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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1665

02/13/2023 Authored by Bierman
The bill was read for the first time and referred to the Committee on Health Finance and Policy
03/06/2023 Adoption of Report: Re-referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to controlled substances; modifying Minnesota's schedules of controlled
1.3 substances; amending Minnesota Statutes 2022, section 152.02, subdivisions 2,
1.4 3, 5, 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 152.02, subdivision 2, is amended to read:

1.7 Subd. 2. Schedule I. (a) Schedule I consists of the substances listed in this subdivision.

1.8 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the
1.9 following substances, including their analogs, isomers, esters, ethers, salts, and salts of
1.10 isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers,
1.11 and salts is possible:

1.12 (1) acetylmethadol;

1.13 (2) allylprodine;

1.14 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl
1.15 acetate);

1.16 (4) alphameprodine;

1.17 (5) alphamethadol;

1.18 (6) alpha-methylfentanyl benzethidine;

1.19 (7) betacetylmethadol;

1.20 (8) betameprodine;

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

- 3.1 (36) thiofentanyl;
- 3.2 (37) para-fluorofentanyl;
- 3.3 (38) morpheridine;
- 3.4 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 3.5 (40) noracymethadol;
- 3.6 (41) norlevorphanol;
- 3.7 (42) normethadone;
- 3.8 (43) norpipanone;
- 3.9 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 3.10 (45) phenadoxone;
- 3.11 (46) phenampromide;
- 3.12 (47) phenomorphan;
- 3.13 (48) phenoperidine;
- 3.14 (49) piritramide;
- 3.15 (50) proheptazine;
- 3.16 (51) properidine;
- 3.17 (52) propiram;
- 3.18 (53) racemoramide;
- 3.19 (54) tilidine;
- 3.20 (55) trimeperidine;
- 3.21 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 3.22 (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-
- 3.23 methylbenzamide(U47700);
- 3.24 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl);
- 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 (76) 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-
5.9 dihydro-2H-benzo[d]imidazol-2-one (bromorphine);
- 5.10 (77) 4'-methyl acetyl fentanyl;
- 5.11 (78) beta-hydroxythiofentanyl;
- 5.12 (79) beta-methyl fentanyl;
- 5.13 (80) beta'-phenyl fentanyl;
- 5.14 (81) crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide);
- 5.15 (82) cyclopropyl fentanyl
5.16 (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- 5.17 (83) fentanyl carbamate;
- 5.18 (84) isotonitazene (N,N-diethyl-2-(2-(4
5.19 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);
- 5.20 (85) para-fluoro furanyl fentanyl;
- 5.21 (86) para-methylfentanyl;
- 5.22 (87) phenyl fentanyl;
- 5.23 (88) ortho-fluoroacryl fentanyl;
- 5.24 (89) ortho-fluorobutyryl fentanyl;
- 5.25 (90) ortho-fluoroisobutyryl fentanyl;
- 5.26 (91) ortho-methyl acetylfentanyl; and
- 5.27 (92) thiofuranyl fentanyl.

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

6.4 (1) acetorphine;

6.5 (2) acetyldihydrocodeine;

6.6 (3) benzylmorphine;

6.7 (4) codeine methylbromide;

6.8 (5) codeine-n-oxide;

6.9 (6) cyprenorphine;

6.10 (7) desomorphine;

6.11 (8) dihydromorphine;

6.12 (9) drotebanol;

6.13 (10) etorphine;

6.14 (11) heroin;

6.15 (12) hydromorphanol;

6.16 (13) methyl-desorphine;

6.17 (14) methyldihydromorphine;

6.18 (15) morphine methylbromide;

6.19 (16) morphine methylsulfonate;

6.20 (17) morphine-n-oxide;

6.21 (18) myrophine;

6.22 (19) nicocodeine;

6.23 (20) nicomorphine;

6.24 (21) normorphine;

6.25 (22) pholcodine; and

6.26 (23) thebacon.

6.27 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any
6.28 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,

7.1 or geometric), and salts of isomers, unless specifically excepted or unless listed in another
7.2 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is
7.3 possible:

- 7.4 (1) methylenedioxy amphetamine;
- 7.5 (2) methylenedioxymethamphetamine;
- 7.6 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 7.7 (4) n-hydroxy-methylenedioxyamphetamine;
- 7.8 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 7.9 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 7.10 (7) 4-methoxyamphetamine;
- 7.11 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 7.12 (9) alpha-ethyltryptamine;
- 7.13 (10) bufotenine;
- 7.14 (11) diethyltryptamine;
- 7.15 (12) dimethyltryptamine;
- 7.16 (13) 3,4,5-trimethoxyamphetamine;
- 7.17 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 7.18 (15) ibogaine;
- 7.19 (16) lysergic acid diethylamide (LSD);
- 7.20 (17) mescaline;
- 7.21 (18) parahexyl;
- 7.22 (19) N-ethyl-3-piperidyl benzilate;
- 7.23 (20) N-methyl-3-piperidyl benzilate;
- 7.24 (21) psilocybin;
- 7.25 (22) psilocyn;
- 7.26 (23) tenocyclidine (TPCP or TCP);
- 7.27 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 7.28 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);

- 8.1 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 8.2 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 8.3 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 8.4 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 8.5 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 8.6 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 8.7 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 8.8 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 8.9 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 8.10 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 8.11 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 8.12 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 8.13 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 8.14 (2-CB-FLY);
- 8.15 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 8.16 (40) alpha-methyltryptamine (AMT);
- 8.17 (41) N,N-diisopropyltryptamine (DiPT);
- 8.18 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 8.19 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 8.20 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 8.21 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 8.22 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 8.23 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 8.24 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 8.25 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 8.26 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 8.27 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);

- 9.1 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 9.2 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 9.3 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 9.4 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 9.5 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 9.6 (57) methoxetamine (MXE);
- 9.7 (58) 5-iodo-2-aminoindane (5-IAI);
- 9.8 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 9.9 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 9.10 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 9.11 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 9.12 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 9.13 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 9.14 (65) N,N-Dipropyltryptamine (DPT);
- 9.15 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 9.16 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 9.17 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 9.18 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 9.19 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine,
9.20 ethketamine, NENK);
- 9.21 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 9.22 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 9.23 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

9.24 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*
9.25 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,
9.26 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,
9.27 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not
9.28 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian
9.29 Church, and members of the American Indian Church are exempt from registration. Any

10.1 person who manufactures peyote for or distributes peyote to the American Indian Church,
10.2 however, is required to obtain federal registration annually and to comply with all other
10.3 requirements of law.

10.4 (f) Central nervous system depressants. Unless specifically excepted or unless listed in
10.5 another schedule, any material compound, mixture, or preparation which contains any
10.6 quantity of the following substances, their analogs, salts, isomers, and salts of isomers
10.7 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

10.8 (1) mecloqualone;

10.9 (2) methaqualone;

10.10 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

10.11 (4) flunitrazepam;

10.12 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
10.13 methoxyketamine);

10.14 (6) tianeptine;

10.15 (7) clonazepam;

10.16 (8) etizolam;

10.17 (9) flubromazolam; and

10.18 (10) flubromazepam.

10.19 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any
10.20 material compound, mixture, or preparation which contains any quantity of the following
10.21 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the
10.22 analogs, salts, isomers, and salts of isomers is possible:

10.23 (1) aminorex;

10.24 (2) cathinone;

10.25 (3) fenethylamine;

10.26 (4) methcathinone;

10.27 (5) methylaminorex;

10.28 (6) N,N-dimethylamphetamine;

10.29 (7) N-benzylpiperazine (BZP);

- 11.1 (8) methylenecathinone (mephedrone);
- 11.2 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);
- 11.3 (10) methoxymethcathinone (methedrone);
- 11.4 (11) methylenedioxypropylvalerone (MDPV);
- 11.5 (12) 3-fluoro-N-methylcathinone (3-FMC);
- 11.6 (13) methylethcathinone (MEC);
- 11.7 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 11.8 (15) dimethylmethcathinone (DMMC);
- 11.9 (16) fluoroamphetamine;
- 11.10 (17) fluoromethamphetamine;
- 11.11 (18) α -methylaminobutyrophenone (MABP or buphedrone);
- 11.12 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 11.13 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 11.14 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpropylvalerone or
- 11.15 naphyrone);
- 11.16 (22) (alpha-pyrrolidinopropiophenone (alpha-PVP);
- 11.17 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 11.18 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 11.19 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 11.20 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 11.21 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 11.22 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 11.23 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 11.24 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 11.25 (31) alpha-pyrrolidinobutyrophenone (α -PBP);
- 11.26 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 11.27 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);

- 12.1 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 12.2 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 12.3 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 12.4 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 12.5 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);
- 12.6 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
- 12.7 ~~and~~
- 12.8 (40) any other substance, except bupropion or compounds listed under a different
- 12.9 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
- 12.10 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
- 12.11 compound is further modified in any of the following ways:
- 12.12 (i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
- 12.13 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
- 12.14 system by one or more other univalent substituents;
- 12.15 (ii) by substitution at the 3-position with an acyclic alkyl substituent;
- 12.16 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
- 12.17 methoxybenzyl groups; or
- 12.18 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure;
- 12.19 (41) 4,4'-dimethylaminorex (4,4'-DMAR;
- 12.20 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine);
- 12.21 (42) 4-chloro-alpha-pyrrolidinovalerophenone (4-chloro-A-PVP);
- 12.22 (43) para-methoxymethamphetamine (PMMA),
- 12.23 1-(4-methoxyphenyl)-N-methylpropan-2-amine; and
- 12.24 (44) N-ethylhexedrone.
- 12.25 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
- 12.26 excepted or unless listed in another schedule, any natural or synthetic material, compound,
- 12.27 mixture, or preparation that contains any quantity of the following substances, their analogs,
- 12.28 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
- 12.29 of the isomers, esters, ethers, or salts is possible:
- 12.30 (1) marijuana;

13.1 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except
13.2 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation
13.3 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic
13.4 equivalents of the substances contained in the cannabis plant or in the resinous extractives
13.5 of the plant; or synthetic substances with similar chemical structure and pharmacological
13.6 activity to those substances contained in the plant or resinous extract, including, but not
13.7 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
13.8 cis or trans tetrahydrocannabinol;

13.9 (3) synthetic cannabinoids, including the following substances:

13.10 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
13.11 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
13.12 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
13.13 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
13.14 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
13.15 naphthoylindoles include, but are not limited to:

13.16 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

13.17 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

13.18 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

13.19 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

13.20 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

13.21 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

13.22 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

13.23 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

13.24 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

13.25 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

13.26 (ii) Naphthylmethylindoles, which are any compounds containing a
13.27 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the
13.28 indole 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 further
13.30 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
13.31 ring to any extent. Examples of naphthylmethylindoles include, but are not limited to:

14.1 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

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

14.3 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
14.4 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
14.5 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
14.6 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
14.7 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
14.8 naphthoylpyrroles include, but are not limited to,
14.9 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

14.10 (iv) Naphthylmethylenes, which are any compounds containing a naphthylideneindene
14.11 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,
14.12 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
14.13 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any
14.14 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
14.15 naphthylmethylenes include, but are not limited to,
14.16 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

14.17 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole
14.18 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
14.19 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
14.20 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
14.21 extent, whether or not substituted in the phenyl ring to any extent. Examples of
14.22 phenylacetylindoles include, but are not limited to:

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

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

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

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

14.27 (vi) Cyclohexylphenols, which are compounds containing a
14.28 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
14.29 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
14.30 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
14.31 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
14.32 limited to:

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

- 15.1 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
15.2 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 15.3 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
15.4 -phenol (CP 55,940).
- 15.5 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure
15.6 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
15.7 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
15.8 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
15.9 extent and whether or not substituted in the phenyl ring to any extent. Examples of
15.10 benzoylindoles include, but are not limited to:
- 15.11 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 15.12 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
- 15.13 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN
15.14 48,098 or Pravadoline).
- 15.15 (viii) Others specifically named:
- 15.16 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
15.17 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 15.18 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
15.19 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 15.20 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
15.21 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 15.22 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 15.23 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
15.24 (XLR-11);
- 15.25 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
15.26 (AKB-48(APINACA));
- 15.27 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
15.28 (5-Fluoro-AKB-48);
- 15.29 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 15.30 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);

- 16.1 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide
16.2 (AB-PINACA);
- 16.3 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-
16.4 1H-indazole-3-carboxamide (AB-FUBINACA);
- 16.5 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-
16.6 indazole-3-carboxamide(AB-CHMINACA);
- 16.7 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
16.8 (5-fluoro-AMB);
- 16.9 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 16.10 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone
16.11 (FUBIMINA);
- 16.12 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
16.13 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 16.14 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
16.15 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 16.16 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
16.17 -1H-indole-3-carboxamide;
- 16.18 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
16.19 -1H-indazole-3-carboxamide;
- 16.20 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 16.21 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1
16.22 H-indazole-3-carboxamide (MAB-CHMINACA);
- 16.23 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
16.24 (ADB-PINACA);
- 16.25 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 16.26 (X) N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
16.27 3-carboxamide. (APP-CHMINACA);
- 16.28 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 16.29 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).
- 16.30 (ix) Additional substances specifically named:

- 17.1 (A) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
 17.2 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 17.3 (B) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-indazole-3-carboxamide
 17.4 (4-CN-Cumyl-Butinaca);
- 17.5 (C) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201; CBL2201);
- 17.6 (D) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1
 17.7 H-indazole-3-carboxamide (5F-ABPINACA);
- 17.8 (E) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
 17.9 (MDMB CHMICA);
- 17.10 (F) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
 17.11 (5F-ADB; 5F-MDMB-PINACA); ~~and~~
- 17.12 (G) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
 17.13 1H-indazole-3-carboxamide (ADB-FUBINACA);
- 17.14 (H) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide;
- 17.15 (I) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone;
- 17.16 (J) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate;
- 17.17 (K) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 17.18 (L) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate;
- 17.19 (M) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate;
- 17.20 (N) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide; and
- 17.21 (O) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide.

17.22 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended
 17.23 for human consumption.

17.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

17.25 Sec. 2. Minnesota Statutes 2022, section 152.02, subdivision 3, is amended to read:

17.26 Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this subdivision.

17.27 (b) Unless specifically excepted or unless listed in another schedule, any of the following
 17.28 substances whether produced directly or indirectly by extraction from substances of vegetable

18.1 origin or independently by means of chemical synthesis, or by a combination of extraction
18.2 and chemical synthesis:

18.3 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
18.4 opiate.

18.5 (i) Excluding:

18.6 (A) apomorphine;

18.7 (B) thebaine-derived butorphanol;

18.8 (C) dextrophan;

18.9 (D) nalbuphine;

18.10 (E) nalmefene;

18.11 (F) naloxegol;

18.12 (G) naloxone;

18.13 (H) naltrexone; and

18.14 (I) their respective salts;

18.15 (ii) but including the following:

18.16 (A) opium, in all forms and extracts;

18.17 (B) codeine;

18.18 (C) dihydroetorphine;

18.19 (D) ethylmorphine;

18.20 (E) etorphine hydrochloride;

18.21 (F) hydrocodone;

18.22 (G) hydromorphone;

18.23 (H) metopon;

18.24 (I) morphine;

18.25 (J) oxycodone;

18.26 (K) oxymorphone;

18.27 (L) thebaine;

18.28 (M) oripavine;

19.1 (2) any salt, compound, derivative, or preparation thereof which is chemically equivalent
19.2 or identical with any of the substances referred to in clause (1), except that these substances
19.3 shall not include the isoquinoline alkaloids of opium;

19.4 (3) opium poppy and poppy straw;

19.5 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca leaves
19.6 (including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers
19.7 and derivatives), and any salt, compound, derivative, or preparation thereof which is
19.8 chemically equivalent or identical with any of these substances, except that the substances
19.9 shall not include decocainized coca leaves or extraction of coca leaves, which extractions
19.10 do not contain cocaine or ecgonine;

19.11 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid,
19.12 or powder form which contains the phenanthrene alkaloids of the opium poppy).

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

19.17 (1) alfentanil;

19.18 (2) alphaprodine;

19.19 (3) anileridine;

19.20 (4) bezitramide;

19.21 (5) bulk dextropropoxyphene (nondosage forms);

19.22 (6) carfentanil;

19.23 (7) dihydrocodeine;

19.24 (8) dihydromorphinone;

19.25 (9) diphenoxylate;

19.26 (10) fentanyl;

19.27 (11) isomethadone;

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

19.29 (13) levomethorphan;

19.30 (14) levorphanol;

- 20.1 (15) metazocine;
- 20.2 (16) methadone;
- 20.3 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 20.4 (18) moramide - intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic
- 20.5 acid;
- 20.6 (19) pethidine;
- 20.7 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;
- 20.8 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;
- 20.9 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 20.10 (23) phenazocine;
- 20.11 (24) piminodine;
- 20.12 (25) racemethorphan;
- 20.13 (26) racemorphan;
- 20.14 (27) remifentanil;
- 20.15 (28) sufentanil;
- 20.16 (29) tapentadol;
- 20.17 (30) 4-Anilino-N-phenethylpiperidine;
- 20.18 (31) oliceridine;
- 20.19 (32) norfentanyl (N-phenyl-N-(piperidin-4-yl) propionamide).
- 20.20 (d) Unless specifically excepted or unless listed in another schedule, any material,
- 20.21 compound, mixture, or preparation which contains any quantity of the following substances
- 20.22 having a stimulant effect on the central nervous system:
- 20.23 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 20.24 (2) methamphetamine, its salts, isomers, and salts of its isomers;
- 20.25 (3) phenmetrazine and its salts;
- 20.26 (4) methylphenidate;
- 20.27 (5) lisdexamfetamine.

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

21.6 (1) amobarbital;

21.7 (2) glutethimide;

21.8 (3) secobarbital;

21.9 (4) pentobarbital;

21.10 (5) phencyclidine;

21.11 (6) phencyclidine immediate precursors:

21.12 (i) 1-phenylcyclohexylamine;

21.13 (ii) 1-piperidinocyclohexanecarbonitrile;

21.14 (7) phenylacetone.

21.15 (f) Cannabinoids:

21.16 (1) nabilone;

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

21.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

21.20 Sec. 3. Minnesota Statutes 2022, section 152.02, subdivision 5, is amended to read:

21.21 Subd. 5. **Schedule IV.** (a) Schedule IV consists of the substances listed in this subdivision.

21.22 (b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
21.23 any material, compound, mixture, or preparation containing any of the following narcotic
21.24 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
21.25 as follows:

21.26 (1) not more than one milligram of difenoxin and not less than 25 micrograms of atropine
21.27 sulfate per dosage unit;

21.28 (2) dextropropoxyphene (Darvon and Darvocet);

- 22.1 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and
22.2 geometric isomers, and salts of these isomers (including tramadol);
- 22.3 (4) eluxadoline;
- 22.4 (5) pentazocine; and
- 22.5 (6) butorphanol (including its optical isomers).
- 22.6 (c) Depressants. Unless specifically excepted or unless listed in another schedule, any
22.7 material, compound, mixture, or preparation containing any quantity of the following
22.8 substances, including its salts, isomers, and salts of isomers whenever the existence of the
22.9 salts, isomers, and salts of isomers is possible:
- 22.10 (1) alfaxalone (5 α -pregnan-3 α -ol-11,20-dione);
- 22.11 (2) alprazolam;
- 22.12 (3) barbital;
- 22.13 (4) bromazepam;
- 22.14 (5) camazepam;
- 22.15 (6) carisoprodol;
- 22.16 (7) chloral betaine;
- 22.17 (8) chloral hydrate;
- 22.18 (9) chlordiazepoxide;
- 22.19 (10) clobazam;
- 22.20 (11) clonazepam;
- 22.21 (12) clorazepate;
- 22.22 (13) clotiazepam;
- 22.23 (14) cloxazolam;
- 22.24 (15) delorazepam;
- 22.25 (16) diazepam;
- 22.26 (17) dichloralphenazone;
- 22.27 (18) estazolam;
- 22.28 (19) ethchlorvynol;

- 23.1 (20) ethinamate;
- 23.2 (21) ethyl loflazepate;
- 23.3 (22) fludiazepam;
- 23.4 (23) flurazepam;
- 23.5 (24) fospropofol;
- 23.6 (25) halazepam;
- 23.7 (26) haloxazolam;
- 23.8 (27) ketazolam;
- 23.9 (28) loprozolam;
- 23.10 (29) lorazepam;
- 23.11 (30) lormetazepam mebutamate;
- 23.12 (31) medazepam;
- 23.13 (32) meprobamate;
- 23.14 (33) methohexital;
- 23.15 (34) methylphenobarbital;
- 23.16 (35) midazolam;
- 23.17 (36) nimetazepam;
- 23.18 (37) nitrazepam;
- 23.19 (38) nordiazepam;
- 23.20 (39) oxazepam;
- 23.21 (40) oxazolam;
- 23.22 (41) paraldehyde;
- 23.23 (42) petrichloral;
- 23.24 (43) phenobarbital;
- 23.25 (44) pinazepam;
- 23.26 (45) prazepam;
- 23.27 (46) quazepam;

- 24.1 (47) suvorexant;
- 24.2 (48) temazepam;
- 24.3 (49) tetrazepam;
- 24.4 (50) triazolam;
- 24.5 (51) zaleplon;
- 24.6 (52) zolpidem;
- 24.7 (53) zopiclone;
- 24.8 (54) brexanolone (3 α -hydroxy-5 α -pregnan-20-one);
- 24.9 (55) lemborexant;
- 24.10 (56) remimazolam (4H-imidazol[1,2-a][1,4]benzodiazepine-4-propionic acid).
- 24.11 (d) Any material, compound, mixture, or preparation which contains any quantity of the
- 24.12 following substance including its salts, isomers, and salts of such isomers, whenever the
- 24.13 existence of such salts, isomers, and salts of isomers is possible: fenfluramine.
- 24.14 (e) Stimulants. Unless specifically excepted or unless listed in another schedule, any
- 24.15 material, compound, mixture, or preparation which contains any quantity of the following
- 24.16 substances having a stimulant effect on the central nervous system, including its salts,
- 24.17 isomers, and salts of isomers:
- 24.18 (1) cathine (norpseudoephedrine);
- 24.19 (2) diethylpropion;
- 24.20 (3) fencamfamine;
- 24.21 (4) fenproporex;
- 24.22 (5) mazindol;
- 24.23 (6) mefenorex;
- 24.24 (7) modafinil;
- 24.25 (8) pemoline (including organometallic complexes and chelates thereof);
- 24.26 (9) phentermine;
- 24.27 (10) pipradol;
- 24.28 (11) sibutramine;

25.1 (12) SPA (1-dimethylamino-1,2-diphenylethane)-;

25.2 (13) serdexmethylphenidate;

25.3 (14) solriamfetol (2-amino-3-phenylpropyl car-bamate; benzenepropanol, beta-amino-,
25.4 carbamate (ester)).

25.5 (f) lorcaserin.

25.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

25.7 Sec. 4. Minnesota Statutes 2022, section 152.02, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

26.1 (3) Depressants. Unless specifically exempted or excluded or unless listed in another
26.2 schedule, any material, compound, mixture, or preparation that contains any quantity of the
26.3 following substance having a depressant effect on the central nervous system, including its
26.4 salts, isomers, and salts of isomers:

26.5 (i) ezogabine;

26.6 (ii) pregabalin;

26.7 (iii) lacosamide;

26.8 (iv) cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl]carbamate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28.7 (m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy
28.8 pursuant to sections ~~151.42 to 151.51~~ 151.43 to 151.471 and registered with and regulated
28.9 by the United States Drug Enforcement Administration are exempt from the
28.10 methamphetamine precursor drug storage requirements of this section.

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

28.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.