

SENATE BILL No. 1131

November 6, 2014, Introduced by Senator JONES and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 7214 and 7216 (MCL 333.7214 and 333.7216),
section 7214 as amended by 2013 PA 268 and section 7216 as
amended by 1999 PA 42.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7214. The following controlled substances are included
2 in schedule 2:

3 (a) Any of the following substances, except those narcotic
4 drugs listed in other schedules, whether produced directly or
5 indirectly by extraction from substances of vegetable origin, or
6 independently by means of chemical synthesis, or by combination

1 of extraction and chemical synthesis:

2 (i) Opium and opiate, and any salt, compound, derivative, or
 3 preparation of opium or opiate excluding nalaxone and its salts,
 4 and excluding naltrexone and its salts, but including the
 5 following:

6	Raw opium	Etorphine hydrochloride
7	Opium extracts	Hydrocodone
8	Opium Fluid-extracts	Hydromorphone
9	Powdered opium	Metopon
10	Granulated opium	Morphine
11	Tincture of opium	Oxycodone
12	Codeine	Oxymorphone
13	Ethylmorphine	Thebaine

14 (ii) A salt, compound, derivative, or preparation thereof
 15 ~~which~~**THAT** is chemically equivalent to or identical with a
 16 substance referred to in this subdivision, except that these
 17 substances do not include the isoquinoline alkaloids of opium.

18 (iii) Opium poppy, poppy straw, and concentrate of poppy
 19 straw, the crude extract of poppy straw in either liquid, solid,
 20 or powder form, ~~which~~**THAT** contains the phenanthrene alkaloids of
 21 the opium poppy.

22 (iv) Coca leaves and any salt, compound, derivative, or
 23 preparation thereof ~~which~~**THAT** is chemically equivalent to or
 24 identical with any of these substances, except that the
 25 substances do not include decocainized coca leaves or extraction
 26 of coca leaves which extractions do not contain cocaine or

1 ecgonine. The substances include cocaine, its salts,
 2 stereoisomers, and salts of stereoisomers ~~when~~ **IF** the existence
 3 of the salts, stereoisomers, and salts of stereoisomers is
 4 possible within the specific chemical designation.

5 (b) Any of the following opiates, including their isomers,
 6 esters, ethers, salts, and salts of isomers, ~~when~~ **IF** the
 7 existence of these isomers, esters, ethers, and salts is possible
 8 within the specific chemical designation:

9	Alphaprodine	Fentanyl
10	Anileridine	Isomethadone
11	Bezitramide	Levomethorphan
12	Dihydrocodeine	Levorphanol
13	Diphenoxylate	Metazocine
14		
15	Methadone	
16	Methadone-Intermediate, 4-cyano-2dimethylamino-4, 4-diphenyl butane	
17	Moramide-Intermediate, 2-methyl-3-morpholino-1,	
18	1-diphenylpropane-carboxylic acid	
19		
20	Pethidine	
21	Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	
22	Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	
23	Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-	
24	carboxylic acid	
25		
26	Phenazocine	Racemethorphan
27	Piminodine	Racemorphan

1 (c) Unless listed in another schedule, any material,
2 compound, mixture, or preparation ~~which~~**THAT** contains any
3 quantity of the following substances having potential for abuse
4 associated with a stimulant effect on the nervous system:

5 (i) Amphetamine, its salts, optical isomers, and salts of its
6 optical isomers.

7 (ii) Any substance ~~which~~**THAT** contains any quantity of
8 methamphetamine, including its salts, stereoisomers, and salts of
9 stereoisomers.

10 (iii) Phenmetrazine and its salts.

11 (iv) Methylphenidate and its salts.

12 (d) Any material, compound, mixture, or preparation,
13 including its salts, isomers, and salts of isomers ~~when~~**IF** the
14 existence of the salts, isomers, and salts of isomers is possible
15 within the specific chemical designation as listed in schedule 2,
16 ~~which~~**THAT** contains any quantity of the following substances
17 having a potential for abuse associated with the depressant
18 effect on the central nervous system: methaqualone, amobarbital,
19 pentobarbital, or secobarbital; or, any compound, mixture, or
20 preparation containing amobarbital, secobarbital, pentobarbital,
21 or any salt thereof in combination with itself, with another, or
22 with 1 or more other controlled substances.

23 (e) Marihuana, but only for the purpose of treating a
24 debilitating medical condition as that term is defined in section
25 3(b) of the Michigan medical marihuana act, 2008 IL 1, MCL
26 333.26423, and as authorized under this act.

27 **(F) ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION**

1 CONTAINING LIMITED QUANTITIES OF ANY OF THE FOLLOWING NARCOTIC
2 DRUGS OR THEIR SALTS:

3 (i) NOT MORE THAN 300 MILLIGRAMS OF DIHYDROCODEINONE, OR ANY
4 OF ITS SALTS, PER 100 MILLILITERS OR NOT MORE THAN 15 MILLIGRAMS
5 PER DOSAGE UNIT, WITH A FOURFOLD OR GREATER QUANTITY OF AN
6 ISOQUINOLINE ALKALOID OF OPIUM.

7 (ii) NOT MORE THAN 300 MILLIGRAMS OF DIHYDROCODEINONE, OR ANY
8 OF ITS SALTS, PER 100 MILLILITERS OR NOT MORE THAN 15 MILLIGRAMS
9 PER DOSAGE UNIT, WITH 1 OR MORE ACTIVE NONNARCOTIC INGREDIENTS IN
10 RECOGNIZED THERAPEUTIC AMOUNTS.

11 (iii) NOT MORE THAN 1.8 GRAMS OF DIHYDROCODEINE, OR ANY OF ITS
12 SALTS, PER 100 MILLILITERS OR NOT MORE THAN 90 MILLIGRAMS PER
13 DOSAGE UNIT, WITH 1 OR MORE ACTIVE NONNARCOTIC INGREDIENTS IN
14 RECOGNIZED THERAPEUTIC AMOUNTS.

15 Sec. 7216. (1) The following controlled substances are
16 included in schedule 3:

17 (a) Unless listed in another schedule, any material,
18 compound, mixture, or preparation containing any quantity of the
19 following substances having a potential for abuse associated with
20 a stimulant effect on the central nervous system, including their
21 salts, isomers, including optical, position, or geometric
22 isomers, and salts of the isomers if the existence of the salts,
23 isomers, and salts of isomers is possible within the specific
24 chemical designation:

25	Benzphetamine	Mediatric tabs
26	Chlorphentermine	Mediatric liquid

1	Clortermine	Phendimetrazine
2	Edrisal tabs	Special formula 711 tabs
3	Genegestic caps	Thora Dex No. 1 tab
4	Hovizyme tabs	Thora Dex No. 2 tab
5	Mazindol	

6 (b) Unless listed in another schedule, any material,
 7 compound, mixture, or preparation containing any quantity of the
 8 following substances having a potential for abuse associated with
 9 a depressant effect on the central nervous system, including
 10 their salts, isomers, including optical, position, or geometric
 11 isomers, and salts of the isomers if the existence of the salts,
 12 isomers, and salts of isomers is possible within the specific
 13 chemical designation:

14	Chlorhexadol	Phencyclidine
15	Glutethimide	Sulfondiethylmethane
16	Lysergic acid	Sulfonethylmethane
17	Lysergix acid amide	Sulfonmethane
18	Methyprylon	

19 (c) Nalorphine.

20 (d) Any substance that contains any quantity of a derivative
 21 of barbituric acid, or any salt of a derivative of barbituric
 22 acid, except those substances that are specifically listed in
 23 other schedules.

24 (e) A compound, mixture, or preparation containing
 25 amobarbital, secobarbital, pentobarbital, or a salt of

1 amobarbital, secobarbital, or pentobarbital, and 1 or more other
2 active medicinal ingredients that are not listed in a schedule.

3 (f) A suppository dosage form containing amobarbital,
4 secobarbital, pentobarbital, or a salt of amobarbital,
5 secobarbital, or pentobarbital and approved by the food and drug
6 administration for marketing only as a suppository.

7 (g) Any material, compound, mixture, or preparation
8 containing limited quantities of any of the following narcotic
9 drugs or their salts:

10 (i) Not more than 1.8 grams of codeine, or any of its salts,
11 per 100 milliliters or not more than 90 milligrams per dosage
12 unit, with an equal or greater quantity of an isoquinoline
13 alkaloid of opium.

14 (ii) Not more than 1.8 grams of codeine, or any of its salts,
15 per 100 milliliters or not more than 90 milligrams per dosage
16 unit, with 1 or more active nonnarcotic ingredients in recognized
17 therapeutic amounts.

18 ~~—— (iii) Not more than 300 milligrams of dihydrocodeinone, or any~~
19 ~~of its salts, per 100 milliliters or not more than 15 milligrams~~
20 ~~per dosage unit, with a fourfold or greater quantity of an~~
21 ~~isoquinoline alkaloid of opium.~~

22 ~~—— (iv) Not more than 300 milligrams of dihydrocodeinone, or any~~
23 ~~of its salts, per 100 milliliters or not more than 15 milligrams~~
24 ~~per dosage unit, with 1 or more active nonnarcotic ingredients in~~
25 ~~recognized therapeutic amounts.~~

26 ~~—— (v) Not more than 1.8 grams of dihydrocodeine, or any of its~~
27 ~~salts, per 100 milliliters or not more than 90 milligrams per~~

1 ~~dosage unit, with 1 or more active nonnarcotic ingredients in~~
2 ~~recognized therapeutic amounts.~~

3 (iii) ~~(vi)~~ Not more than 300 milligrams of ethylmorphine, or
4 any of its salts, per 100 milliliters or not more than 15
5 milligrams per dosage unit, with 1 or more ingredients in
6 recognized therapeutic amounts.

7 (iv) ~~(vii)~~ Not more than 500 milligrams of opium per 100
8 milliliters or per 100 grams, or not more than 25 milligrams per
9 dosage unit, with 1 or more active nonnarcotic ingredients in
10 recognized therapeutic amounts.

11 (v) ~~(viii)~~ Not more than 50 milligrams of morphine, or any of
12 its salts, per 100 milliliters or per 100 grams, with 1 or more
13 active nonnarcotic ingredients in recognized therapeutic amounts.

14 (h) Any material, compound, mixture, or preparation
15 containing any quantity of ketamine, a salt of ketamine, an
16 isomer of ketamine, or a salt of an isomer of ketamine.

17 (2) The administrator may promulgate rules to except a
18 compound, mixture, or preparation containing any stimulant or
19 depressant substance listed in subsection (1)(a) ~~and~~ OR (b) from
20 the application of all or any part of this article if the
21 compound, mixture, or preparation contains 1 or more active
22 medicinal ingredients not having a stimulant or depressant effect
23 on the central nervous system and if the admixtures are in
24 combinations, quantity, proportion, or concentration that vitiate
25 the potential for abuse of the substances having a stimulant or
26 depressant effect on the central nervous system.