

HOUSE BILL NO. 5320

September 21, 2021, Introduced by Rep. Howell and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7214 (MCL 333.7214), as amended by 2018 PA 107.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7214. The following controlled substances are included in
2 schedule 2:

3 (a) Any of the following substances, except those narcotic
4 drugs listed in other schedules, whether produced directly or
5 indirectly by extraction from substances of vegetable origin, or
6 independently by means of chemical synthesis, or by combination of

1 extraction and chemical synthesis:

2 (i) Opium and opiate, and any salt, compound, derivative, or
3 preparation of opium or opiate excluding nalaxone and its salts,
4 and excluding naltrexone and its salts, but including the
5 following:

6 Raw opium	Etorphine hydrochloride
7 Opium extracts	Hydrocodone
8 Opium Fluid-extracts	Hydromorphone
9 Powdered opium	Metopon
10 Granulated opium	Morphine
11 Tincture of opium	Oxycodone
12 Codeine	Oxymorphone
13 Ethylmorphine	Thebaine

14 (ii) A salt, compound, derivative, or preparation thereof which
15 is chemically equivalent to or identical with a substance referred
16 to in this subdivision, except that these substances do not include
17 the isoquinoline alkaloids of opium.

18 (iii) Opium poppy, poppy straw, and concentrate of poppy straw,
19 the crude extract of poppy straw in either liquid, solid, or powder
20 form, which contains the phenanthrene alkaloids of the opium poppy.

21 (iv) Coca leaves and any salt, compound, derivative, or
22 preparation thereof ~~which~~**that** is chemically equivalent to or
23 identical with any of these substances, except that the substances
24 do not include decocainized coca leaves or extraction of coca
25 leaves which extractions do not contain cocaine or ecgonine. The
26 substances include cocaine, its salts, stereoisomers, and salts of
27 stereoisomers when the existence of the salts, stereoisomers, and
28 salts of stereoisomers is possible within the specific chemical
29 designation.

1 (b) Any of the following opiates, including their isomers,
 2 esters, ethers, salts, and salts of isomers, when the existence of
 3 these isomers, esters, ethers, and salts is possible within the
 4 specific chemical designation:

5	Alphaprodine	Fentanyl
6	Anileridine	Isomethadone
7	Bezitramide	Levomethorphan
8	Dihydrocodeine	Levorphanol
9	Diphenoxylate	Metazocine

10 Methadone

11 Methadone-Intermediate, 4-cyano-2dimethylamino-4, 4-diphenyl
 12 butane Moramide-Intermediate, 2-methyl-3-morpholino-1,1-
 13 diphenylpropane-carboxylic acid

14 Pethidine

15 Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine
 16 Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
 17 Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic
 18 acid

19	Phenazocine	Racemethorphan
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20	Piminodine	Racemorphan
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21 (c) Unless listed in another schedule, any material, compound,
 22 mixture, or preparation which contains any quantity of the
 23 following substances having potential for abuse associated with a
 24 stimulant effect on the nervous system:

25 (i) Amphetamine, its salts, optical isomers, and salts of its
 26 optical isomers.

27 (ii) Any substance which contains any quantity of
 28 methamphetamine, including its salts, stereoisomers, and salts of
 29 stereoisomers.

1 (iii) Phenmetrazine and its salts.

2 (iv) Methylphenidate and its salts.

3 (d) Any material, compound, mixture, or preparation, including
4 its salts, isomers, and salts of isomers when the existence of the
5 salts, isomers, and salts of isomers is possible within the
6 specific chemical designation as listed in schedule 2, which
7 contains any quantity of the following substances having a
8 potential for abuse associated with the depressant effect on the
9 central nervous system: methaqualone, amobarbital, pentobarbital,
10 or secobarbital; or, any compound, mixture, or preparation
11 containing amobarbital, secobarbital, pentobarbital, or any salt
12 thereof in combination with itself, with another, or with 1 or more
13 other controlled substances.

14 (e) Marihuana, but only for the purpose of treating a
15 debilitating medical condition as that term is defined in section
16 ~~3(b)-3~~ of the Michigan ~~medical marihuana act,~~ **Medical Marihuana**
17 **Act**, 2008 IL 1, MCL 333.26423, and as authorized under this act.

18 (f) Tianeptine sodium.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. ____ or House Bill No. 5301 (request no.
21 04173'21) of the 101st Legislature is enacted into law.