



OFFICE OF THE GOVERNOR

THOMAS J. VILSACK
GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 21, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

House File 389, an Act providing for miscellaneous technical and substantive changes relating to controlled and precursor substances.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 389

AN ACT

PROVIDING FOR MISCELLANEOUS TECHNICAL AND SUBSTANTIVE CHANGES
RELATING TO CONTROLLED AND PRECURSOR SUBSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 124.204, subsection 3, paragraph u,
Code 2003, is amended by striking the paragraph and inserting
in lieu thereof the following:

u. Pholcodine.

Sec. 2. Section 124.204, subsection 6, paragraph g, Code
2003, is amended to read as follows:

g. Methcathinone, its salts, optical isomers, and salts of
optical isomers. Some other names: 2-(methylamino)-
propiofenone; alpha-(methylamino)propiofenone; 2-
(methylamino)-1-phenylpropan-1-one; alpha-N-
methylaminopropiofenone; monomethylpropion; ephedrone; N-
methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and
UR1432.

Sec. 3. Section 124.204, subsection 9, paragraph a, Code
2003, is amended to read as follows:

a. N-[1-benzyl-4-piperidyl]-N-phenylpropanamide ~~(benzylfentanyl)~~ (benzylfentanyl), its optical isomers, salts and salts of isomers.

Sec. 4. Section 124.206, subsection 2, paragraph d, unnumbered paragraph 1, Code 2003, is amended to read as follows:

Coca leaves and any salt, compound, derivative or preparation of coca leaves. Decocainized coca leaves or extractions which do not contain cocaine or ecgonine are excluded from this paragraph. The following substances and their salts, isomers, derivatives, and salts of isomers and derivatives, if salts, isomers, derivatives, or salts of isomers and derivatives exist under the specific chemical designation, are included in this paragraph:

Sec. 5. Section 124.206, subsection 4, paragraph a, Code 2003, is amended to read as follows:

a. Amphetamine, its salts, optical isomers, and salts of its optical isomers.

Sec. 6. Section 124.208, subsection 5, Code 2003, is amended by striking the subsection and inserting in lieu thereof the following:

5. NARCOTIC DRUGS. Unless specifically excepted or unless listed in another schedule:

a. Any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than one point eight grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than one point eight grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than three hundred milligrams of dihydrocodeinone (another name: hydrocodone) per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than three hundred milligrams of dihydrocodeinone (another name: hydrocodone) per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than one point eight grams of dihydrocodeine (another name: hydrocodone) per one hundred milliliters or not more than ninety milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

b. Any material, compound, mixture, or preparation containing the narcotic drug buprenorphine, or its salts.

Sec. 7. Section 124.208, subsection 6, unnumbered paragraph 1, Code 2003, is amended to read as follows:

~~Anabolic-steroids,--except-any~~ Any product containing an anabolic steroid which product is expressly intended for administration through implants to cattle or other nonhuman species is excluded from all schedules, unless such steroid is prescribed, dispensed, or distributed for human use. Anabolic steroids-include Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation, and including any salt, ester, or isomer of the following drugs or substances if that salt, ester, or isomer promotes muscle growth:

Sec. 8. Section 124.212, subsection 3, Code 2003, is amended by striking the subsection.

Sec. 9. Section 124.304, subsection 1, Code 2003, is amended to read as follows:

1. ~~A~~ The board may suspend, revoke, or restrict a registration under section 124.303 to manufacture, distribute, or dispense a controlled substance ~~may-be-suspended-or-revoked by-the-board~~ upon a finding that any of the following apply to the registrant:

a. ~~Has~~ The registrant has furnished false or fraudulent material information in any application filed under this chapter~~7~~.

b. ~~Has~~ The registrant has had the registrant's federal registration ~~suspended-or-revoked~~ to manufacture, distribute, or dispense controlled substances suspended, revoked, or restricted~~7-or~~.

c. ~~Has~~ The registrant has been convicted of a public offense under any state or federal law relating to any controlled substance. For the purpose of this section only, a conviction shall include a plea of guilty, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court which forfeiture has not been vacated, or a finding of guilt in a criminal action even though the entry of the judgment or sentence has been withheld and the individual placed on probation.

d. ~~Has~~ The registrant has committed such acts as would render the registrant's registration under section 124.303 inconsistent with the public interest as determined under that section.

e. If the registrant is a licensed health care professional, the registrant has had the registrant's professional license revoked or suspended or has been otherwise disciplined in a way that restricts the registrant's authority to handle or prescribe controlled substances.

Sec. 10. Section 124B.2, subsection 1, Code 2003, is amended by adding the following new paragraphs:

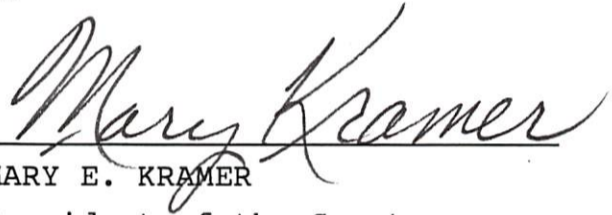
NEW PARAGRAPH. x. Red phosphorus.

NEW PARAGRAPH. y. White phosphorus (another name: yellow phosphorus).

NEW PARAGRAPH. z. Hypophosphorous acid and its salts (including ammonium hypophosphite, calcium hypophosphite, iron hypophosphite, potassium hypophosphite, manganese hypophosphite, magnesium hypophosphite, and sodium hypophosphite).



CHRISTOPHER C. RANTS
Speaker of the House



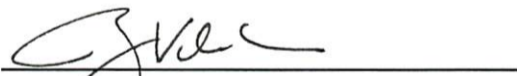
MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 389, Eightieth General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved April 21, 2003



THOMAS J. VILSACK
Governor