CHAPTER 152

DRUGS, CONTROLLED SUBSTANCES

152.01 DEFINITIONS.

[For text of subds 1 to 16, see M S 1998]

Subd 16a **Subsequent controlled substance conviction.** Notwithstanding section 152 18, subdivision 1, a "subsequent controlled substance conviction" means that before commission of the offense for which the person is convicted under this chapter, the person received a disposition for a felony–level offense under section 152 18, subdivision 1, was convicted in Minnesota of a felony violation of this chapter or a felony–level attempt or conspiracy to violate this chapter, or was convicted elsewhere for conduct that would have been a felony under this chapter if committed in Minnesota An earlier disposition for a felony–level offense under section 152 18, subdivision 1, or an earlier conviction is not relevant if ten years have elapsed since discharge from sentence or stay of adjudication

[For text of subds 18 to 22, see M S 1998]

History: *1999 c 98 s 1*

152.02 SCHEDULES OF CONTROLLED SUBSTANCES; ADMINISTRATION OF CHAPTER.

[For text of subds 1 to 3, see M S 1998]

Subd 4 **Schedule III.** The following items are listed in Schedule III

(1) Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers, Phenmetrazine and its salts, Methamphetamine, its salts, isomers, and salts of isomers, Methylphenidate, and which is required by federal law to be labeled with the symbol prescribed by 21 Code of Federal Regulations Section 1302 03 and in effect on February 1, 1976 designating that the drug is listed as a Schedule III controlled substance under federal law

(2) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system

(a) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule

(b) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository.

(c) 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 Chlorhexadol, Glutethimide, Lysergic acid, Lysergic acid amide, Methyprylon, Sulfondiethylmethane, Sulfonethylmethane, Sulfonmethane

(d) Gamma hydroxybutyrate, any salt, compound, derivative or preparation of gamma hydroxybutyrate, including any isomers, esters, and ethers and salts of isomers, esters, and ethers of gamma hydroxybutyrate whenever the existence of such isomers, esters, and salts is possible within the specific chemical designation

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system

(a) Benzphetamine

(b) Chlorphentermine

(c) Clortermine

(d) Mazindol

(e) Phendimetrazine

(4) Nalorphine

(5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof

(a) Not more than 1 80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium

(b) Not more than 1 80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(c) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium

(d) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(e) Not more than 1 80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

[For text of subds 5 to 13, see M S 1998]

History: *1999 c 163 s 1*