

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0297

SENATE BILL NO. 43

Introduced by: The Committee on Health and Human Services at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to schedule certain controlled substances and to declare an
2 emergency.

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

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

5 34-20B-16. Any of the following substances including their salts, isomers, and salts of
6 isomers is included in Schedule II except those narcotic drugs listed in other schedules whether
7 produced directly or indirectly by extraction from substances of vegetable origin, or
8 independently by means of chemical synthesis, or by a combination of extraction and chemical
9 synthesis:

10 (1) Opium, coca leaves, and opiate;

11 (2) Any salt, compound, derivative, or preparation of opium, coca leaves, or opiate,
12 excluding apomorphine, dextrorphan, and naloxone;

13 (3) Any salt, compound, derivative, or preparation thereof which is chemically equivalent
14 or identical with any of the substances referred to in subdivisions (1) and (2), except
15 that these substances may not include decocainized coca leaves or extraction of coca
16 leaves, which extractions do not contain cocaine or ecgonine; and may not include the

- 1 isoquinoline alkaloids of opium;
- 2 (4) Opium poppy and poppy straw;
- 3 (5) Amphetamine;
- 4 (6) Methamphetamine;
- 5 (7) Amobarbital;
- 6 (8) Pentobarbital;
- 7 (9) Secobarbital;
- 8 (10) Methylphenidate;
- 9 (11) Phenmetrazine;
- 10 (12) Etorphine;
- 11 (13) Diprenorphine;
- 12 (14) ~~Dronabinol~~;
- 13 (15) Nabilone;
- 14 (16) Glutethimide;
- 15 (17) Phencyclidine immediate precursors:
 - 16 (a) 1-phenylcyclohexylamine;
 - 17 (b) 1-piperidinocyclohexanecarbonitrile (PCC).

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

19 34-20B-20. Depressants specifically included in Schedule III. Any material, compound,
20 mixture, or preparation is included in Schedule III which contains any quantity of the following
21 substances having a potential for abuse associated with a depressant effect on the central nervous
22 system:

- 23 (1) Any substance which contains any quantity of a derivative of barbituric acid, or any
24 salt of a derivative of barbituric acid, except those substances which are specifically
25 listed in other schedules;

- 1 (2) Chloral betaine;
- 2 (3) Chloral hydrate;
- 3 (4) Chlorhexadol;
- 4 (5) Lysergic acid;
- 5 (6) Lysergic acid amide;
- 6 (7) Methyprylon;
- 7 (8) Sulfondiethylmethane;
- 8 (9) Sulfonethylmethane;
- 9 (10) Sulfonmethane;
- 10 (11) Amobarbital, pentobarbital, and secobarbital in suppository dosage form;
- 11 (12) Gamma hydroxy butyrate;
- 12 (13) Dronabinol.

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

14 34-20B-22. The following are included in Schedule III:

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

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

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

- 21 (1) Chlordiazepoxide, but not including librax (chlordiazepoxide hydrochloride and
22 clindinium bromide) or menrium (chlordiazepoxide and water soluble esterified
23 estrogens);
- 24 (2) Clonazepam;
- 25 (3) Clorazepate;

- 1 (4) Diazepam;
- 2 (4A) Flunitrazepam;
- 3 (5) Flurazepam;
- 4 (6) Mebutamate;
- 5 (7) Oxazepam;
- 6 (8) Prazepam;
- 7 (9) Lorazepam;
- 8 (10) Triazolam;
- 9 (11) Any substance which contains any quantity of a benzodiazepine, or salt of
- 10 benzodiazepine, except those substances which are specifically listed in other
- 11 schedules;
- 12 (12) Buprenorphine;
- 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 (24) Mazindol;
- 25 (25) Mephobarbital;

- 1 (26) Methohexitol;
- 2 (27) Paraldehyde;
- 3 (28) Pemoline;
- 4 (29) Petrichloral;
- 5 (30) Phentermine;
- 6 (31) Barbital;
- 7 (32) Phenobarbital;
- 8 (33) Meprobamate;
- 9 (34) Zolpidem;
- 10 (35) Butorphanol;
- 11 (36) Modafinil, including its salts, isomers, and salts of isomers;
- 12 (37) Sibutramine;
- 13 (38) Zaleplon.

14 Section 5. Whereas, this Act is necessary for the immediate preservation of the public peace,
15 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
16 effect from and after its passage and approval.