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

New Section 1. (a) The Kansas department of agriculture, in consultation with the governor and attorney general, may submit a plan to the United States department of agriculture under which the Kansas department of agriculture will monitor and regulate the commercial production of industrial hemp within the state in accordance with 7 U.S.C. § 1621 et seq. and any rules and regulations adopted thereunder.

(b) If the Kansas department of agriculture proposes to develop and submit a plan to the United States department of agriculture, any such plan shall include the following:

(1) A procedure to maintain relevant information regarding land on which industrial hemp is produced, including a legal description of the land, for a period of not less than three calendar years;

(2) a procedure for testing, using post-decarboxylation or other similarly reliable methods, the delta-9 tetrahydrocannabinol concentration levels of industrial hemp produced;

(3) a procedure for the effective disposal of industrial hemp and hemp products that are found to be in violation of this act;

(4) any licensing requirements or other regulations deemed necessary by the Kansas department of agriculture for the proper monitoring and regulation of industrial hemp cultivation and production for commercial purposes, including, but not limited to, fees for licenses, license renewals and other necessary expenses to defray the cost of implementing and operating the plan on an ongoing basis;

(5) a procedure for conducting annual inspections of, at a minimum, a random sample of hemp producers to verify that hemp is not produced in violation of this act; and

(6) any other procedures necessary to meet the requirements set forth in 7 U.S.C. § 1621 et seq. and any rules and regulations adopted thereunder.
(c) (1) A hemp producer who negligently violates this section or any rules and regulations adopted thereunder shall not be subject to any state or local criminal enforcement action, but shall comply with the following corrective actions as applicable:

(A) A reasonable date by which the hemp producer shall correct the negligent violation; and

(B) a requirement that the hemp producer shall periodically report to the Kansas department of agriculture on the hemp producer's compliance with this section and rules and regulations adopted thereunder, for a period of not less than the next two calendar years.

(2) A hemp producer that negligently violates this section or any rules and regulations adopted thereunder three times in a five-year period shall be ineligible to produce industrial hemp for a period of five years beginning on the date of the third violation.

(3) The Kansas department of agriculture shall immediately report any violation by a hemp producer with a greater culpable mental state than negligence to the attorney general and such hemp producer shall not be subject to the exemption in subsection (c)(1).

(d) Any person otherwise eligible to become a licensed hemp producer shall not be eligible to produce industrial hemp if:

(1) Such person has been convicted of a felony relating to a controlled substance under state or federal law within the immediately preceding 10 years; or

(2) such person has submitted any materially false information in any application to become a licensed hemp producer.

(e) The secretary of agriculture may promulgate rules and regulations to implement the plan submitted to the United States department of agriculture and to otherwise effectuate the provisions of this section.

(f) Upon the repeal of 7 U.S.C. § 5940 or either the adoption of a federal plan by the United States department of agriculture that allows for the cultivation and production of industrial hemp for commercial purposes within the state or upon the adoption of rules and regulations by the Kansas secretary of agriculture that establish the cultivation and production of industrial hemp for commercial purposes within the state, the Kansas department of agriculture may discontinue the industrial hemp research program established pursuant to K.S.A. 2018 Supp. 2-3902, and amendments thereto.

(g) Any licensing or other fees collected pursuant to this section and any rules and regulations adopted hereunder shall be deposited in the alternative crop act licensing fee fund established by K.S.A. 2018 Supp. 2-3903, and amendments thereto, for all costs of the administration of the commercial production of industrial hemp.

(h) This section shall be a part of and supplemental to the alternative
crop act, K.S.A. 2018 Supp. 2-3901 et seq., and amendments thereto.

Sec. 2. K.S.A. 2018 Supp. 2-3901 is hereby amended to read as follows: 2-3901. (a) K.S.A. 2018 Supp. 2-3901 and 2-3902 et seq., and amendments thereto, shall be known and may be cited as the alternative crop research act.

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

(1) "Certified seed" means industrial hemp seed that has been certified by a certifying agency, as defined by K.S.A. 2-1415, and amendments thereto, as having a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

(2) "Commercial" means the cultivation or production of industrial hemp for purposes other than research as authorized under section 1, and amendments thereto.

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

(4) "Department" means the Kansas department of agriculture.

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

(6) "Hemp producer" means any individual, licensed or otherwise, engaging in the cultivation, production, distribution or processing of industrial hemp for commercial purposes pursuant to section 1, and amendments thereto.

(7) "Industrial hemp" means all parts and varieties of the plant cannabis sativa L., cultivated or possessed by a state educational institution or the department, whether growing or not, that contain a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

(8) "Seed research" means research conducted to develop or recreate better strains of industrial hemp, particularly for the purpose of seed production.

(9) "State educational institution" means the university of Kansas, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

Sec. 3. K.S.A. 2018 Supp. 2-3902 is hereby amended to read as follows: 2-3902. (a) The department Kansas department of agriculture, alone or in coordination with a state educational institution, may cultivate industrial hemp grown from certified seed and promote the research and development of industrial hemp, in accordance with 7 U.S.C. § 5940. This
research may include:

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

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

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

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

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

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

(7) a pilot program in Russell county, and other counties as determined by the department, for the purpose of economic development, research, cultivation, market analysis, manufacturing and transportation of industrial hemp and industrial hemp products.

(b) In the event that the department acts alone to cultivate industrial hemp grown from certified seed and to promote the research and development of industrial hemp, the secretary of agriculture shall establish an advisory board within the department to review and recommend applications for pilot projects and research proposals to the secretary. The secretary shall not approve any such project or proposal without the recommendation of the advisory board.

(c) The department shall oversee and annually license all individuals participating in the cultivation, growth, research, oversight, study, analysis, transportation, processing or distribution of certified seed or industrial hemp pursuant to this act. The department shall establish fees for licenses, license renewals and other necessary expenses to defray the cost of implementing and operating the alternative crop research act in this state on an ongoing basis.

(d) (1) The department shall require, as a qualification for initial or continuing licensure, all individuals seeking a license or license renewal under this act to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or any other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the
federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the individual and for making an official determination of the qualifications for initial or continuing licensure pursuant to this act and rules and regulations promulgated pursuant to this act. Disclosure or use of any information received by the department for any purpose other than the purpose provided for in this section shall be a class A misdemeanor and shall constitute grounds for removal from office or termination of employment.

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

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

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

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

(f) The department shall submit a report to the legislature outlining the steps and timeline to implement a process that would allow individuals and business entities to grow and process industrial hemp in Kansas and to sell industrial hemp in other states. Such report shall be submitted to the senate standing committee on agriculture and natural resources and the house standing committee on agriculture on or before January 14, 2019. The department shall send such committees an annual supplemental report on the continued progress of such process at the beginning of each regular legislative session for the following three years.

(g) Nothing in the alternative crop research act shall be construed to authorize any individual to violate any state or federal law.

(h) The legislature shall review the provisions of this act prior to July 1, 2022.

Sec. 4. K.S.A. 2018 Supp. 2-3903 is hereby amended to read as follows: 2-3903. (a) There is hereby created in the state treasury The alternative crop research act licensing fee fund created in the state
treasury shall be renamed the alternative crop act licensing fee fund and continue to be administered by the secretary of agriculture. All expenditures from the alternative crop research act licensing fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers signed by the secretary of agriculture or the secretary’s designee.

(b) Licensing and renewal fees shall be established pursuant to rules and regulations adopted by the secretary under the alternative crop research act. The amounts received for such fees shall be deposited in the state treasury in accordance with K.S.A. 75-4215, and amendments thereto, and shall be credited to the alternative crop research act licensing fee fund.

Sec. 5. K.S.A. 2018 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2018 Supp. 21-5701 through 21-5717, and amendments thereto: (a) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

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

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

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

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

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

(A) A controlled substance;

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

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.
(c) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

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

(e) "Drug" means:

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

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

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

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

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

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

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

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

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

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

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose, which are used or intended for use in cutting controlled substances;
(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;
(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;
(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;
(10) containers and other objects used or intended for use in storing or concealing controlled substances;
(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;
(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:
    (A) metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
    (B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;
    (C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;
    (D) smoking and carburetion masks;
    (E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
    (F) miniature cocaine spoons and cocaine vials;
    (G) chamber smoking pipes;
    (H) carburetor smoking pipes;
    (I) electric smoking pipes;
    (J) air-driven smoking pipes;
    (K) chillums;
    (L) bongs;
    (M) ice pipes or chillers;
    (N) any smoking pipe manufactured to disguise its intended purpose;
    (O) wired cigarette papers; or
    (P) cocaine freebase kits.
"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2018 Supp. 21-5709(a), and amendments thereto.
(g) "Immediate precursor" means a substance which the state board of pharmacy has found to be and by rules and regulations designates
as being the principal compound commonly used or produced primarily
for use and which is an immediate chemical intermediary used or
likely to be used in the manufacture of a controlled substance, the control
of which is necessary to prevent, curtail or limit manufacture.

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

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

(1) The preparation or compounding of a controlled substance by an
individual for the individual's own lawful use or the preparation,
compounding, packaging or labeling of a controlled substance:

(A) By a practitioner or the practitioner's agent pursuant to a lawful
order of a practitioner as an incident to the practitioner's administrating or
dispensing of a controlled substance in the course of the practitioner's
professional practice; or

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

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

(j) "Marijuana" means all parts of all varieties of the plant Cannabis
whether growing or not, the seeds thereof, the resin extracted from any
part of the plant and every compound, manufacture, salt, derivative,
mixture or preparation of the plant, its seeds or resin. "Marijuana" does not
include: (1) The mature stalks of the plant, fiber produced from the stalks,
oil or cake made from the seeds of the plant, any other compound,
manufacture, salt, derivative, mixture or preparation of the mature stalks,
except the resin extracted therefrom, fiber, oil or cake or the sterilized seed
of the plant—which is incapable of germination; (2) any substance
listed in schedules II through V of the uniform controlled substances act;
or (3) cannabinol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-
cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or (4) industrial hemp as
defined in K.S.A. 2018 Supp. 2-3901, and amendments thereto, when
cultivated, produced, possessed or used for activities authorized by the
alternative crop act.

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

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

1. Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;
2. any salt, compound, isomer, derivative or preparation thereof which that is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;
3. opium poppy and poppy straw;
4. coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, isomer, derivative or preparation thereof which that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which that do not contain cocaine or ecgonine.

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

(n) "Opium poppy" means the plant of the species Papaver somniferum l. except its seeds.

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

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

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

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.
(s) "Simulated controlled substance" means any product which identifies itself by a common name or slang term associated with a controlled substance and which indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 6. K.S.A. 2018 Supp. 21-5702 is hereby amended to read as follows: 21-5702. (a) Prosecutions for crimes committed prior to July 1, 2009, shall be governed by the law in effect at the time the crime was committed. For purposes of this section, a crime was committed prior to July 1, 2009, if any element of the crime occurred prior thereto.

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

Sec. 7. K.S.A. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

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

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

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

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

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

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

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

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

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

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

(2) "Controlled substance analog" does not include:
(A) A controlled substance;
(B) a substance for which there is an approved new drug application; 
or
(C) a substance with respect to which an exemption is in effect for 
investigational use by a particular person under section 505 of the federal 
food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with 
respect to the substance is permitted by the exemption.

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

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

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

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

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

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

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

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

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

(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

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

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

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

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

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

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

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

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

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

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

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

(aa) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant which that is incapable of germination; (2) any substance listed in schedules II through V of the uniform controlled substances act; or (3) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or (4) industrial hemp as defined in K.S.A. 2018 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the alternative crop act.

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

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

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

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

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

(3) opium poppy and poppy straw;

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

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

(ff) "Opium poppy" means the plant of the species Papaver
somniferum l. except its seeds.

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

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

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

(jj) "Pharmacy prescription application" means software that is used
to process prescription information, is installed on a pharmacy's computers
and servers, and is controlled by the pharmacy.
(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

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

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

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

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

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

Sec. 8. K.S.A. 65-4105 is hereby amended to read as follows: 65-4105. (a) The controlled substances listed in this section are included in schedule I and the number set forth opposite each drug or substance is the DEA controlled substances code which that has been assigned to it.

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

1. Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide) ............................................. 9821
2. Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide) ................ 9815
3. Acetylmethadol .................................................. 9601
4. Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; acryloylfentanyl) .......................... 9811
5. AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide) .................................. 9551
6. Allylprodine ....................................................... 9602
7. Alphacetylmethadol ............................................. 9603
   (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM)
8. Alphameprodine ................................................ 9604
(9) Alphamethadol.................................................................9605
(10) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine)..........................9814
(11) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).........................................................9832
(12) Benzethidine........................................................................9606
(13) Betacetylmethadol..............................................................9607
(14) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide)..........................................................9830
(15) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide)......9831
(16) Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide)..........................9836
(17) Betameprodine.....................................................................9608
(18) Betamethadol......................................................................9609
(19) Beta-prodine.........................................................................9611
(20) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide).........................................................................................9822
(21) Clonitazene............................................................................9612
(22) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide).........................................................9845
(23) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide)..........................................................9845
(24) Dextromoramide.....................................................................9613
(25) Diampromide...........................................................................9615
(26) Diethylthiambutene..................................................................9616
(27) Difenoxin................................................................................9168
(28) Dimenoxadol............................................................................9617
(29) Dimepethanol..........................................................................9618
(30) Dimethylthiambutene...............................................................9619
(31) Dioxaphethyl butyrate...............................................................9621
(32) Dipipanone.............................................................................9622
(33) Ethylmethylthiambutene.............................................................9623
(34) Etonitazene.............................................................................9624
(35) Etoxeridine.............................................................................9625
(36) Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide)..........................................................9834
(37) Furethidine..............................................................................9626
(38) Hydroxypethidine....................................................................9627
(39) Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide)..........................................................9834
(40) Ketobemidone............................................................................9628
1 (41) Levomoramide..........................................................9629
2 (42) Levophenacylmorphan.................................................9631
3 (43) Methoxyacetly fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacacetamide)........................................9825
4 (44) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide)................................................9813
5 (45) 3-Methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-pipideriny]-N-phenylpropanamide)........................................9833
6 (46) Morpheridine..........................................................9632
7 (47) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide)
8 (48) O-desmethyltramadol
9 Some trade or other names: 2-((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol, 3-(2-((dimethylamino)methyl)-1-hydroxyecyclohexyl)phenol
10 (49) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).......................9661
11 (50) MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine)
12 (51) Noracymethadol..........................................................9633
13 (52) Norlevorphanol..........................................................9634
14 (53) Normethadone..........................................................9635
15 (54) Norpipananone..........................................................9636
16 (55) Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).............................9816
17 (56) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide)
18 (57) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide)
19 (58) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-pipiderinyl]propanamide)..............................................9812
20 (59) Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide,
4-fluoroisobutyryl fentanyl).......................................................9824
21 (60) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide)
22 (61) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)...............9663
23 (62) Phenadoxone..........................................................9637
24 (63) Phenampromide..........................................................9638
25 (64) Phenomorphan..........................................................9647
26 (65) Phenoperidine..........................................................9641
27 (66) Piritramide..............................................................9642
28 (67) Proheptazine...........................................................9643
29 (68) Properidine..............................................................9644
30 (69) Propiram.................................................................9649
(70) Racemoramide

(71) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide)

(72) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide)

(73) Tilidine

(74) Trimeperidine

(75) U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide)

(76) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide)

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine

(2) Acetyldihydrocodeine

(3) Benzylmorphine

(4) Codeine methylbromide

(5) Codeine-N-Oxide

(6) Cyprenorphine

(7) Desomorphine

(8) Dihydromorphine

(9) Drotebanol

(10) Etorphine (except hydrochloride salt)

(11) Heroin

(12) Hydromorphinol

(13) Methyldesorphine

(14) Methyldihydromorphine

(15) Morphine methylbromide

(16) Morphine methylsulfonate

(17) Morphine-N-Oxide

(18) Myrophine

(19) Nicocodeine

(20) Nicomorphine

(21) Normorphine

(22) Pholcodine

(23) Thebacon

(d) Any material, compound, mixture or preparation—\textit{which that}

contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
(1) Alpha-ethyltryptamine 7249 Some trade or other names: etryptamine; Monase; α-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α-ET; and AET.
(2) 4-bromo-2,5-dimethoxy-amphetamine..........................7391
Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethyamine; 4-bromo-2,5-DMA.
(3) 2,5-dimethoxyamphetamine...........................................7396
Some trade or other names: 2,5-dimethoxy-alpha-methylphenethyamine; 2,5-DMA.
(4) 4-methoxyamphetamine..................................................7411
Some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA.
(5) 5-methoxy-3,4-methylenedioxy-amphetamine....................7401
Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".
(6) 4-methyl-2,5-dimethoxy-amphetamine...............................7395
Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; N-hydroxy-α-album; and "STP".
(7) 3,4-methylenedioxyamphetamine......................................7400
(8) 3,4-methylenedioxymethamphetamine (MDMA). ..................7405
(9) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethylalpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA)..........................................................7404
(10) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine, and N-hydroxy MDA).................................................................7402
(11) 3,4,5-trimethoxyamphetamine..........................................7390
(12) Bufotenine.................................................................7433
Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.
(13) Diethyltryptamine..........................................................7434
Some trade or other names: N,N-Diethyltryptamine; DET.
(14) Dimethyltryptamine.........................................................7435
Some trade or other names: DMT.
(15) Ibogaine.................................................................7260
Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano -5H-pyrido[1',2':1,2] azepino [5,4-b]indole; Tabernanthe iboga
(16) Lysergic acid diethylamide................................................7315
(17) Marijuana.......................................................................7360
(18) Mescaline........................................................................7381
(19) Parahexyl.................................................................7374
Some trade or other names: 3-Hexyl-l-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.
Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

N-ethyl-3-piperidyl benzilate.

N-methyl-3-piperidyl benzilate.

Psilocybin.

Psilocyn.

Ethylamine analog of phencyclidine.

Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-phenylecyclohexyl)ethylamine; N-(1-phenylecyclohexyl)ethylamine; cyclohexamine; PCE.

Pyrrolidine analog of phencyclidine.

Some trade or other names: 1-(1-phenylecyclohexyl)-pyrrolidine; PCPy; PHP.

Thiophene analog of phencyclidine.

Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.

2,5-dimethoxy-4-ethylamphetamine.

Some trade or other names: DOET.

Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

Datura stramonium, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as datura stramonium, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

N-benzylpiperazine.

Some trade or other names: BZP.

1-(3-[trifluoromethylphenyl])piperazine

Some trade or other names: TFMPP.

4-Bromo-2,5-dimethoxyphenethylamine.

2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.

Alpha-methyltryptamine (other name: AMT).
5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers............................................................7439
2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E)........7509
2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)........7508
2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)........7519
2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)........7518
2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)....7385
2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)7532
2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)......................7517
2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N)........7521
2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).......7524
5–methoxy–N,N–dimethyltryptamine (5–MeO–DMT)........7431
Some trade or other names: 5–methoxy–3–[2–(dimethylamino)ethyl]indole.
2–(4–iodo–2,5–dimethoxyphenyl)–N–(2–methoxybenzyl)
ethanamine.................................................................7538
Some trade or other names: 25I–NBOMe; 2C–I–NBOMe; 25I;
Cimbi–5.
2–(4–chloro–2,5–dimethoxyphenyl)–N–(2–methoxybenzyl)
ethanamine.....................................................................7537
Some trade or other names: 25C–NBOMe; 2C–C–NBOMe; 25C;
Cimbi–82.
2–(4–bromo–2,5–dimethoxyphenyl)–N–(2–
methoxybenzyl)ethanamine..............................................7536
Some trade or other names: 25B–NBOMe; 2C–B–NBOMe; 25B;
Cimbi–36.
2–(2,5–dimethoxyphenyl)–N–(2–methoxybenzyl)ethanamine
Some trade or other names: 25H–NBOMe.
2–(2,5–dimethoxy–4–methylphenyl)–N–(2–methoxybenzyl)ethanamine
Some trade or other names: 25D–NBOMe; 2C–D–NBOMe.
2–(2,5–dimethoxy–4–nitrophenyl)–N–(2–methoxybenzyl)ethanamine
Some trade or other names: 25N–NBOMe, 2C–N–NBOMe.
(e) Any material, compound, mixture or preparation—which that
contains any quantity of the following substances having a depressant
effect on the central nervous system, including its salts, isomers, and salts
of isomers whenever the existence of such salts, isomers, and salts of
isomers is possible within the specific chemical designation:
Etizolam
Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-
6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)...........2572
Mecloqualone....................................................................2565
Methaqualone....................................................................2565
Gamma hydroxybutyric acid
(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation—whether that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

(1) Aminorex ................................................................. 1585
   Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine

(2) Fenethylline ............................................................. 1503

(3) N-ethylamphetamine ............................................... 1475

(4) (+) cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) ......................................... 1590

(5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine) .......... 1480

(6) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone) ......................................................... 1235

(7) Substituted cathinones

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

   (A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

   (B) by substitution at the 3-position with an acyclic alkyl substituent;

   (C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

   (D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(g) Any material, compound, mixture or preparation—whether that contains any quantity of the following substances:

(1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers

(2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, salts and salts of isomers

(h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Tetrahydrocannabinols ............................................. 7370
Meaning tetrahydrocannabinols naturally contained in a plant of the

genus Cannabis (cannabis plant), as well as synthetic equivalents of
the substances contained in the plant, or in the resinous extractives of
Cannabis, sp. and/or synthetic substances, derivatives, and their
isomers with similar chemical structure and pharmacological activity
such as the following: Delta 1 cis or trans tetrahydrocannabinol, and
their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and
their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and
its optical isomers (Since nomenclature of these substances is not
internationally standardized, compounds of these structures,
regardless of numerical designation of atomic positions covered.),
except tetrahydrocannabinols obtained from industrial hemp as
defined in K.S.A. 2018 Supp. 2-3901, and amendments thereto, when
cultivated, produced, possessed or used for activities authorized by
the alternative crop act.

(2) Naphthoylindoles
Any compound containing a 3-(1-naphthoyl)indole structure with
substitution at the nitrogen atom of the indole ring by an alkyl,
haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl
group, whether or not further substituted in the indole ring to any
extent and whether or not substituted in the benzyl or naphthyl ring
to any extent.

(3) Naphthylmethylindoles
Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane
structure with substitution at the nitrogen atom of the indole ring by
an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
morpholinyl)ethyl group whether or not further substituted in the
indole ring to any extent and whether or not substituted in the benzyl
or naphthyl ring to any extent.

(4) Naphthoylpyrroles
Any compound containing a 3-(1-naphthoyl)pyrrole structure with
substitution at the nitrogen atom of the pyrrole ring by an alkyl,
haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl
group whether or not further substituted in the pyrrole ring to any
extent, whether or not substituted in the benzyl or naphthyl ring to
any extent.

(5) Naphthylmethylindenes
Any compound containing a naphthylideneindene structure with
substitution at the 3-position of the indene ring by an alkyl,
haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the benzyl or naphthyl ring to any extent.

(6) Phenylacetylindoles
Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the benzyl or naphthyl ring to any extent.

(7) Cyclohexylphenols
Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted in the cyclohexyl ring to any extent.

(8) Benzoylindoles
Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted in the benzyl or phenyl ring to any extent and whether or not substituted in the benzyl or phenyl ring to any extent.

(9) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-napthalenylmethanone.
Some trade or other names: WIN 55,212-2.

(10) 9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenz[o]chromen-1-ol
Some trade or other names: HU-210, HU-211.

(11) Tetramethylcyclopropanoylindoles
Any compound containing a 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or tetramethylcyclopropyl rings to any extent.
Indole-3-carboxylate esters
Any compound containing a 1H-indole-3-carboxylate ester structure
with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or
adamantyl group and substitution at the 1 position of the indole ring
by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl or 2-(4-
morpholinyl)ethyl group, whether or not further substituted on the
indole ring to any extent and whether or not substituted on the
naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to
any extent.

Indazole-3-carboxamides
Any compound containing a 1H-indazole-3-carboxamide structure
with substitution at the nitrogen of the carboxamide by a naphthyl,
quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-
yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1
position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl,
alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-
piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not
further substituted on the indazole ring to any extent and whether or
not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl,
1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl
groups to any extent.

Indole-3-carboxamides
Any compound containing a 1H-indole-3-carboxamide structure with
substitution at the nitrogen of the carboxamide by a naphthyl,
quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-
yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1
position of the indole ring by an alkyl, haloalkyl, cyanoalkyl,
alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-
piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not
further substituted on the indole ring to any extent and whether or not
further substituted on the naphthyl, quinolinyl, isoquinolinyl,
adamanatyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or
benzyl groups to any extent.

(1H-indazol-3-yl)methanones
Any compound containing a (1H-indazol-3-yl)methanone structure
with the carbonyl carbon bearing a naphthyl group and substitution at
the 1 position of the indazole ring by an alkyl, haloalkyl, alkenyl,
cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-
piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not
further substituted on the indazole ring to any extent and whether or
not substituted on the naphthyl or benzyl groups to any extent.
2018 Supp. 2-3901, 2-3902, 2-3903, 21-5701, 21-5701a and 21-5702 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the statute book.