

ACT No. 231

2019 Regular Session

HOUSE BILL NO. 452

BY REPRESENTATIVE TURNER

1 AN ACT

2 To enact R.S. 40:964(Schedule I)(A)(62) through (67) and (C)(65) and (G), (Schedule
3 II)(G), (Schedule III)(H), (Schedule IV)(F), and (Schedule V)(G) and to repeal R.S.
4 40:989.3, relative to the Uniform Controlled Dangerous Substances Law; to add
5 certain substances to the Uniform Controlled Dangerous Substances Law; to repeal
6 the crime of unlawful distribution of products containing *Mitragyna speciosa* to a
7 minor; to provide for special effective dates; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:964(Schedule I)(A)(62) through (67) and (C)(65) and (G) are
10 hereby enacted to read as follows:

11 §964. Composition of schedules

12 Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
13 40:962, consist of the following drugs or other substances, by whatever official
14 name, common or usual name, chemical name, or brand name designated:

15 SCHEDULE I

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

20 * * *

1 (1) Mitragynine

2 (2) 7-Hydroxy-mitragynine

3 * * *

4 Section 2. R.S. 40:964(Schedule II)(G) is hereby enacted to read as follows:

5 §964. Composition of schedules

6 Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
7 40:962, consist of the following drugs or other substances, by whatever official
8 name, common or usual name, chemical name, or brand name designated:

9 * * *

10 SCHEDULE II

11 * * *

12 G. Miscellaneous. Unless specifically excepted or contained within a
13 pharmaceutical product approved by the United States Food and Drug
14 Administration, or unless listed in another schedule, any material, compound,
15 mixture, or preparation which contains any quantity of the following substances
16 including its salts, isomers, or salts of isomers, whenever the existence of such salts,
17 isomers, or salts of isomers is possible within the specific chemical designation:

18 (1) Mitragynine

19 (2) 7-Hydroxy-mitragynine

20 * * *

21 Section 3. R.S. 40:964(Schedule III)(H) is hereby enacted to read as follows:

22 §964. Composition of schedules

23 Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
24 40:962, consist of the following drugs or other substances, by whatever official
25 name, common or usual name, chemical name, or brand name designated:

26 * * *

27 SCHEDULE III

28 * * *

29 H. Miscellaneous. Unless specifically excepted or contained within a
30 pharmaceutical product approved by the United States Food and Drug

1 Administration, or unless listed in another schedule, any material, compound,
 2 mixture, or preparation which contains any quantity of the following substances
 3 including its salts, isomers, or salts of isomers, whenever the existence of such salts,
 4 isomers, or salts of isomers is possible within the specific chemical designation:

5 (1) Mitragynine

6 (2) 7-Hydroxy-mitragynine

7 * * *

8 Section 4. R.S. 40:964(Schedule IV)(F) is hereby enacted to read as follows:

9 §964. Composition of schedules

10 Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
 11 40:962, consist of the following drugs or other substances, by whatever official
 12 name, common or usual name, chemical name, or brand name designated:

13 * * *

14 SCHEDULE IV

15 * * *

16 F. Miscellaneous. Unless specifically excepted or contained within a
 17 pharmaceutical product approved by the United States Food and Drug
 18 Administration, or unless listed in another schedule, any material, compound,
 19 mixture, or preparation which contains any quantity of the following substances
 20 including its salts, isomers, or salts of isomers, whenever the existence of such salts,
 21 isomers, or salts of isomers is possible within the specific chemical designation:

22 (1) Mitragynine

23 (2) 7-Hydroxy-mitragynine

24 * * *

25 Section 5. R.S. 40:964(Schedule V)(G) is hereby enacted to read as follows:

26 §964. Composition of schedules

27 Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
 28 40:962, consist of the following drugs or other substances, by whatever official
 29 name, common or usual name, chemical name, or brand name designated:

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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SCHEDULE V

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G. Miscellaneous. Unless specifically excepted or contained within a pharmaceutical product approved by the United States Food and Drug Administration, or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances including its salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation:

(1) Mitragynine

(2) 7-Hydroxy-mitragynine

Section 6. R.S. 40:989.3 is hereby repealed in its entirety.

Section 7.(A) The provisions of Section 1 of this Act shall become effective if and when the Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule I Controlled Dangerous Substance.

(B) The provisions of Section 2 of this Act shall become effective if and when the Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule II Controlled Dangerous Substance.

(C) The provisions of Section 3 of this Act shall become effective if and when the Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule III Controlled Dangerous Substance.

(D) The provisions of Section 4 of this Act shall become effective if and when the Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule IV Controlled Dangerous Substance.

(E) The provisions of Section 5 of this Act shall become effective if and when the Drug Enforcement Administration of the United States classifies Mitragynine as a Schedule V Controlled Dangerous Substance.

Section 8. The provisions of Section 6 of this Act shall become effective if and when Section 1, 2, 3, 4, or 5 of this Act becomes effective.

1 Section 9. The provisions of this Section and Sections 7 and 8 of this Act shall
2 become effective August 1, 2019.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____