



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

February 28, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 260, an Act relating to the classification and regulation of controlled substances and making penalties applicable

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 260

AN ACT

RELATING TO THE CLASSIFICATION AND REGULATION OF CONTROLLED
SUBSTANCES AND MAKING PENALTIES APPLICABLE.

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

Section 1. Section 124.101, subsection 17, Code 2007, is amended to read as follows:

17. "Isomer" means the optical isomer, except as used in section 124.204, subsection 4, ~~section 124.204, subsection 9,~~ paragraph "b", and section 124.206, subsection 2, paragraph "d". As used in section 124.204, subsection 4, ~~and section 124.204, subsection 9,~~ paragraph "b", "isomer" means the optical, positional, or geometric isomer. As used in section 124.206, subsection 2, paragraph "d", "isomer" means the optical or geometric isomer.

Sec. 2. Section 124.204, subsection 2, unnumbered paragraph 1, Code 2007, is amended to read as follows:

Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these such isomers, esters, ethers, and salts is possible within the specific chemical designation:

Sec. 3. Section 124.204, subsection 2, paragraph ax, Code 2007, is amended to read as follows:

ax. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide). For purposes of this opiate, "isomers" include optical and geometric isomers.

Sec. 4. Section 124.204, subsection 4, paragraph u, Code 2007, is amended to read as follows:

u. Tetrahydrocannabinols, except as otherwise provided by rules of the board of pharmacy examiners for medicinal purposes. ~~---Synthetic, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (Cannabis plant) as well as synthetic~~ equivalents of the substances contained in the Cannabis plant, or in the resinous extractives of ~~Cannabis sp.~~ such plant, and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

(1) 1 cis or trans tetrahydrocannabinol, and their optical isomers, ~~excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States food and drug administration.~~

(2) 6 cis or trans tetrahydrocannabinol, and their optical isomers.

(3) 3,4 cis or trans tetrahydrocannabinol, and their optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

Sec. 5. Section 124.204, subsection 4, Code 2007, is amended by adding the following new paragraphs:

NEW PARAGRAPH. af. 2,5-dimethoxy-4-(n)-propylthiophenethylamine. Other name: 2C-T-7.

NEW PARAGRAPH. ag. Alpha-methyltryptamine. Other name: AMT.

NEW PARAGRAPH. ah. 5-methoxy-N,N-diisopropyltryptamine. Other name: 5-MeO-DIPT.

Sec. 6. Section 124.204, subsection 5, unnumbered paragraph 1, Code 2007, is amended to read as follows:

Unless specifically ~~exempted~~ excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Sec. 7. Section 124.204, subsection 6, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. h. N-benzylpiperazine. Some other names: BZP, 1-benzylpiperazine.

Sec. 8. Section 124.206, subsection 2, paragraphs a and d, Code 2007, are amended to read as follows:

a. Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

- (1) Raw opium.
- (2) Opium extracts.
- (3) Opium fluid ~~extracts~~.
- (4) Powdered opium.
- (5) Granulated opium.
- (6) Tincture of opium.
- (7) Codeine.
- (8) Ethylmorphine.
- (9) Etorphine hydrochloride.
- (10) Hydrocodone, also known as dihydrocodeinone.
- (11) Hydromorphone, also known as dihydromorphinone.
- (12) Metopon.
- (13) Morphine.
- (14) Oxycodone.
- (15) Oxymorphone.
- (16) Thebaine.
- (17) Dihydroetorphine.

d. Coca leaves and any salt, compound, derivative, or preparation of coca leaves. Decocainized coca leaves or extractions of coca leaves, which extractions do not contain cocaine or ecgonine, are excluded from this paragraph. The following substances and their salts, optical and geometric isomers, derivatives, and salts of isomers-and derivatives and optical and geometric isomers, if-salts, isomers, derivatives, or-salts-of-isomers-and-derivatives-exist-under-the-specific chemical-designation and any salt, compound, derivative, or preparation thereof that is chemically equivalent or identical to any of such substances, are included in this paragraph:

- (1) Cocaine.
- (2) Ecgonine.

Sec. 9. Section 124.206, subsection 6, paragraph a, Code 2007, is amended to read as follows:

a. ~~Immediate Phenylacetone, an immediate precursor to amphetamine and methamphetamine:~~

~~(i)--Phenylacetone. Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.~~

Sec. 10. Section 124.208, subsection 5, paragraph a, subparagraph (5), Code 2007, is amended to read as follows:

(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.

Sec. 11. Section 124.208, subsection 6, Code 2007, is amended by striking the subsection and inserting in lieu thereof the following:

6. ANABOLIC STEROIDS. Unless specifically excepted in subsection 6A or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including their salts, esters, and ethers:

- a. 3[beta],17-dihydroxy-5[alpha]-androstane.
- b. 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane.
- c. 5[alpha]-androstan-3,17-dione.
- d. 1-androstenediol(3[beta],17[beta]-dihydroxy-5[alpha]-androst-1-ene).
- e. 1-androstenediol (3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene).
- f. 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene).
- g. 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene).
- h. 1-androstenedione ([5[alpha]]-androst-1-en-3,17-dione).
- i. 4-androstenedione (androst-4-en-3,17-dione).
- j. 5-androstenedione (androst-5-en-3,17-dione).
- k. Bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one).
- l. Boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one).

- m. Calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxy-androst-4-en-3-one).
- n. Clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one).
- o. Dehydrochloromethyltestosterone (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one).
- p. [Delta]1-dihydrotestosterone (a.k.a. 1-testosterone) (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one).
- q. 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one).
- r. Drostanolone (17[beta]-hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one).
- s. Ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene).
- t. Fluoxymesterone (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one).
- u. Formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one).
- v. Furazabol (17[alpha]-methyl-17[beta]-hydroxy-androstano[2,3-c]-furazan).
- w. 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one.
- x. 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-4-en-3-one).
- y. 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-estr-4-en-3-one).
- z. Mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one).
- aa. Mesterolone (1[alpha]methyl-17[beta]-hydroxy-[5[alpha]]-androstan-3-one).
- ab. Methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one).
- ac. Methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxy-androst-5-ene).
- ad. Methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one).
- ae. 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane.
- af. 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane.
- ag. 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene.
- ah. 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one).

- ai. Methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one).
- aj. Methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one).
- ak. Methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one).
- al. Mibolerone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one).
- am. 17[alpha]-methyl-[Delta]1-dihydrotestosterone (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one) (a.k.a. 17-[alpha]-methyl-1-testosterone).
- an. Nandrolone (17[beta]-hydroxyestr-4-en-3-one).
- ao. 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene).
- ap. 19-nor-4-androstenediol (3[alpha],17[beta]-dihydroxyestr-4-ene).
- aq. 19-nor-5-androstenediol (3[beta],17[beta]-dihydroxyestr-5-ene).
- ar. 19-nor-5-androstenediol (3[alpha],17[beta]-dihydroxyestr-5-ene).
- as. 19-nor-4-androstenedione (estr-4-en-3,17-dione).
- at. 19-nor-5-androstenedione (estr-5-en-3,17-dione).
- au. Norbolethone (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one).
- av. Norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one).
- aw. Norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one).
- ax. Normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one).
- ay. Oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-2-oxa[5[alpha]]-androstan-3-one).
- az. Oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one).
- ba. Oxymetholone (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-[5[alpha]]-androstan-3-one).
- bb. Stanozolol (17[alpha]-methyl-17[beta]-hydroxy-[5[alpha]]-androst-2-eno[3,2-c]-pyrazole).
- bc. Stenbolone (17[beta]-hydroxy-2-methyl-[5[alpha]]-androst-1-en-3-one).

bd. Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone).

be. Testosterone (17[beta]-hydroxyandrost-4-en-3-one).

bf. Tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one).

bg. Trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one).

Sec. 12. Section 124.208, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. EXCLUSIONS -- ANABOLIC STEROIDS.

This section shall not apply to an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and that has been approved for such administration. A person who prescribes, dispenses, or distributes such steroid for human use shall be considered to have prescribed, dispensed, or distributed an anabolic steroid subject to this section. This section shall not apply to estrogens, progestins, corticosteroids, or dehydroepiandrosterone.

Sec. 13. Section 124.210, subsection 3, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. ay. Zopiclone.

Sec. 14. Section 124.210, subsection 4, Code 2007, is amended to read as follows:

4. FENFLURAMINE. Any material, compound, mixture, or preparation which contains any quantity of ~~the following substances~~ fenfluramine, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

~~a.--Fenfluramine.~~

Sec. 15. Section 124.212, subsection 3, Code 2007, is amended to read as follows:

3. STIMULANTS. Unless specifically ~~excepted~~ exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of pyrovalerone, including its salts, isomers, and salts of isomers.

Sec. 16. Section 124.212, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 5. DEPRESSANTS. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a depressant effect on the central nervous system, including its salts:
pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

Sec. 17. Section 124.308, subsection 3, Code 2007, is amended to read as follows:

3. In emergency situations, as defined by rule of the board, schedule II drugs may be dispensed upon electronic, facsimile, or oral prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of section 124.306. No prescription for a schedule II substance may be refilled.

Sec. 18. Section 124.401, subsection 1, paragraph b, subparagraph (2), subparagraph subdivisions (a), (b), and (c), Code 2007, are amended to read as follows:

(a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine ~~or~~ and their salts have been removed.

(b) Cocaine, its salts, optical and geometric isomers, and or salts of isomers.


(c) Ecgonine, its derivatives, their salts, isomers, and or salts of isomers.

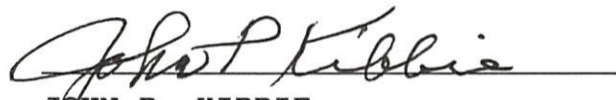
Sec. 19. Section 124.553, subsection 3, Code 2007, is amended to read as follows:

3. Information contained in the program and any information obtained from it, and information contained in the records of requests for information from the program, is privileged and strictly confidential information. Such information is ~~not~~ a confidential public record pursuant to ~~chapter-22~~ section 22.7, and is not subject to discovery, subpoena, or other means of legal compulsion for release except as provided in this division. Information from the program shall not be released, shared with an agency or institution, or made public except as provided in this division.


Sec. 20. Section 126.2, subsection 2, Code 2007, is amended to read as follows:

2. "Anabolic steroid" means any ~~anabolic-steroid,~~ including, ~~but-not-limited-to-oxymetholone,-oxandrolone,-~~ ethylestrenol, ~~methandrostenolone,-stanozolol,-nandrolone~~ phenpropionate, ~~nandrolone-decanoate,~~ drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, corticosteroids, or dehydroepiandrosterone, which substance is identified as an anabolic steroid in section 124.208, subsection 6, and includes any other substance designated by the board as an anabolic steroid through the adoption of rules pursuant to chapter 17A.

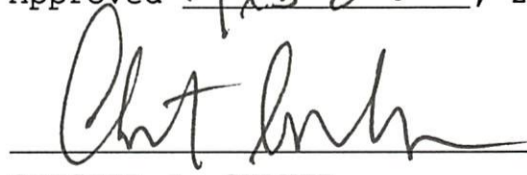

PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 260, Eighty-second General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved Feb 28th, 2007


CHESTER J. CULVER
Governor