WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

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ENROLLED

HOUSE BILL No. 1082

(By Mr. Speaker, Mr. Albright)

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Passed March 4, 1985

In Effect Ninety Days From Passage
AN ACT to amend and reenact sections two hundred four and two hundred six, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to controlled substances; changing certain substances between schedules.

Be it enacted by the Legislature of West Virginia:

That sections two hundred four and two hundred six, article two, chapter sixty-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

§60A-2-204. Schedule I.

1. (a) The controlled substances listed in this section are included in Schedule I.

2. (b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

3. (1) Acetylmethadol;

4. (2) Allylprodine;

5. (3) Alphacetylmethadol;

6. (4) Alphameprodine;

7. (5) Alphamethadol;

8. (6) Alpha-methylfentanyl;

9. (7) Benzethidine;
Enr. H. B. 1082]

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<thead>
<tr>
<th>Number</th>
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<tr>
<td>15</td>
<td>Betacetylmethadol;</td>
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<tr>
<td>16</td>
<td>Betameprodine;</td>
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<td>17</td>
<td>Betamethadol;</td>
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<td>18</td>
<td>Betaprodine;</td>
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<td>19</td>
<td>Clonitazene;</td>
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<td>20</td>
<td>Dextromoramide;</td>
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<td>21</td>
<td>Diampromide;</td>
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<td>22</td>
<td>Diethylthiambutene;</td>
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<td>23</td>
<td>Difenoxin;</td>
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<td>24</td>
<td>Dimenoxadol;</td>
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<td>25</td>
<td>Dimepheptanol;</td>
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<td>Dimethylthiambutene;</td>
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<td>27</td>
<td>Dioxaphetylbutyrate;</td>
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<td>28</td>
<td>Dipipanone;</td>
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<td>29</td>
<td>Ethylmethylthiambutene;</td>
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<td>30</td>
<td>Etonitazene;</td>
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<td>31</td>
<td>Etoxeridine;</td>
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<td>Hydroxypethidine;</td>
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<td>35</td>
<td>Ketobemidone;</td>
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<td>Levomoramide;</td>
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<td>Levophenacylmorphan;</td>
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<td>38</td>
<td>Morpheridine;</td>
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<td>39</td>
<td>Noracymethadol;</td>
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<td>Phenadoxone;</td>
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<td>47</td>
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<td>48</td>
<td>Proheptazine;</td>
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<td>Properidine;</td>
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<td>Propiram;</td>
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<td>51</td>
<td>Racemoramide;</td>
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<td>52</td>
<td>Tilidine;</td>
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<td>53</td>
<td>Trimeperidine.</td>
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<td>54</td>
<td>(c) Unless specifically excepted or unless listed in another</td>
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<td>schedule, any of the following opium derivatives, its salts,</td>
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<td>isomers and salts of isomers whenever the existence of such</td>
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36 salts, isomers and salts of isomers is possible within the specific
37 chemical designation:

38 (1) Acetorphine;
39 (2) Acetyldihydrocodeine;
40 (3) Benzylmorphine;
41 (4) Codeine methylbromide;
42 (5) Codeine-N-Oxide;
43 (6) Cyprenorphine;
44 (7) Desomorphine;
45 (8) Dihydromorphine;
46 (9) Drotebanol;
47 (10) Etorphine (except HCl Salt);
48 (11) Heroin;
49 (12) Hydromorphinol;
50 (13) Methyldesorphine;
51 (14) Methylidihydromorphine;
52 (15) Morphine methylbromide;
53 (16) Morphine methylsulfonate;
54 (17) Morphine-N-Oxide;
55 (18) Myrophine;
56 (19) Nicocodeine;
57 (20) Nicomorphine;
58 (21) Normorphine;
59 (22) Phoclodine;
60 (23) Thebacon.

(d) Unless specifically excepted or unless listed in another
61 schedule, any material, compound, mixture or preparation,
62 which contains any quantity of the following hallucinogenic
63 substances, or which contains any of the salts, isomers and
64 salts of isomers of any thereof whenever the existence of such
65 salts, isomers and salts of isomers is possible within the specific
66 chemical designation and for the purposes of this subsection
67 only, “isomer” includes the optical position and geometric
68 isomers:

69 (1) 2,5-dimethoxyamphetamine; also known by these trade
70 or other names: 2,5-dimethoxy-a-methylphenethyl-amine; 2,5-
71 DMA;
72 (2) 3,4-methylenedioxy amphetamine;
73 (3) 4-bromo-2, 5-dimethoxyamphetamine or 4-bromo-2,5-
74 dimethoxy-a-methylphenethylamine, or 4-bromo-2,5-DMA;
97  (4) 5-methoxy-3, 4-methylenedioxy amphetamine;
98  (5) 4-methoxyamphetamine; also known by these trade or
99  other names: 4-methoxy-amethylphenethylamine; paramen-
100  hoxamphetamine; PMA;
101  (6) 3,4,5-trimethoxy amphetamine;
102  (7) Bufotenine; known also by these trade and other
103  names: 3-(B-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-
104  dimethylamino-ethyl)-5 indolol; N-N-dimethylserotonin; 5-
105  hydroxy-N-dimethyltryptamine; mappine;
106  (8) Diethyltryptamine; known also by these trade and
107  other names: N-N-Diethyltryptamine; “DET”; 
108  (9) Dimethyltryptamine; known also by the name “DMT”;
109  (10) 4-methyl-2,5-dimethoxy amphetamine; known also by
110  these trade and other names: 4-methyl-2,5-dimethoxy-a-
111  methylphenethylamine; “DOM”; “STP”;
112  (11) Ibogaine; known also by these trade and other names:
113  7-Ethyl-6, 6a, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6,9-
114  methano-5H-pyrido (1’, 2’: 1, 2 azepino 4,5b) indole; 
115  tabernanthe iboga;
116  (12) Lysergic acid diethylamide;
117  (13) Marihuana;
118  (14) Mescaline;
119  (15) Peyote; meaning all parts of the plant presently
120  classified botanically as Lophophora Williamsii Lematre, 
121  whether growing or not; the seeds thereof; any extract from 
122  any part of such plant; and every compound, manufacture, 
123  salt, derivative, mixture or preparation of such plant, its seeds 
124  or extracts;
125  (16) N-ethyl-3-piperidyl benzilate;
126  (17) N-methyl-3-piperidyl benzilate;
127  (18) Psilocybin;
128  (19) Psilocyn;
129  (20) Tetrahydrocannabinols; including synthetic equival-
130  ents of the substances contained in the plant or in the resinous
extractives of Cannabis or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity such as the following:

- Delta 1
- Cis or trans tetrahydrocannabinol, and their optical isomers;
- Delta 6
- Cis or trans tetrahydrocannabinol, and their optical isomers;
- Delta 3, 4
- Cis or trans tetrahydrocannabinil tetrahydrocannabinol, and their optical isomers;

(21) Thiophene analog of phencyclidine; also known by theses trade or other names: (A) 1-(2-thienyl) cyclohexyl piperidine; (B) Thienyl analog of phencyclidine; TPCP;

(22) Ethylamine analog of phencyclidine. . . Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine, N-(1phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

(23) Pyrrolidine analog of phencyclidine. . . Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

(24) N-ethylamphetamine;

(25) Parahexyl.

(e) Unless specifically excepted or unless listed in another schedule, any of the following depressants, its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemicl designation:

(1) Mecloqualone.

(2) Methaqualone.

§60A-2-206. Schedule II.

(a) The controlled substances listed in this section are included in Schedule II.

(b) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of
vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative or preparation of opium or opiate excluding nalorphine, naloxone and naltrexone and their respective salts, but including the following:

(A) Raw opium;
(B) Opium extracts;
(C) Opium fluid extracts;
(D) Powdered opium;
(E) Granulated opium;
(F) Tincture of opium;
(G) Codeine;
(H) Ethylmorphine;
(I) Ethorphine HCL;
(J) Hydrocodone;
(K) Hydromorphone;
(L) Metopon;
(M) Morphine;
(N) Oxycodone;
(O) Oxymorphone;
(P) Thebaine;

(2) Any salt, compound, isomer derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (1) of this subsection, except that these substances shall not include the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extractions of coca leaves, which extractions do not contain cocaine or egonine;

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of the opium poppy).
(c) Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

1. Alphaprodine;
2. Anileridine;
3. Bezitramide;
4. Dextrophan — excepted;
5. Dihydrocodeine;
6. Diphenoxylate;
7. Fentanyl;
8. Isomethadone;
9. Levoproxyphene — excepted;
10. Levomethadone;
11. Levorphanol;
12. Metazocine;
13. Methadone;
14. Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
15. Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid;
16. Pethidine; (meperidine);
17. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
18. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-ethyl-4-phenylpiper-idin-4-carboxylate;
19. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
20. Phenazocine;
21. Piminodine;
(22) Racemethorphan;
(23) Racemorphan;
(24) Bulk Dextropropoxyphene (non dosage forms).
(25) Sufentanil.

(D) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Methamphetamine, including its salts, isomers and salts of isomers;
(2) Amphetamine, its salts, optical isomers and salts of its optical isomers;
(3) Phenmetrazine and its salts;
(4) Methylphenidate and its salts.

(e) Unless specifically 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, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital;
(2) Secobarbital;
(3) Pentobarbital;
(4) Phencyclidine.

(f) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:
(1) Phenylacetone
Some trade or other names: phenyl-2-propanone; P2P; benzylymethyl ketone; methyl benzyl ketone.
(2) Immediate precursors to phencyclidine (PCP):

(i) 1-phenylcyclohexylamine

(ii) 1-piperidinocyclohexanecarbonitrile (PCC).
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

[Signature]

Chairman House Committee

[Signature]

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker of the House of Delegates

[Signature]

The within bill has been approved this the 15th day of ______, 1985.

Governor

[Signature]
PRESENTED TO THE
GOVERNOR
Date 3/14/55
Time 10:10 A.M.