

1-1 By: Anderson, et al. (Senate Sponsor - Campbell) H.B. No. 124
 1-2 (In the Senate - Received from the House May 3, 2013;
 1-3 May 6, 2013, read first time and referred to Committee on Criminal
 1-4 Justice; May 17, 2013, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the addition of Salvia divinorum and its derivatives
 1-18 and extracts to Penalty Group 3 of the Texas Controlled Substances
 1-19 Act.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 481.104(a), Health and Safety Code, is
 1-22 amended to read as follows:

1-23 (a) Penalty Group 3 consists of:

1-24 (1) a material, compound, mixture, or preparation that
 1-25 contains any quantity of the following substances having a
 1-26 potential for abuse associated with a stimulant effect on the
 1-27 central nervous system:

1-28 Methylphenidate and its salts; and

1-29 Phenmetrazine and its salts;

1-30 (2) a material, compound, mixture, or preparation that
 1-31 contains any quantity of the following substances having a
 1-32 potential for abuse associated with a depressant effect on the
 1-33 central nervous system:

1-34 a substance that contains any quantity of a
 1-35 derivative of barbituric acid, or any salt of a derivative of
 1-36 barbituric acid not otherwise described by this subsection;

1-37 a compound, mixture, or preparation containing
 1-38 amobarbital, secobarbital, pentobarbital, or any salt of any of
 1-39 these, and one or more active medicinal ingredients that are not
 1-40 listed in any penalty group;

1-41 a suppository dosage form containing amobarbital,
 1-42 secobarbital, pentobarbital, or any salt of any of these drugs, and
 1-43 approved by the United States Food and Drug Administration for
 1-44 marketing only as a suppository;

1-45 Alprazolam;

1-46 Amobarbital;

1-47 Bromazepam;

1-48 Camazepam;

1-49 Chlordiazepoxide;

1-50 Chlorhexadol;

1-51 Clobazam;

1-52 Clonazepam;

1-53 Clorazepate;

1-54 Clotiazepam;

1-55 Cloxazolam;

1-56 Delorazepam;

1-57 Diazepam;

1-58 Estazolam;

1-59 Ethyl loflazepate;

1-60 Fludiazepam;

1-61 Flurazepam;

- 2-1 Glutethimide;
- 2-2 Halazepam;
- 2-3 Haloxzolam;
- 2-4 Ketazolam;
- 2-5 Loprazolam;
- 2-6 Lorazepam;
- 2-7 Lormetazepam;
- 2-8 Lysergic acid, including its salts, isomers, and
- 2-9 salts of isomers;
- 2-10 Lysergic acid amide, including its salts,
- 2-11 isomers, and salts of isomers;
- 2-12 Mebutamate;
- 2-13 Medazepam;
- 2-14 Methyprylon;
- 2-15 Midazolam;
- 2-16 Nimetazepam;
- 2-17 Nitrazepam;
- 2-18 Nordiazepam;
- 2-19 Oxazepam;
- 2-20 Oxazolam;
- 2-21 Pentazocine, its salts, derivatives, or compounds
- 2-22 or mixtures thereof;
- 2-23 Pentobarbital;
- 2-24 Pinazepam;
- 2-25 Prazepam;
- 2-26 Quazepam;
- 2-27 Secobarbital;
- 2-28 Sulfondiethylmethane;
- 2-29 Sulfonethylmethane;
- 2-30 Sulfonmethane;
- 2-31 Temazepam;
- 2-32 Tetrazepam;
- 2-33 Tiletamine and zolazepam in combination, and its
- 2-34 salts. (some trade or other names for a tiletamine-zolazepam
- 2-35 combination product: Telazol, for tiletamine: 2-(ethylamino)-
- 2-36 2-(2-thienyl)-cyclohexanone, and for zolazepam: 4-(2-
- 2-37 fluorophenyl)-6, 8-dihydro-1,3,8,-trimethylpyrazolo-[3,4-
- 2-38 e](1,4)-d diazepin-7(1H)-one, flupyrazapon);
- 2-39 Triazolam;
- 2-40 Zaleplon;
- 2-41 Zolpidem; and
- 2-42 Zopiclone;
- 2-43 (3) Nalorphine;
- 2-44 (4) a material, compound, mixture, or preparation
- 2-45 containing limited quantities of the following narcotic drugs, or
- 2-46 any of their salts:
- 2-47 not more than 1.8 grams of codeine, or any of its
- 2-48 salts, per 100 milliliters or not more than 90 milligrams per dosage
- 2-49 unit, with an equal or greater quantity of an isoquinoline alkaloid
- 2-50 of opium;
- 2-51 not more than 1.8 grams of codeine, or any of its
- 2-52 salts, per 100 milliliters or not more than 90 milligrams per dosage
- 2-53 unit, with one or more active, nonnarcotic ingredients in
- 2-54 recognized therapeutic amounts;
- 2-55 not more than 300 milligrams of dihydrocodeinone
- 2-56 (hydrocodone), or any of its salts, per 100 milliliters or not more
- 2-57 than 15 milligrams per dosage unit, with a fourfold or greater
- 2-58 quantity of an isoquinoline alkaloid of opium;
- 2-59 not more than 300 milligrams of dihydrocodeinone
- 2-60 (hydrocodone), or any of its salts, per 100 milliliters or not more
- 2-61 than 15 milligrams per dosage unit, with one or more active,
- 2-62 nonnarcotic ingredients in recognized therapeutic amounts;
- 2-63 not more than 1.8 grams of dihydrocodeine, or any
- 2-64 of its salts, per 100 milliliters or not more than 90 milligrams per
- 2-65 dosage unit, with one or more active, nonnarcotic ingredients in
- 2-66 recognized therapeutic amounts;
- 2-67 not more than 300 milligrams of ethylmorphine, or
- 2-68 any of its salts, per 100 milliliters or not more than 15 milligrams
- 2-69 per dosage unit, with one or more active, nonnarcotic ingredients

- 3-1 in recognized therapeutic amounts;
- 3-2 not more than 500 milligrams of opium per 100
- 3-3 milliliters or per 100 grams, or not more than 25 milligrams per
- 3-4 dosage unit, with one or more active, nonnarcotic ingredients in
- 3-5 recognized therapeutic amounts;
- 3-6 not more than 50 milligrams of morphine, or any of
- 3-7 its salts, per 100 milliliters or per 100 grams with one or more
- 3-8 active, nonnarcotic ingredients in recognized therapeutic amounts;
- 3-9 and
- 3-10 not more than 1 milligram of difenoxin and not
- 3-11 less than 25 micrograms of atropine sulfate per dosage unit;
- 3-12 (5) a material, compound, mixture, or preparation that
- 3-13 contains any quantity of the following substances:
- 3-14 Barbitol;
- 3-15 Chloral betaine;
- 3-16 Chloral hydrate;
- 3-17 Ethchlorvynol;
- 3-18 Ethinamate;
- 3-19 Meprobamate;
- 3-20 Methohexital;
- 3-21 Methylphenobarbital (Mephobarbital);
- 3-22 Paraldehyde;
- 3-23 Petrichloral; and
- 3-24 Phenobarbital;
- 3-25 (6) Peyote, unless unharvested and growing in its
- 3-26 natural state, meaning all parts of the plant classified
- 3-27 botanically as Lophophora, whether growing or not, the seeds of the
- 3-28 plant, an extract from a part of the plant, and every compound,
- 3-29 manufacture, salt, derivative, mixture, or preparation of the
- 3-30 plant, its seeds, or extracts;
- 3-31 (7) unless listed in another penalty group, a
- 3-32 material, compound, mixture, or preparation that contains any
- 3-33 quantity of the following substances having a stimulant effect on
- 3-34 the central nervous system, including the substance's salts,
- 3-35 optical, position, or geometric isomers, and salts of the
- 3-36 substance's isomers, if the existence of the salts, isomers, and
- 3-37 salts of isomers is possible within the specific chemical
- 3-38 designation:
- 3-39 Benzphetamine;
- 3-40 Cathine [(+)-norpseudoephedrine];
- 3-41 Chlorphentermine;
- 3-42 Clortermine;
- 3-43 Diethylpropion;
- 3-44 Fencamfamin;
- 3-45 Fenfluramine;
- 3-46 Fenproporex;
- 3-47 Mazindol;
- 3-48 Mefenorex;
- 3-49 Modafinil;
- 3-50 Pemoline (including organometallic complexes and
- 3-51 their chelates);
- 3-52 Phendimetrazine;
- 3-53 Phentermine;
- 3-54 Pipradrol;
- 3-55 Sibutramine; and
- 3-56 SPA [(-)-1-dimethylamino-1,2-diphenylethane];
- 3-57 (8) unless specifically excepted or unless listed in
- 3-58 another penalty group, a material, compound, mixture, or
- 3-59 preparation that contains any quantity of the following substance,
- 3-60 including its salts:
- 3-61 Dextropropoxyphene (Alpha-(+)-4-dimethylamino-
- 3-62 1,2-diphenyl-3-methyl-2-propionoxybutane); ~~and~~
- 3-63 (9) an anabolic steroid, including any drug or
- 3-64 hormonal substance, or any substance that is chemically or
- 3-65 pharmacologically related to testosterone, other than an estrogen,
- 3-66 progestin, dehydroepiandrosterone, or corticosteroid, and promotes
- 3-67 muscle growth, including the following drugs and substances and any
- 3-68 salt, ester, or ether of the following drugs and substances:
- 3-69 Androstenediol;

- 4-1 Androstanedione;
- 4-2 Androstenediol;
- 4-3 Androstenedione;
- 4-4 Bolasterone;
- 4-5 Boldenone;
- 4-6 Calusterone;
- 4-7 Clostebol;
- 4-8 Dehydrochlormethyltestosterone;
- 4-9 Delta-1-dihydrotestosterone;
- 4-10 Dihydrotestosterone (4-dihydrotestosterone);
- 4-11 Drostanolone;
- 4-12 Ethylestrenol;
- 4-13 Fluoxymesterone;
- 4-14 Formebolone;
- 4-15 Furazabol;
- 4-16 13beta-ethyl-17beta-hydroxygon-4-en-3-one;
- 4-17 4-hydroxytestosterone;
- 4-18 4-hydroxy-19-nortestosterone;
- 4-19 Mestanolone;
- 4-20 Mesterolone;
- 4-21 Methandienone;
- 4-22 Methandriol;
- 4-23 Methenolone;
- 4-24 17alpha-methyl-3beta, 17 beta-dihydroxy-5alpha-
- 4-25 androstane;
- 4-26 17alpha-methyl-3alpha, 17 beta-dihydroxy-5alpha-
- 4-27 androstane;
- 4-28 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-
- 4-29 ene;
- 4-30 17alpha-methyl-4-hydroxynandrolone;
- 4-31 Methyldienolone;
- 4-32 Methyltestosterone;
- 4-33 Methyltrienolone;
- 4-34 17alpha-methyl-delta-1-dihydrotestosterone;
- 4-35 Mibolerone;
- 4-36 Nandrolone;
- 4-37 Norandrostenediol;
- 4-38 Norandrostenedione;
- 4-39 Norbolethone;
- 4-40 Norclostebol;
- 4-41 Norethandrolone;
- 4-42 Normethandrolone;
- 4-43 Oxandrolone;
- 4-44 Oxymesterone;
- 4-45 Oxymetholone;
- 4-46 Stanozolol;
- 4-47 Stenbolone;
- 4-48 Testolactone;
- 4-49 Testosterone;
- 4-50 Tetrahydrogestrinone; and
- 4-51 Trenbolone; and
- 4-52 (10) Salvia divinorum, unless unharvested and growing
- 4-53 in its natural state, meaning all parts of that plant, whether
- 4-54 growing or not, the seeds of that plant, an extract from a part of
- 4-55 that plant, and every compound, manufacture, salt, derivative,
- 4-56 mixture, or preparation of that plant, its seeds, or extracts,
- 4-57 including Salvinorin A.
- 4-58 SECTION 2. This Act takes effect September 1, 2013.

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