

HOUSE BILL NO. 41

INTRODUCED BY C. SCHOMER

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LIST OF SPECIFIC DANGEROUS DRUGS INCLUDED IN SCHEDULE V; ADDING GABAPENTIN TO THE DRUGS LISTED IN SCHEDULE V CONTROLLED SUBSTANCES; AND AMENDING SECTION 50-32-232, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-32-232, MCA, is amended to read:

"50-32-232. Specific dangerous drugs included in Schedule V. Schedule V consists of the drugs and other substances, by whatever official, common, usual, chemical, or brand name designated, listed in this section.

(1) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following is a narcotic drug, including its salts, calculated as the free anhydrous base or alkaloid in limited quantities as set forth in subsections (1)(a) through (1)(f), which include one or more nonnarcotic, active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

- (a) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- (b) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;
- (c) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;
- (d) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;
- (e) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; and
- (f) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(2) Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any

1 material, compound, mixture, or preparation that contains any quantity of pyrovalerone is a stimulant having a
2 stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers.

3 (3) Depressants. Unless specifically exempted or excluded or unless listed in another schedule,
4 any material, compound, mixture, or preparation that contains any quantity of the following substances is a
5 depressant having a depressant effect on the central nervous system, including its salts, isomers, and salts of
6 isomers:

7 (a) lacosamide, also known as (R)-2-acetoamido-N-benzyl-3-methoxy-propionamide or vimpat;

8 and

9 (b) pregabalin, also known as (S)-3-(aminomethyl)-5-methylhexanoic acid or lyrica; and

10 (c) gabapentin, also known as 1-(aminomethyl)cyclohexaneacetic acid.

11 (4) Anticonvulsant substances include the following:

12 (a) ezogabine;

13 (b) brivaracetam;

14 (c) cenobamate; and

15 (d) ganaxalone.

16 (5) Antimigraine substances including lasmiditan."

17 - END -