11) Amobarbital, pentobarbital, and secobarbital in suppository dosage form;
- (12) Gamma hydroxy butyrate;

(13) Dronabinol.

Section 3. That § 34-20B-22 be amended to read as follows:

34-20B-22. The following are included in Schedule III:

- (1) Nalorphine;
- (2) Preparations which contain both Tiletamine and Zolazepam;
- (3) Anabolic steroids as listed in § 34-20B-4.1;
- (4) Ketamine.

Section 4. That § 34-20B-25 be amended to read as follows:

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;
- (4A) Flunitrazepam;
- (5) Flurazepam;
- (6) Mebutamate;
- (7) Oxazepam;
- (8) Prazepam;
- (9) Lorazepam;
- (10) Triazolam;
- (11) Any substance which contains any quantity of a benzodiazepine, or salt of benzodiazepine, except those substances which are specifically listed in other schedules;
- (12) Buprenorphine;
- (13) Cathine;

- (14) Fencamfamine;
- (15) Fenproporex;
- (16) Mefenorex;
- (17) Pyrovalerone;
- (18) Propoxyphene;
- (19) Pentazocine;
- (20) Diethylpropion;
- (21) Ethchlorvynol;
- (22) Ethinamate;
- (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.

Section 5. 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.

An Act to schedule certain controlled substances and to declare an emergency.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 43

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 43  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State