2015 Regular Session

HOUSE BILL NO. 174

BY REPRESENTATIVE LEBAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CONTROLLED SUBSTANCES: Provides with respect to the scheduling of controlled dangerous substances

1	AN ACT
2	To enact R.S. 40:964(Schedule IV)(A)(3) and (B)(45.5) and to repeal R.S. 40:964(Schedule
3	III)(D)(1)(c) and (d), relative to the Uniform Controlled Dangerous Substances Law;
4	to add certain substances to Schedules I and IV; to provide with respect to
5	classifications in Schedule III; to reschedule certain products containing
6	hydrocodone; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 40:964(Schedule IV)(A)(3) and (B)(45.5) are hereby enacted to read
9	as follows:
10	§964. Composition of schedules
11	Schedules I, II, III, IV, and V shall, unless and until added to pursuant to R.S.
12	40:962, consist of the following drugs or other substances, by whatever official
13	name, common or usual name, chemical name, or brand name designated:
14	* * *
15	SCHEDULE IV
16	A. Narcotic drugs
17	* * *
18	(3) Tramadol (2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)
19	cyclohexanol), its salts, isomers, and salts of its isomers.
20	B. Depressants

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	Unless specifically excepted or unless listed in another schedule, any
2	material, compound, mixture, or preparation containing any quantity of the following
3	substances, including its salts, isomers, and salts of isomers, whenever the existence
4	of such salts, isomers, and salts of isomers is possible within the specific chemical
5	designation:
6	* * *
7	(45.5) Suvorexant
8	* * *
9	Section 2. R.S. 40:964(Schedule III)(D)(1)(c) and (d) are hereby repealed in their
10	entirety.
11	Section 3. This Act shall become effective upon signature by the governor or, if not
12	signed by the governor, upon expiration of the time for bills to become law without signature
13	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14	vetoed by the governor and subsequently approved by the legislature, this Act shall become
15	effective on the day following such approval.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Adds certain substances to Schedules I and IV.

<u>Present law</u> provides for the designation of controlled dangerous substances into Schedules I, II, III, IV, and V based upon the substances' potential for addiction and abuse.

Proposed law adds two substances to Schedule IV.

<u>Present law</u> provides that hydrocodone is a Schedule II drug, but is a Schedule III drug when found in combination with other substances.

<u>Proposed law</u> repeals the Schedule III classification for hydrocodone combination products to make La. law consistent with federal scheduling classifications.

(Adds R.S. 40:964(Schedule IV)(A)(3) and (B)(45.5); Repeals R.S. 40:964(Schedule III)(D)(1)(c) and (d))

Effective upon signature of governor or lapse of time for gubernatorial action.

## Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Administration of</u> <u>Criminal Justice to the original bill:</u>
- 1. Add emergency effective date.
- 2. Provide penalties for violations involving Mitragynine and 7-Hydroxymitragynine.

## The House Floor Amendments to the engrossed bill:

1. Remove the <u>proposed law</u> addition of Mitragynine and 7-Hydroxy-mitragynine into Schedule I and removes penalty provisions for violations involving those substances.