

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0120

HOUSE BILL NO. 1053

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 place certain substances on the controlled substances
2 schedule and to declare an 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, dextrophan, and naloxone;

13 (3) Any salt, compound, derivative, or preparation thereof which is chemically
14 equivalent or identical with any of the substances referred to in subdivisions (1) and

15 (2), except that these substances may not include decocainized coca leaves or



1 extraction of coca leaves, which extractions do not contain cocaine or ecgonine; and
2 may not include the isoquinoline alkaloids of opium;

3 (4) Opium poppy and poppy straw;

4 (5) Amphetamine;

5 (6) Methamphetamine;

6 (7) Amobarbital;

7 (8) Pentobarbital;

8 (9) Secobarbital;

9 (10) Methylphenidate;

10 (11) Phenmetrazine;

11 (12) Etorphine;

12 (13) Diprenorphine;

13 (14) Deleted by SL 2000, ch 170, § 1;

14 (15) Nabilone;

15 (16) Glutethimide;

16 (17) Phencyclidine immediate precursors:

17 (a) 1-phenylcyclohexylamine;

18 (b) 1-piperidinocyclohexanecarbonitrile (PCC);

19 (18) Lisdexamfetamine, its salts, isomers, and salts of its isomers.

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

21 34-20B-17. Any of the following opiates, including their isomers, esters, ethers, salts, and
22 salts of isomers, esters and ethers, is included in Schedule II, unless specifically excepted,
23 whenever the existence of such isomers, esters, ethers, and salts is possible within the specific
24 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
13 acid;
- 14 (13) Pethidine;
- 15 (14) Pethidine-intermediate, A, 4-cyano-1-methyl-4-phenylpiperidine;
- 16 (15) Pethidine-intermediate, B, ethyl-4-phenylpiperidine-4-carboxylate;
- 17 (16) Pethidine-intermediate, C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 18 (17) Phenazocine;
- 19 (18) Piminodine;
- 20 (19) Racemethorphan;
- 21 (20) Racemorphan;
- 22 (21) Sufentanil;
- 23 (22) Alfentanil;
- 24 (23) Carfentanil;

1 (24) Levo-alpha-acetylmethadol, also known as levo-alpha-acetylmethadyl acetate or
2 LAAM;

3 (25) Remifentanyl;

4 (26) Oxycodone;

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

7 Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace,
8 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
9 effect from and after its passage and approval.