

**SENATE BILL No. 263**

By Senator Kerschen

1-5

1 AN ACT concerning—agriculture *{industrial hemp}*; enacting the  
2 alternative crop research act; *{excluding industrial hemp from*  
3 *definition of marijuana and cannabinoids}*; amending K.S.A. 2017  
4 Supp. *{21-5701,} 21-5702, 65-4101 and 65-4105}* and repealing the  
5 existing section *{sections}*.  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) Sections 1 and 2, and amendments thereto, shall  
9 be known and may be cited as the alternative crop research act.

10 (b) As used in the alternative crop research act:

11 (1) "Certified seed" means industrial hemp seed that has been  
12 certified by a certifying agency, as defined by K.S.A. 2-1415, and  
13 amendments thereto, as having a delta-9 tetrahydrocannabinol  
14 concentration of no more than 0.3% on a dry weight basis.

15 *(2) "Delta-9 tetrahydrocannabinol concentration" means the*  
16 *combined percentage of delta-9 tetrahydrocannabinol and its optical*  
17 *isomers, their salts and acids, and salts of their acids, reported as free*  
18 *THC on a dry weight basis, of any part of the plant cannabis sativa L.*

19 ~~(2) (3)~~ "Department" means the Kansas department of agriculture.

20 ~~(3) (4)—"Grower" means any person who has been approved and~~  
21 ~~licensed by the department to grow or cultivate industrial hemp for the~~  
22 ~~purposes of this act.~~

23 ~~(5)~~ "Hemp products" means all products made from industrial hemp,  
24 including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper,  
25 particleboard, plastics, seed, seed ~~metal~~ meal and seed oil for consumption  
26 and certified seed for cultivation, if the seeds originate from industrial  
27 hemp varieties.

28 ~~(4) (6)/(5)}~~ "Industrial hemp" means all parts and varieties of the  
29 plant cannabis sativa L., cultivated or possessed by a state educational  
30 institution, ~~a grower~~ or the department, whether growing or not, that  
31 contain a delta-9 tetrahydrocannabinol concentration of no more than 0.3%  
32 on a dry weight basis.

33 ~~(5)(7)—"Person" includes an individual, partnership, corporation,~~  
34 ~~association or other legal entity.~~

1       ~~(8)~~**{(6)}** "Seed research" means research conducted to develop or  
2 recreate better strains of industrial hemp, particularly for the purpose of  
3 seed production.

4       ~~(6)~~ ~~(9)~~**{(7)}** "State educational institution" means the university of  
5 Kansas, Kansas state university, Wichita state university, Emporia state  
6 university, Pittsburg state university and Fort Hays state university.

7       ~~(7)~~—"Tetrahydrocannabinol" or "THC" means the natural or synthetic  
8 equivalents of the substances contained in the plant or in the resinous  
9 extractives of cannabis or any synthetic substances, compounds, salts or  
10 derivatives of the plant or chemicals and their isomers with similar  
11 chemical structure and pharmacological activity.

12       New Sec. 2. (a) The department, alone or in coordination with a state  
13 educational institution ~~or any grower~~, may cultivate industrial hemp  
14 grown from certified seed and promote the research and development of  
15 industrial hemp. This research may include:

16       (1) Oversight and analysis of growth of industrial hemp to conduct  
17 agronomy research and analysis of required soils, growing conditions and  
18 harvest methods relating to the production of various varieties of industrial  
19 hemp that may be suitable for various commercial hemp products;

20       (2) seed research on various types of industrial hemp that are best  
21 suited to be grown in Kansas, including seed availability, creation of  
22 hybrid types, in-the-ground variety trials and seed production;

23       (3) analysis on the economic feasibility of developing an industrial  
24 hemp market in various types of industrial hemp that can be grown in  
25 Kansas;

26       (4) analysis on the estimated value-added benefits, including  
27 environmental benefits, that Kansas businesses would reap by having an  
28 industrial hemp market of Kansas-grown industrial hemp varieties;

29       (5) a study on the agronomy research conducted worldwide relating  
30 to industrial hemp varieties, production and utilization; ~~and~~

31       (6) a study on the feasibility of attracting federal and private funding  
32 for industrial hemp research; *and*

33       (7) *a pilot program in Russell county for the purpose of economic  
34 development and market research of industrial hemp and industrial  
35 hemp products.*

36       ***(b) The department shall oversee and annually license all persons  
37 {individuals} participating in the cultivation, growth, research, oversight,  
38 study, analysis or transportation of certified seed or industrial hemp  
39 pursuant to this act.***

40       ***(c) (1) The department shall require, as a qualification for initial or  
41 continuing licensure, all persons {individuals} seeking a license or  
42 license renewal under this act to be fingerprinted and to submit to a state  
43 and national criminal history record check. The fingerprints shall be***

1 *used to identify the ~~person~~ {individual} and to determine whether the*  
2 *~~person~~ {individual} has a record of criminal history in this state or any*  
3 *other jurisdiction. The department is authorized to submit the*  
4 *fingerprints to the Kansas bureau of investigation and the federal*  
5 *bureau of investigation for a state and national criminal history record*  
6 *check. The department may use the information obtained from*  
7 *fingerprinting and the criminal history record check for purposes of*  
8 *verifying the identification of the ~~person~~ {individual} and for making an*  
9 *official determination of the qualifications for initial or continuing*  
10 *licensure pursuant to this act and rules and regulations promulgated*  
11 *pursuant to this act. Disclosure or use of any information received by*  
12 *the department for any purpose other than the purpose provided for in*  
13 *this section shall be a class A misdemeanor and shall constitute grounds*  
14 *for removal from office or termination of employment.*

15 *(2)—A ~~person~~ {An individual} who has been convicted of any of the*  
16 *following shall be disqualified from initial or continuing licensure under*  
17 *this act: A felony violation of article 57 of chapter 21 of the Kansas*  
18 *Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-*  
19 *36a01 through 21-36a17, prior to their transfer, or any felony violation*  
20 *of any provision of the uniform controlled substances act, prior to July*  
21 *1, 2009.*

22 *(3) The Kansas bureau of investigation may charge a reasonable*  
23 *fee for conducting a criminal history record check.*

24 *(4) The applicant shall pay the costs of fingerprinting and the state*  
25 *and national criminal history record check.*

26 ~~(b)(d)~~ *The secretary of agriculture shall ~~have the authority to~~*  
27 *promulgate rules and regulations to carry out the provisions of the*  
28 *alternative crop research act **on or before December 31, 2018. Such rules***  
29 *and regulations shall include, but not be limited to, a requirement that*  
30 *license holders shall have a current license in their possession at all*  
31 *times that they are engaged in cultivation, growth, research, oversight,*  
32 *study, analysis or transportation of certified seed or industrial hemp*  
33 *pursuant to this act.*

34 *(e) The department shall submit a report to the legislature outlining*  
35 *the steps and timeline to implement a process that would allow ~~persons~~*  
36 *{individuals and business entities} to grow and process industrial hemp*  
37 *in Kansas and to sell industrial hemp in other states. Such report shall*  
38 *be submitted to the senate standing committee on agriculture and*  
39 *natural resources on or before January 14, 2019.*

40 ~~(e)(f)~~ *Nothing in the alternative crop research act shall be construed*  
41 *to authorize any ~~person~~ {individual} to violate any **state or** federal law.*

42 *{Sec. 3. K.S.A. 2017 Supp. 21-5701 is hereby amended to read as*  
43 *follows: 21-5701. As used in K.S.A. 2017 Supp. 21-5701 through 21-*

1 5717, and amendments thereto: (a) "Controlled substance" means any  
2 drug, substance or immediate precursor included in any of the schedules  
3 designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113,  
4 and amendments thereto.

5 (b) (1) "Controlled substance analog" means a substance that is  
6 intended for human consumption, and at least one of the following:

7 (A) The chemical structure of the substance is substantially similar  
8 to the chemical structure of a controlled substance listed in or added to  
9 the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments  
10 thereto;

11 (B) the substance has a stimulant, depressant or hallucinogenic  
12 effect on the central nervous system substantially similar to the  
13 stimulant, depressant or hallucinogenic effect on the central nervous  
14 system of a controlled substance included in the schedules designated in  
15 K.S.A. 65-4105 or 65-4107, and amendments thereto; or

16 (C) with respect to a particular individual, such individual  
17 represents or intends the substance to have a stimulant, depressant or  
18 hallucinogenic effect on the central nervous system substantially similar  
19 to the stimulant, depressant or hallucinogenic effect on the central  
20 nervous system of a controlled substance included in the schedules  
21 designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

22 (2) "Controlled substance analog" does not include:

23 (A) A controlled substance;

24 (B) a substance for which there is an approved new drug  
25 application; or

26 (C) a substance with respect to which an exemption is in effect for  
27 investigational use by a particular person under section 505 of the  
28 federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent  
29 conduct with respect to the substance is permitted by the exemption.

30 (c) "Cultivate" means the planting or promotion of growth of five  
31 or more plants which contain or can produce controlled substances.

32 (d) "Distribute" means the actual, constructive or attempted  
33 transfer from one person to another of some item whether or not there is  
34 an agency relationship. "Distribute" includes, but is not limited to, sale,  
35 offer for sale or any act that causes some item to be transferred from one  
36 person to another. "Distribute" does not include acts of administering,  
37 dispensing or prescribing a controlled substance as authorized by the  
38 pharmacy act of the state of Kansas, the uniform controlled substances  
39 act or otherwise authorized by law.

40 (e) "Drug" means:

41 (1) Substances recognized as drugs in the official United States  
42 pharmacopeia, official homeopathic pharmacopoeia of the United States  
43 or official national formulary or any supplement to any of them;

1       (2) *substances intended for use in the diagnosis, cure, mitigation,*  
2 *treatment or prevention of disease in man or animals;*

3       (3) *substances, other than food, intended to affect the structure or*  
4 *any function of the body of man or animals; and*

5       (4) *substances intended for use as a component of any article*  
6 *specified in paragraph (1), (2) or (3). It does not include devices or their*  
7 *components, parts or accessories.*

8       (f) *"Drug paraphernalia" means all equipment and materials of*  
9 *any kind which are used, or primarily intended or designed for use in*  
10 *planting, propagating, cultivating, growing, harvesting, manufacturing,*  
11 *compounding, converting, producing, processing, preparing, testing,*  
12 *analyzing, packaging, repackaging, storing, containing, concealing,*  
13 *injecting, ingesting, inhaling or otherwise introducing into the human*  
14 *body a controlled substance and in violation of this act. "Drug*  
15 *paraphernalia" shall include, but is not limited to:*

16       (1) *Kits used or intended for use in planting, propagating,*  
17 *cultivating, growing or harvesting any species of plant which is a*  
18 *controlled substance or from which a controlled substance can be*  
19 *derived;*

20       (2) *kits used or intended for use in manufacturing, compounding,*  
21 *converting, producing, processing or preparing controlled substances;*

22       (3) *isomerization devices used or intended for use in increasing the*  
23 *potency of any species of plant which is a controlled substance;*

24       (4) *testing equipment used or intended for use in identifying or in*  
25 *analyzing the strength, effectiveness or purity of controlled substances;*

26       (5) *scales and balances used or intended for use in weighing or*  
27 *measuring controlled substances;*

28       (6) *diluents and adulterants, including, but not limited to, quinine*  
29 *hydrochloride, mannitol, mannite, dextrose and lactose, which are used*  
30 *or intended for use in cutting controlled substances;*

31       (7) *separation gins and sifters used or intended for use in removing*  
32 *twigs and seeds from or otherwise cleaning or refining marijuana;*

33       (8) *blenders, bowls, containers, spoons and mixing devices used or*  
34 *intended for use in compounding controlled substances;*

35       (9) *capsules, balloons, envelopes, bags and other containers used or*  
36 *intended for use in packaging small quantities of controlled substances;*

37       (10) *containers and other objects used or intended for use in*  
38 *storing or concealing controlled substances;*

39       (11) *hypodermic syringes, needles and other objects used or*  
40 *intended for use in parenterally injecting controlled substances into the*  
41 *human body;*

42       (12) *objects used or primarily intended or designed for use in*  
43 *ingesting, inhaling or otherwise introducing marijuana, cocaine,*

1 *hashish, hashish oil, phencyclidine (PCP), methamphetamine or*  
2 *amphetamine into the human body, such as:*

3 (A) *Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes*  
4 *with or without screens, permanent screens, hashish heads or punctured*  
5 *metal bowls;*

6 (B) *water pipes, bongs or smoking pipes designed to draw smoke*  
7 *through water or another cooling device;*

8 (C) *carburetion pipes, glass or other heat resistant tubes or any*  
9 *other device used, intended to be used or designed to be used to cause*  
10 *vaporization of a controlled substance for inhalation;*

11 (D) *smoking and carburetion masks;*

12 (E) *roach clips, objects used to hold burning material, such as a*  
13 *marijuana cigarette, that has become too small or too short to be held in*  
14 *the hand;*

15 (F) *miniature cocaine spoons and cocaine vials;*

16 (G) *chamber smoking pipes;*

17 (H) *carburetor smoking pipes;*

18 (I) *electric smoking pipes;*

19 (J) *air-driven smoking pipes;*

20 (K) *chillums;*

21 (L) *bongs;*

22 (M) *ice pipes or chillers;*

23 (N) *any smoking pipe manufactured to disguise its intended*  
24 *purpose;*

25 (O) *wired cigarette papers; or*

26 (P) *cocaine freebase kits.*

27 *"Drug paraphernalia" shall not include any products, chemicals or*  
28 *materials described in K.S.A. 2017 Supp. 21-5709(a), and amendments*  
29 *thereto.*

30 (g) *"Immediate precursor" means a substance which the state*  
31 *board of pharmacy has found to be and by rules and regulations*  
32 *designates as being the principal compound commonly used or produced*  
33 *primarily for use and which is an immediate chemical intermediary used*  
34 *or likely to be used in the manufacture of a controlled substance, the*  
35 *control of which is necessary to prevent, curtail or limit manufacture.*

36 (h) *"Isomer" means all enantiomers and diastereomers.*

37 (i) *"Manufacture" means the production, preparation,*  
38 *propagation, compounding, conversion or processing of a controlled*  
39 *substance either directly or indirectly or by extraction from substances*  
40 *of natural origin or independently by means of chemical synthesis or by*  
41 *a combination of extraction and chemical synthesis. "Manufacture"*  
42 *does not include:*

43 (1) *The preparation or compounding of a controlled substance by*

1 *an individual for the individual's own lawful use or the preparation,*  
2 *compounding, packaging or labeling of a controlled substance:*

3 *(A) By a practitioner or the practitioner's agent pursuant to a*  
4 *lawful order of a practitioner as an incident to the practitioner's*  
5 *administering or dispensing of a controlled substance in the course of*  
6 *the practitioner's professional practice; or*

7 *(B) by a practitioner or by the practitioner's authorized agent under*  
8 *such practitioner's supervision for the purpose of or as an incident to*  
9 *research, teaching or chemical analysis or by a pharmacist or medical*  
10 *care facility as an incident to dispensing of a controlled substance; or*

11 *(2) the addition of diluents or adulterants, including, but not limited*  
12 *to, quinine hydrochloride, mannitol, mannite, dextrose or lactose, which*  
13 *are intended for use in cutting a controlled substance.*

14 *(j) "Marijuana" means all parts of all varieties of the plant*  
15 *Cannabis whether growing or not, the seeds thereof, the resin extracted*  
16 *from any part of the plant and every compound, manufacture, salt,*  
17 *derivative, mixture or preparation of the plant, its seeds or resin.*  
18 *"Marijuana" does not include: (1) The mature stalks of the plant, fiber*  
19 *produced from the stalks, oil or cake made from the seeds of the plant,*  
20 *any other compound, manufacture, salt, derivative, mixture or*  
21 *preparation of the mature stalks, except the resin extracted therefrom,*  
22 *fiber, oil or cake or the sterilized seed of the plant which is incapable of*  
23 *germination; ~~or~~ (2) any substance listed in schedules II through V of the*  
24 *uniform controlled substances act; or (3) industrial hemp as defined in*  
25 *section 1, and amendments thereto.*

26 *(k) "Minor" means a person under 18 years of age.*

27 *(l) "Narcotic drug" means any of the following whether produced*  
28 *directly or indirectly by extraction from substances of vegetable origin or*  
29 *independently by means of chemical synthesis or by a combination of*  
30 *extraction and chemical synthesis:*

31 *(1) Opium and opiate and any salt, compound, derivative or*  
32 *preparation of opium or opiate;*

33 *(2) any salt, compound, isomer, derivative or preparation thereof*  
34 *which is chemically equivalent or identical with any of the substances*  
35 *referred to in paragraph (1) but not including the isoquinoline alkaloids*  
36 *of opium;*

37 *(3) opium poppy and poppy straw;*

38 *(4) coca leaves and any salt, compound, derivative or preparation of*  
39 *coca leaves and any salt, compound, isomer, derivative or preparation*  
40 *thereof which is chemically equivalent or identical with any of these*  
41 *substances, but not including decocainized coca leaves or extractions of*  
42 *coca leaves which do not contain cocaine or ecgonine.*

43 *(m) "Opiate" means any substance having an addiction-forming or*

1 *addiction-sustaining liability similar to morphine or being capable of*  
2 *conversion into a drug having addiction-forming or addiction-sustaining*  
3 *liability. "Opiate" does not include, unless specifically designated as*  
4 *controlled under K.S.A. 65-4102, and amendments thereto, the*  
5 *dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts*  
6 *(dextromethorphan). "Opiate" does include its racemic and levorotatory*  
7 *forms.*

8 (n) *"Opium poppy" means the plant of the species Papaver*  
9 *somniferum L. except its seeds.*

10 (o) *"Person" means [an] individual, corporation, government or*  
11 *governmental subdivision or agency, business trust, estate, trust,*  
12 *partnership, association or any other legal entity.*

13 (p) *"Poppy straw" means all parts, except the seeds, of the opium*  
14 *poppy, after mowing.*

15 (q) *"Possession" means having joint or exclusive control over an*  
16 *item with knowledge of and intent to have such control or knowingly*  
17 *keeping some item in a place where the person has some measure of*  
18 *access and right of control.*

19 (r) *"School property" means property upon which is located a*  
20 *structure used by a unified school district or an accredited nonpublic*  
21 *school for student instruction or attendance or extracurricular activities*  
22 *of pupils enrolled in kindergarten or any of the grades one through 12.*  
23 *This definition shall not be construed as requiring that school be in*  
24 *session or that classes are actually being held at the time of the offense*  
25 *or that children must be present within the structure or on the property*  
26 *during the time of any alleged criminal act. If the structure or property*  
27 *meets the above definition, the actual use of that structure or property at*  
28 *the time alleged shall not be a defense to the crime charged or the*  
29 *sentence imposed.*

30 (s) *"Simulated controlled substance" means any product which*  
31 *identifies itself by a common name or slang term associated with a*  
32 *controlled substance and which indicates on its label or accompanying*  
33 *promotional material that the product simulates the effect of a controlled*  
34 *substance.*

35 ~~Sec. 3-4.~~ K.S.A. 2017 Supp. 21-5702 is hereby amended to read as  
36 follows: 21-5702. (a) Prosecutions for crimes committed prior to July 1,  
37 2009, shall be governed by the law in effect at the time the crime was  
38 committed. For purposes of this section, a crime was committed prior to  
39 July 1, 2009, if any element of the crime occurred prior thereto.

40 (b) The prohibitions of this act shall apply unless the conduct  
41 prohibited is authorized by the pharmacy act of the state of Kansas, the  
42 uniform controlled substances act, *the alternative crop research act* or  
43 otherwise authorized by law.



1        *{Sec. 5. K.S.A. 2017 Supp. 65-4101 is hereby amended to read as*  
2 *follows: 65-4101. As used in this act: (a) "Administer" means the direct*  
3 *application of a controlled substance, whether by injection, inhalation,*  
4 *ingestion or any other means, to the body of a patient or research subject*  
5 *by:*

6        *(1) A practitioner or pursuant to the lawful direction of a*  
7 *practitioner; or*

8        *(2) the patient or research subject at the direction and in the*  
9 *presence of the practitioner.*

10        *(b) "Agent" means an authorized person who acts on behalf of or*  
11 *at the direction of a manufacturer, distributor or dispenser. It does not*  
12 *include a common carrier, public warehouseman or employee of the*  
13 *carrier or warehouseman.*

14        *(c) "Application service provider" means an entity that sells*  
15 *electronic prescription or pharmacy prescription applications as a hosted*  
16 *service where the entity controls access to the application and maintains*  
17 *the software and records on its server.*

18        *(d) "Board" means the state board of pharmacy.*

19        *(e) "Bureau" means the bureau of narcotics and dangerous drugs,*  
20 *United States department of justice, or its successor agency.*

21        *(f) "Controlled substance" means any drug, substance or*  
22 *immediate precursor included in any of the schedules designated in*  
23 *K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and*  
24 *amendments thereto.*

25        *(g) (1) "Controlled substance analog" means a substance that is*  
26 *intended for human consumption, and at least one of the following:*

27        *(A) The chemical structure of the substance is substantially similar*  
28 *to the chemical structure of a controlled substance listed in or added to*  
29 *the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments*  
30 *thereto;*

31        *(B) the substance has a stimulant, depressant or hallucinogenic*  
32 *effect on the central nervous system substantially similar to the*  
33 *stimulant, depressant or hallucinogenic effect on the central nervous*  
34 *system of a controlled substance included in the schedules designated in*  
35 *K.S.A. 65-4105 or 65-4107, and amendments thereto; or*

36        *(C) with respect to a particular individual, such individual*  
37 *represents or intends the substance to have a stimulant, depressant or*  
38 *hallucinogenic effect on the central nervous system substantially similar*  
39 *to the stimulant, depressant or hallucinogenic effect on the central*  
40 *nervous system of a controlled substance included in the schedules*  
41 *designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.*

42        *(2) "Controlled substance analog" does not include:*

43        *(A) A controlled substance;*

1        *(B) a substance for which there is an approved new drug*  
2 *application; or*

3        *(C) a substance with respect to which an exemption is in effect for*  
4 *investigational use by a particular person under section 505 of the*  
5 *federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent*  
6 *conduct with respect to the substance is permitted by the exemption.*

7        *(h) "Counterfeit substance" means a controlled substance which,*  
8 *or the container or labeling of which, without authorization bears the*  
9 *trademark, trade name or other identifying mark, imprint, number or*  
10 *device or any likeness thereof of a manufacturer, distributor or*  
11 *dispenser other than the person who in fact manufactured, distributed or*  
12 *dispensed the substance.*

13        *(i) "Cultivate" means the planting or promotion of growth of five*  
14 *or more plants which contain or can produce controlled substances.*

15        *(j) "DEA" means the U.S. department of justice, drug enforcement*  
16 *administration.*

17        *(k) "Deliver" or "delivery" means the actual, constructive or*  
18 *attempted transfer from one person to another of a controlled substance,*  
19 *whether or not there is an agency relationship.*

20        *(l) "Dispense" means to deliver a controlled substance to an*  
21 *ultimate user or research subject by or pursuant to the lawful order of a*  
22 *practitioner, including the packaging, labeling or compounding*  
23 *necessary to prepare the substance for that delivery, or pursuant to the*  
24 *prescription of a mid-level practitioner.*

25        *(m) "Dispenser" means a practitioner or pharmacist who*  
26 *dispenses, or a physician assistant who has authority to dispense*  
27 *prescription-only drugs in accordance with K.S.A. 65-28a08(b), and*  
28 *amendments thereto.*

29        *(n) "Distribute" means to deliver other than by administering or*  
30 *dispensing a controlled substance.*

31        *(o) "Distributor" means a person who distributes.*

32        *(p) "Drug" means: (1) Substances recognized as drugs in the*  
33 *official United States pharmacopeia, official homeopathic*  
34 *pharmacopoeia of the United States or official national formulary or*  
35 *any supplement to any of them; (2) substances intended for use in the*  
36 *diagnosis, cure, mitigation, treatment or prevention of disease in human*  
37 *or animals; (3) substances (other than food) intended to affect the*  
38 *structure or any function of the body of human or animals; and (4)*  
39 *substances intended for use as a component of any article specified in*  
40 *paragraph (1), (2) or (3). It does not include devices or their*  
41 *components, parts or accessories.*

42        *(q) "Immediate precursor" means a substance which the board has*  
43 *found to be and by rule and regulation designates as being the principal*

1 *compound commonly used or produced primarily for use and which is*  
2 *an immediate chemical intermediary used or likely to be used in the*  
3 *manufacture of a controlled substance, the control of which is necessary*  
4 *to prevent, curtail or limit manufacture.*

5 (r) *"Electronic prescription" means an electronically prepared*  
6 *prescription that is authorized and transmitted from the prescriber to the*  
7 *pharmacy by means of electronic transmission.*

8 (s) *"Electronic prescription application" means software that is*  
9 *used to create electronic prescriptions and that is intended to be installed*  
10 *on the prescriber's computers and servers where access and records are*  
11 *controlled by the prescriber.*

12 (t) *"Electronic signature" means a confidential personalized digital*  
13 *key, code, number or other method for secure electronic data*  
14 *transmissions which identifies a particular person as the source of the*  
15 *message, authenticates the signatory of the message and indicates the*  
16 *person's approval of the information contained in the transmission.*

17 (u) *"Electronic transmission" means the transmission of an*  
18 *electronic prescription, formatted as an electronic data file, from a*  
19 *prescriber's electronic prescription application to a pharmacy's*  
20 *computer, where the data file is imported into the pharmacy prescription*  
21 *application.*

22 (v) *"Electronically prepared prescription" means a prescription*  
23 *that is generated using an electronic prescription application.*

24 (w) *"Facsimile transmission" or "fax transmission" means the*  
25 *transmission of a digital image of a prescription from the prescriber or*  
26 *the prescriber's agent to the pharmacy. "Facsimile transmission"*  
27 *includes, but is not limited to, transmission of a written prescription*  
28 *between the prescriber's fax machine and the pharmacy's fax machine;*  
29 *transmission of an electronically prepared prescription from the*  
30 *prescriber's electronic prescription application to the pharmacy's fax*  
31 *machine, computer or printer; or transmission of an electronically*  
32 *prepared prescription from the prescriber's fax machine to the*  
33 *pharmacy's fax machine, computer or printer.*

34 (x) *"Intermediary" means any technology system that receives and*  
35 *transmits an electronic prescription between the prescriber and the*  
36 *pharmacy.*

37 (y) *"Isomer" means all enantiomers and diastereomers.*

38 (z) *"Manufacture" means the production, preparation,*  
39 *propagation, compounding, conversion or processing of a controlled*  
40 *substance either directly or indirectly or by extraction from substances*  
41 *of natural origin or independently by means of chemical synthesis or by*  
42 *a combination of extraction and chemical synthesis and includes any*  
43 *packaging or repackaging of the substance or labeling or relabeling of*

1 *its container, except that this term does not include the preparation or*  
2 *compounding of a controlled substance by an individual for the*  
3 *individual's own lawful use or the preparation, compounding, packaging*  
4 *or labeling of a controlled substance:*

5 *(1) By a practitioner or the practitioner's agent pursuant to a lawful*  
6 *order of a practitioner as an incident to the practitioner's administering*  
7 *or dispensing of a controlled substance in the course of the*  
8 *practitioner's professional practice; or*

9 *(2) by a practitioner or by the practitioner's authorized agent under*  
10 *such practitioner's supervision for the purpose of or as an incident to*  
11 *research, teaching or chemical analysis or by a pharmacist or medical*  
12 *care facility as an incident to dispensing of a controlled substance.*

13 *(aa) "Marijuana" means all parts of all varieties of the plant*  
14 *Cannabis whether growing or not, the seeds thereof, the resin extracted*  
15 *from any part of the plant and every compound, manufacture, salt,*  
16 *derivative, mixture or preparation of the plant, its seeds or resin. It does*  
17 *not include: (1) The mature stalks of the plant, fiber produced from the*  
18 *stalks, oil or cake made from the seeds of the plant, any other*  
19 *compound, manufacture, salt, derivative, mixture or preparation of the*  
20 *mature stalks, except the resin extracted therefrom, fiber, oil or cake or*  
21 *the sterilized seed of the plant which is incapable of germination;*~~or~~ *(2)*  
22 *any substance listed in schedules II through V of the uniform controlled*  
23 *substances act; or (3) industrial hemp as defined in section 1, and*  
24 *amendments thereto.*

25 *(bb) "Medical care facility" shall have the meaning ascribed to that*  
26 *term in K.S.A. 65-425, and amendments thereto.*

27 *(cc) "Mid-level practitioner" means a certified nurse-midwife*  
28 *engaging in the independent practice of midwifery under the*  
29 *independent practice of midwifery act, an advanced practice registered*  
30 *nurse issued a license pursuant to K.S.A. 65-1131, and amendments*  
31 *thereto, who has authority to prescribe drugs pursuant to a written*  
32 *protocol with a responsible physician under K.S.A. 65-1130, and*  
33 *amendments thereto, or a physician assistant licensed under the*  
34 *physician assistant licensure act who has authority to prescribe drugs*  
35 *pursuant to a written agreement with a supervising physician under*  
36 *K.S.A. 65-28a08, and amendments thereto.*

37 *(dd) "Narcotic drug" means any of the following whether produced*  
38 *directly or indirectly by extraction from substances of vegetable origin or*  
39 *independently by means of chemical synthesis or by a combination of*  
40 *extraction and chemical synthesis:*

41 *(1) Opium and opiate and any salt, compound, derivative or*  
42 *preparation of opium or opiate;*

43 *(2) any salt, compound, isomer, derivative or preparation thereof*

1 *which is chemically equivalent or identical with any of the substances*  
2 *referred to in paragraph (1) but not including the isoquinoline alkaloids*  
3 *of opium;*

4 (3) *opium poppy and poppy straw;*

5 (4) *coca leaves and any salt, compound, derivative or preparation of*  
6 *coca leaves, and any salt, compound, isomer, derivative or preparation*  
7 *thereof which is chemically equivalent or identical with any of these*  
8 *substances, but not including decocainized coca leaves or extractions of*  
9 *coca leaves which do not contain cocaine or ecgonine.*

10 (ee) *"Opiate" means any substance having an addiction-forming or*  
11 *addiction-sustaining liability similar to morphine or being capable of*  
12 *conversion into a drug having addiction-forming or addiction-sustaining*  
13 *liability. It does not include, unless specifically designated as controlled*  
14 *under K.S.A. 65-4102, and amendments thereto, the dextrorotatory*  
15 *isomer of 3-methoxy-n-methylmorphinan and its salts*  
16 *(dextromethorphan). It does include its racemic and levorotatory forms.*

17 (ff) *"Opium poppy" means the plant of the species Papaver*  
18 *somniferum L. except its seeds.*

19 (gg) *"Person" means an individual, corporation, government, or*  
20 *governmental subdivision or agency, business trust, estate, trust,*  
21 *partnership or association or any other legal entity.*

22 (hh) *"Pharmacist" means any natural person licensed under*  
23 *K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.*

24 (ii) *"Pharmacist intern" means: (1) A student currently enrolled in*  
25 *an accredited pharmacy program; (2) a graduate of an accredited*  
26 *pharmacy program serving such person's internship; or (3) a graduate*  
27 *of a pharmacy program located outside of the United States which is not*  
28 *accredited and who had successfully passed equivalency examinations*  
29 *approved by the board.*

30 (jj) *"Pharmacy prescription application" means software that is*  
31 *used to process prescription information, is installed on a pharmacy's*  
32 *computers and servers, and is controlled by the pharmacy.*

33 (kk) *"Poppy straw" means all parts, except the seeds, of the opium*  
34 *poppy, after mowing.*

35 (ll) *"Practitioner" means a person licensed to practice medicine*  
36 *and surgery, dentist, podiatrist, veterinarian, optometrist, or scientific*  
37 *investigator or other person authorized by law to use a controlled*  
38 *substance in teaching or chemical analysis or to conduct research with*  
39 *respect to a controlled substance.*

40 (mm) *"Prescriber" means a practitioner or a mid-level practitioner.*

41 (nn) *"Production" includes the manufacture, planting, cultivation,*  
42 *growing or harvesting of a controlled substance.*

43 (oo) *"Readily retrievable" means that records kept by automatic*

1 *data processing applications or other electronic or mechanized*  
 2 *recordkeeping systems can be separated out from all other records*  
 3 *within a reasonable time not to exceed 48 hours of a request from the*  
 4 *board or other authorized agent or that hard-copy records are kept on*  
 5 *which certain items are asterisked, redlined or in some other manner*  
 6 *visually identifiable apart from other items appearing on the records.*

7 (pp) "Ultimate user" means a person who lawfully possesses a  
 8 controlled substance for such person's own use or for the use of a  
 9 member of such person's household or for administering to an animal  
 10 owned by such person or by a member of such person's household.

11 *Sec. 6. K.S.A. 2017 Supp. 65-4105 is hereby amended to read as*  
 12 *follows: 65-4105. 65-4105. (a) The controlled substances listed in this*  
 13 *section are included in schedule I and the number set forth opposite*  
 14 *each drug or substance is the DEA controlled substances code which has*  
 15 *been assigned to it.*

16 (b) *Any of the following opiates, including their isomers, esters,*  
 17 *ethers, salts, and salts of isomers, esters and ethers, unless specifically*  
 18 *excepted, whenever the existence of these isomers, esters, ethers and*  
 19 *salts is possible within the specific chemical designation:*

- 20 (1) *Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide)*  
 21 *9821*
- 22 (2) *Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-*  
 23 *piperidinyl]-N-phenylacetamide).....9815*
- 24 (3) *Acetylmethadol.....9601*
- 25 (4) *AH-7921 (3,4-dichloro-N-[1-*  
 26 *dimethylamino)cyclohexylmethyl]benzamide).....9551*
- 27 (5) *Allylprodine.....9602*
- 28 (6) *Alphacetylmethadol.....9603*  
 29 *(except levo-alphacetylmethadol also known as levo-alpha-*  
 30 *acetylmethadol, levomethadyl acetate or LAAM)*
- 31 (7) *Alphameprodine.....9604*
- 32 (8) *Alphamethadol.....9605*
- 33 (9) *Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-*  
 34 *piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-*  
 35 *propanilido) piperidine).....9814*
- 36 (10) *Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-*  
 37 *piperidinyl]-N-phenylpropanamide).....9832*
- 38 (11) *Benzethidine.....9606*
- 39 (12) *Betacetylmethadol.....9607*
- 40 (13) *Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-*  
 41 *piperidinyl]-N-phenylpropanamide).....9830*
- 42 (14) *Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-*  
 43 *phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).....9831*

1	(15) <i>Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-</i>	
2	<i>yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....</i>	9836
3	(16) <i>Betameprodine.....</i>	9608
4	(17) <i>Betamethadol.....</i>	9609
5	(18) <i>Betaprodine.....</i>	9611
6	(19) <i>Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-</i>	
7	<i>phenylbutyramide).....</i>	9822
8	(20) <i>Clonitazene.....</i>	9612
9	(21) <i>Dextromoramide.....</i>	9613
10	(22) <i>Diampromide.....</i>	9615
11	(23) <i>Diethylthiambutene.....</i>	9616
12	(24) <i>Difenoxin.....</i>	9168
13	(25) <i>Dimenoxadol.....</i>	9617
14	(26) <i>Dimepheptanol.....</i>	9618
15	(27) <i>Dimethylthiambutene.....</i>	9619
16	(28) <i>Dioxaphetyl butyrate.....</i>	9621
17	(29) <i>Dipipanone.....</i>	9622
18	(30) <i>Ethylmethylthiambutene.....</i>	9623
19	(31) <i>Etonitazene.....</i>	9624
20	(32) <i>Etoxidine.....</i>	9625
21	(33) <i>Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-</i>	
22	<i>carboxamide).....</i>	9834
23	(34) <i>Furethidine.....</i>	9626
24	(35) <i>Hydroxypethidine.....</i>	9627
25	(36) <i>Ketobemidone.....</i>	9628
26	(37) <i>Levomoramide.....</i>	9629
27	(38) <i>Levophenacilmorphan.....</i>	9631
28	(39) <i>3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-</i>	
29	<i>phenylpropanamide).....</i>	9813
30	(40) <i>3-Methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-</i>	
31	<i>piperidinyl]-N-phenylpropanamide).....</i>	9833
32	(41) <i>Morpheridine.....</i>	9632
33	(42) <i>O-desmethyltramadol</i>	
34	<i>Some trade or other names: 2-((dimethylamino)methyl-1-(3-</i>	
35	<i>hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-</i>	
36	<i>hydroxycyclohexyl)phenol</i>	
37	(43) <i>MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....</i>	9661
38	(44) <i>Noracymethadol.....</i>	9633
39	(45) <i>Norlevorphanol.....</i>	9634
40	(46) <i>Normethadone.....</i>	9635
41	(47) <i>Norpipanone.....</i>	9636
42	(48) <i>Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-</i>	
43	<i>piperidinyl]propanamide).....</i>	9812

1	(49) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine).....	9663
2	(50) Phenadoxone.....	9637
3	(51) Phenampromide.....	9638
4	(52) Phenomorphan.....	9647
5	(53) Phenoperidine.....	9641
6	(54) Piritramide.....	9642
7	(55) Proheptazine.....	9643
8	(56) Properidine.....	9644
9	(57) Propiram.....	9649
10	(58) Racemoramide.....	9645
11	(59) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-	
12	propanamide).....	9835
13	(60) Tilidine.....	9750
14	(61) Trimeperidine.....	9646
15	(62) U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-	
16	methylbenzamide)	
17	(c) Any of the following opium derivatives, their salts, isomers and	
18	salts of isomers, unless specifically excepted, whenever the existence of	
19	these salts, isomers and salts of isomers is possible within the specific	
20	chemical designation:	
21	(1) Acetorphine.....	9319
22	(2) Acetyldihydrocodeine.....	9051
23	(3) Benzylmorphine.....	9052
24	(4) Codeine methylbromide.....	9070
25	(5) Codeine-N-Oxide.....	9053
26	(6) Cyprenorphine.....	9054
27	(7) Desomorphine.....	9055
28	(8) Dihydromorphine.....	9145
29	(9) Drotebanol.....	9335
30	(10) Etorphine (except hydrochloride salt).....	9056
31	(11) Heroin.....	9200
32	(12) Hydromorphanol.....	9301
33	(13) Methyldesorphine.....	9302
34	(14) Methyldihydromorphine.....	9304
35	(15) Morphine methylbromide.....	9305
36	(16) Morphine methylsulfonate.....	9306
37	(17) Morphine-N-Oxide.....	9307
38	(18) Myrophine.....	9308
39	(19) Nicocodeine.....	9309
40	(20) Nicomorphine.....	9312
41	(21) Normorphine.....	9313
42	(22) Pholcodine.....	9314
43	(23) Thebacon.....	9315



- 1 (d) Any material, compound, mixture or preparation which  
 2 contains any quantity of the following hallucinogenic substances, their  
 3 salts, isomers and salts of isomers, unless specifically excepted,  
 4 whenever the existence of these salts, isomers and salts of isomers is  
 5 possible within the specific chemical designation:
- 6 (1) *Alpha-ethyltryptamine* 7249 Some trade or other names:  
 7 *etryptamine; Monase; α-ethyl-1H-indole-3-ethanamine; 3-(2-*  
 8 *aminobutyl) indole; α-ET; and AET.*
- 9 (2) *4-bromo-2,5-dimethoxy-amphetamine*..... 7391  
 10 Some trade or other names: *4-bromo-2,5-dimethoxy-alpha-*  
 11 *methylphenethylamine; 4-bromo-2,5-DMA.*
- 12 (3) *2,5-dimethoxyamphetamine*..... 7396  
 13 Some trade or other names: *2,5-dimethoxy-alpha-methyl-*  
 14 *phenethylamine; 2,5-DMA.*
- 15 (4) *4-methoxyamphetamine*..... 7411  
 16 Some trade or other names: *4-methoxy-alpha-methylphene-*  
 17 *thylamine; paramethoxyamphetamine; PMA.*
- 18 (5) *5-methoxy-3,4-methylenedioxy-amphetamine*..... 7401
- 19 (6) *4-methyl-2,5-dimethoxy-amphetamine*..... 7395  
 20 Some trade or other names: *4-methyl-2,5-dimethoxy-alpha-*  
 21 *methylphenethylamine; "DOM"; and "STP".*
- 22 (7) *3,4-methylenedioxy amphetamine*..... 7400
- 23 (8) *3,4-methylenedioxy-methamphetamine (MDMA)*..... 7405
- 24 (9) *3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-*  
 25 *alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA,*  
 26 *MDE, and MDEA)*..... 7404
- 27 (10) *N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-*  
 28 *hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine, and*  
 29 *N-hydroxy MDA)*..... 7402
- 30 (11) *3,4,5-trimethoxy amphetamine*..... 7390
- 31 (12) *Bufotenine*..... 7433  
 32 Some trade or other names: *3-(Beta-Dimethylaminoethyl)-5-*  
 33 *hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-*  
 34 *dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.*
- 35 (13) *Diethyltryptamine*..... 7434  
 36 Some trade or other names: *N,N-Diethyltryptamine; DET.*
- 37 (14) *Dimethyltryptamine*..... 7435  
 38 Some trade or other names: *DMT.*
- 39 (15) *Ibogaine*..... 7260  
 40 Some trade or other names: *7-Ethyl-6,6 Beta,7,8,9,10,12,13-*  
 41 *octahydro-2-methoxy-6,9-methano -5H-pyrido[1',2':1,2] azepino*  
 42 *[5,4-b]indole; Tabernanthe iboga*
- 43 (16) *Lysergic acid diethylamide*..... 7315

1	(17) <i>Marijuana</i> .....	7360
2	(18) <i>Mescaline</i> .....	7381
3	(19) <i>Parahexyl</i> .....	7374
4	<i>Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-</i>	
5	<i>tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.</i>	
6	(20) <i>Peyote</i> .....	7415
7	<i>Meaning all parts of the plant presently classified botanically as</i>	
8	<i>Lophophora williamsii Lemaire, whether growing or not, the seeds</i>	
9	<i>thereof, any extract from any part of such plant, and every</i>	
10	<i>compound, manufacture, salts, derivative, mixture or preparation</i>	
11	<i>of such plant, its seeds or extracts.</i>	
12	(21) <i>N-ethyl-3-piperidyl benzilate</i> .....	7482
13	(22) <i>N-methyl-3-piperidyl benzilate</i> .....	7484
14	(23) <i>Psilocybin</i> .....	7437
15	(24) <i>Psilocyn</i> .....	7438
16	<i>Some trade or other names: Psilocin.</i>	
17	(25) <i>Ethylamine analog of phencyclidine</i> .....	7455
18	<i>Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine;</i>	
19	<i>(1-phenylcyclohexyl)ethylamine; N-(1-</i>	
20	<i>phenylcyclohexyl)ethylamine; cyclohexamine; PCE.</i>	
21	(26) <i>Pyrrolidine analog of phencyclidine</i> .....	7458
22	<i>Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine;</i>	
23	<i>PCPy; PHP.</i>	
24	(27) <i>Thiophene analog of phencyclidine</i> .....	7470
25	<i>Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-</i>	
26	<i>piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.</i>	
27	(28) <i>1-[1-(2-thienyl)-cyclohexyl] pyrrolidine</i> .....	7473
28	<i>Some other names: TCPy.</i>	
29	(29) <i>2,5-dimethoxy-4-ethylamphetamine</i> .....	7399
30	<i>Some trade or other names: DOET.</i>	
31	(30) <i>Salvia divinorum or salvinorum A; all parts of the plant presently</i>	
32	<i>classified botanically as salvia divinorum, whether growing or not,</i>	
33	<i>the seeds thereof, any extract from any part of such plant, and</i>	
34	<i>every compound, manufacture, salts, derivative, mixture or</i>	
35	<i>preparation of such plant, its seeds or extracts.</i>	
36	(31) <i>Datura stramonium, commonly known as gypsum weed or jimson</i>	
37	<i>weed; all parts of the plant presently classified botanically as</i>	
38	<i>datura stramonium, whether growing or not, the seeds thereof, any</i>	
39	<i>extract from any part of such plant, and every compound,</i>	
40	<i>manufacture, salts, derivative, mixture or preparation of such</i>	
41	<i>plant, its seeds or extracts.</i>	
42	(32) <i>N-benzylpiperazine</i> .....	7493
43	<i>Some trade or other names: BZP.</i>	

- 1 (33) *1-(3-[trifluoromethylphenyl])piperazine*  
 2 *Some trade or other names: TFMPP.*  
 3 (34) *4-Bromo-2,5-dimethoxyphenethylamine*..... 7392  
 4 (35) *2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical*  
 5 *isomers, salts and salts of optical isomers*..... 7348  
 6 (36) *Alpha-methyltryptamine (other name: AMT)*..... 7432  
 7 (37) *5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers,*  
 8 *salts and salts of isomers*..... 7439  
 9 (38) *2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E)*..... 7509  
 10 (39) *2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)*..... 7508  
 11 (40) *2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)*..... 7519  
 12 (41) *2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)*..... 7518  
 13 (42) *2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)*..... 7385  
 14 (43) *2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)*  
 15 *7532*  
 16 (44) *2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)*..... 7517  
 17 (45) *2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N)*..... 7521  
 18 (46) *2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P)*..... 7524  
 19 (47) *5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT)*..... 7431  
 20 *Some trade or other names: 5-methoxy-3-[2-(dimethylamino)*  
 21 *ethyl]indole.*  
 22 (48) *2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)*  
 23 *ethanamine*..... 7538  
 24 *Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I;*  
 25 *Cimbi-5.*  
 26 (49) *2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)*  
 27 *ethanamine*..... 7537  
 28 *Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C;*  
 29 *Cimbi-82.*  
 30 (50) *2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-*  
 31 *methoxybenzyl)ethanamine*..... 7536  
 32 *Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B;*  
 33 *Cimbi-36.*  
 34 (51) *2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine*  
 35 *Some trade or other names: 25H-NBOMe.*  
 36 (52) *2-(2,5-dimethoxy-4-methylphenyl)-N-(2-*  
 37 *methoxybenzyl)ethanamine*  
 38 *Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.*  
 39 (53) *2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl) ethanamine*  
 40 *Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.*  
 41 (e) *Any material, compound, mixture or preparation which*  
 42 *contains any quantity of the following substances having a depressant*  
 43 *effect on the central nervous system, including its salts, isomers, and*

1 salts of isomers whenever the existence of such salts, isomers, and salts  
2 of isomers is possible within the specific chemical designation:

- 3 (1) *Etizolam*  
4 Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-  
5 6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)  
6 (2) *Mecloqualone*.....2572  
7 (3) *Methaqualone*.....2565  
8 (4) *Gamma hydroxybutyric acid*

9 (f) Unless specifically excepted or unless listed in another schedule,  
10 any material, compound, mixture or preparation which contains any  
11 quantity of the following substances having a stimulant effect on the  
12 central nervous system, including its salts, isomers and salts of isomers:

- 13 (1) *Aminorex 1585*  
14 Some other names: *Aminoxaphen 2-amino-5-phenyl-2-oxazoline*  
15 *or 4,5-dihydro-5-phenyl-2-oxazolamine*  
16 (2) *Fenethylamine*.....1503  
17 (3) *N-ethylamphetamine*.....1475  
18 (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-  
19 oxazolamine).....1590  
20 (5) *N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-*  
21 *benzeneethanamine; N,N-alpha-trimethylphenethylamine)*.....1480  
22 (6) *Cathinone (some other names: 2-amino-1-phenol-1-propanone,*  
23 *alpha-amino propiophenone, 2-amino propiophenone and*  
24 *norphedrone)*.....1235  
25 (7) *Substituted cathinones*

26 Any compound, except bupropion or compounds listed under a  
27 different schedule, structurally derived from 2-aminopropan-1-  
28 one by substitution at the 1-position with either phenyl, naphthyl,  
29 or thiophene ring systems, whether or not the compound is further  
30 modified in any of the following ways:

- 31 (A) By substitution in the ring system to any extent with alkyl,  
32 alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide  
33 substituents, whether or not further substituted in the ring  
34 system by one or more other univalent substituents;  
35 (B) by substitution at the 3-position with an acyclic alkyl  
36 substituent;  
37 (C) by substitution at the 2-amino nitrogen atom with alkyl,  
38 dialkyl, benzyl, or methoxybenzyl groups; or  
39 (D) by inclusion of the 2-amino nitrogen atom in a cyclic  
40 structure.

41 (g) Any material, compound, mixture or preparation which  
42 contains any quantity of the following substances:

- 43 (1) *N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),*

- 1            *its optical isomers, salts and salts of isomers.....9818*
- 2 (2) *N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide*
- 3            *(thenylfentanyl), its optical isomers, salts and salts of isomers..9834*
- 4            (h) *Except industrial hemp as defined in section 1, and amendments*
- 5 *thereto, any of the following cannabinoids, their salts, isomers and salts*
- 6 *of isomers, unless specifically excepted, whenever the existence of these*
- 7 *salts, isomers and salts of isomers is possible within the specific*
- 8 *chemical designation:*
- 9 (1) *Tetrahydrocannabinols.....7370*
- 10 *Meaning tetrahydrocannabinols naturally contained in a plant of*
- 11 *the genus Cannabis (cannabis plant), as well as synthetic*
- 12 *equivalents of the substances contained in the plant, or in the*
- 13 *resinous extractives of Cannabis, sp. and/or synthetic substances,*
- 14 *derivatives, and their isomers with similar chemical structure and*
- 15 *pharmacological activity such as the following: Delta 1 cis or trans*
- 16 *tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans*
- 17 *tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or*
- 18 *trans tetrahydrocannabinol, and its optical isomers (Since*
- 19 *nomenclature of these substances is not internationally*
- 20 *standardized, compounds of these structures, regardless of*
- 21 *numerical designation of atomic positions covered.)*
- 22 (2) *Naphthoylindoles*
- 23 *Any compound containing a 3-(1-naphthoyl)indole structure with*
- 24 *substitution at the nitrogen atom of the indole ring by an alkyl,*
- 25 *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-*
- 26 *methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl group,*
- 27 *whether or not further substituted in the indole ring to any extent*
- 28 *and whether or not substituted in the benzyl or naphthyl ring to*
- 29 *any extent.*
- 30 (3) *Naphthylmethylindoles*
- 31 *Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane*
- 32 *structure with substitution at the nitrogen atom of the indole ring*
- 33 *by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,*
- 34 *benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl*
- 35 *group whether or not further substituted in the indole ring to any*
- 36 *extent and whether or not substituted in the benzyl or naphthyl*
- 37 *ring to any extent.*
- 38 (4) *Naphthoylpyrroles*
- 39 *Any compound containing a 3-(1-naphthoyl)pyrrole structure with*
- 40 *substitution at the nitrogen atom of the pyrrole ring by an alkyl,*
- 41 *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-*
- 42 *methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group*
- 43 *whether or not further substituted in the pyrrole ring to any extent,*

- 1           *whether or not substituted in the benzyl or naphthyl ring to any*  
2           *extent.*
- 3   (5) *Naphthylmethylenes*  
4           *Any compound containing a naphthylideneindene structure with*  
5           *substitution at the 3-position of the indene ring by an alkyl,*  
6           *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-*  
7           *methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group*  
8           *whether or not further substituted in the indene ring to any extent,*  
9           *whether or not substituted in the benzyl or naphthyl ring to any*  
10          *extent.*
- 11   (6) *Phenylacetylindoles*  
12          *Any compound containing a 3-phenylacetylindole structure with*  
13          *substitution at the nitrogen atom of the indole ring by an alkyl,*  
14          *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-*  
15          *methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group*  
16          *whether or not further substituted in the indole ring to any extent,*  
17          *whether or not substituted in the benzyl or phenyl ring to any*  
18          *extent.*
- 19   (7) *Cyclohexylphenols*  
20          *Any compound containing a 2-(3-hydroxycyclohexyl)phenol*  
21          *structure with substitution at the 5-position of the phenolic ring by*  
22          *an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-*  
23          *(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group*  
24          *whether or not substituted in the cyclohexyl ring to any extent.*
- 25   (8) *Benzoylindoles*  
26          *Any compound containing a 3-(benzoyl)indole structure with*  
27          *substitution at the nitrogen atom of the indole ring by an alkyl,*  
28          *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-*  
29          *methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group*  
30          *whether or not further substituted in the indole ring to any extent*  
31          *and whether or not substituted in the benzyl or phenyl ring to any*  
32          *extent.*
- 33   (9) *2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-*  
34          *1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.*  
35          *Some trade or other names: WIN 55,212-2.*
- 36   (10) *9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-*  
37          *6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol*  
38          *Some trade or other names: HU-210, HU-211.*
- 39   (11) *Tetramethylcyclopropanoylindoles*  
40          *Any compound containing a 3-tetramethylcyclopropanoylindole*  
41          *structure with substitution at the nitrogen atom of the indole ring*  
42          *by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,*  
43          *cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-*

1           *morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-*  
2           *methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group,*  
3           *whether or not further substituted in the indole ring to any extent*  
4           *and whether or not substituted in the benzyl or*  
5           *tetramethylcyclopropyl rings to any extent.*

6   **(12) Indole-3-carboxylate esters**

7           *Any compound containing a 1H-indole-3-carboxylate ester*  
8           *structure with the ester oxygen bearing a naphthyl, quinolinyl,*  
9           *isoquinolinyl or adamantyl group and substitution at the 1 position*  
10          *of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl,*  
11          *cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl or 2-(4-*  
12          *morpholinyl)ethyl group, whether or not further substituted on the*  
13          *indole ring to any extent and whether or not substituted on the*  
14          *naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to*  
15          *any extent.*

16   **(13) Indazole-3-carboxamides**

17          *Any compound containing a 1H-indazole-3-carboxamide structure*  
18          *with substitution at the nitrogen of the carboxamide by a naphthyl,*  
19          *quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl or*  
20          *1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position*  
21          *of the indazole ring by an alkyl, haloalkyl, alkenyl,*  
22          *cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-*  
23          *piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not*  
24          *further substituted on the indazole ring to any extent and whether*  
25          *or not substituted on the naphthyl, quinolinyl, isoquinolinyl,*  
26          *adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or*  
27          *benzyl groups to any extent.*

28   **(14) (1H-indazol-3-yl)methanones**

29          *Any compound containing a (1H-indazol-3-yl)methanone structure*  
30          *with the carbonyl carbon bearing a naphthyl group and*  
31          *substitution at the 1 position of the indazole ring by an alkyl,*  
32          *haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-*  
33          *methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl group,*  
34          *whether or not further substituted on the indazole ring to any*  
35          *extent and whether or not substituted on the naphthyl or benzyl*  
36          *groups to any extent.}*

37          Sec.-4. {7.} K.S.A. 2017 Supp. {21-5701,} 21-5702-is{, 65-4101 and  
38          65-4105 are} hereby repealed.

39          Sec.-5. {8.} This act shall take effect and be in force from and after its  
40          publication in the statute book.