

**KRS CHAPTER 218A
CONTROLLED SUBSTANCES
(Selected Sections)**

KRS 218A.010 Definitions for chapter

As used in this chapter:

- (1) **"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:
 - (a) A practitioner or by his or her authorized agent under his or her immediate supervision and pursuant to his or her order; or
 - (b) The patient or research subject at the direction and in the presence of the practitioner.
- (2) **"Anabolic steroid"** means any drug or hormonal substance chemically and pharmacologically related to testosterone that promotes muscle growth and includes those substances listed in KRS 218A.090 (5) but does not include estrogens, progestins, and anticosteroids.
- (3) **"Cabinet"** means the Cabinet for Health Services.
- (4) **"Child"** means any person under the age of majority as specified in KRS 2.015.
- (5) **"Cocaine"** means a substance containing any quantity of cocaine, its salts, optical and geometric isomers, and salts of isomers;
- (6) **"Controlled substance"** means methamphetamine, or a drug, substance, or immediate precursor in Schedules I through V and includes a controlled substance analogue.
- (7) (a) **"Controlled substance analogue"**, except as provided in paragraph (b), means a substance:
 1. The chemical structure of which is substantially similar to the structure of a controlled substance in Schedule I or II; and
 2. Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or
 3. With respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.(b) Such term does not include:
 1. Any substance for which there is an approved new drug application;
 2. With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent conduct with respect to such substance is pursuant to such exemption; or
 3. Any substance to the extent not intended for human consumption before the exemption described in subparagraph 2. of this paragraph takes effect with respect to that substance.
- (8) **"Counterfeit substance"** means a controlled substance which, 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.
- (9) **"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.
- (10) **"Dispenser"** means a person who lawfully dispenses a Schedule II, III, IV, or V controlled substance to or for the use of an ultimate user.
- (11) **"Distribute"** means to deliver other than by administering or dispensing a controlled substance.
- (12) **"Dosage unit"** means a single pill, capsule, ampule, liquid, or other form of administration available as a single unit;
- (13) **"Drug"** means:
 - (a) Substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any

supplement to any of them;

- (b) Substances intended for use in the diagnosis, care, mitigation, treatment, or prevention of disease in man or animals;
- (c) Substances (other than food) intended to affect the structure or any function of the body of man or animals; and
- (d) Substances intended for use as a component of any article specified in this subsection.

It does not include devices or their components, parts, or accessories.

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- (15) "**Hazardous chemical substance**" includes any chemical substance used or intended for use in the illegal manufacture of a controlled substance as defined in this section or the illegal manufacture of methamphetamine as defined in KRS 218A.1431, which:
 - (a) Poses an explosion hazard;
 - (b) Poses a fire hazard; or
 - (c) Is poisonous or injurious, if handled, swallowed, or inhaled;
- (16) "**Heroin**" means a substance containing any quantity of heroin, or any of its salts, isomers, or salts of isomers;
- (17) "**Hydrocodone combination product**" means a drug with:
 - (a) Not more than three hundred (300) milligrams of dihydrocodeinone, or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium; or
 - (b) Not more than three hundred (300) milligrams of dihydrocodeinone, or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (18) "**Immediate precursor**" means a substance which is 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 or methamphetamine, the control of which is necessary to prevent, curtail, or limit manufacture.
- (19) "**Intent to manufacture**" means any evidence which demonstrates a person's conscious objective to manufacture a controlled substance or methamphetamine. Such evidence includes, but is not limited to statements, a chemical substance's usage, quantity, manner of storage, or proximity to other chemical substances or equipment used to manufacture a controlled substance or methamphetamine.
- (20) "**Isomer**" means the optical isomer, except as used in KRS 218A.050 (3) and 218A.070 (1) (d). As used in KRS 218A.050 (3), the term "isomer" means the optical, positional, or geometric isomer. As used in KRS 218A.070 (1) (d), the term "isomer" means the optical or geometric isomer.
- (21) "**Manufacture**", except as provided in KRS 218A.1431, means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly 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 activities:
 - (a) By a practitioner as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or
 - (b) By a practitioner, or by his or her authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale; or
 - (c) By a pharmacist as an incident to his or her dispensing of a controlled substance in the course of his or her professional practice.
- (22) "**Marijuana**" means all parts of the plant Cannabis sp., 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 or any compound, mixture, or preparation which contains any quantity of these substances. The term "marijuana" does not include:
 - (a) Industrial hemp as defined in KRS 260.850;

- (b) The substance cannabidiol, when transferred, dispensed, or administered pursuant to the written order of a physician practicing at a hospital or associated clinic affiliated with a Kentucky public university having a college or school of medicine; or
- (c) For persons participating in a clinical trial or in an expanded access program, a drug or substance approved for the use of those participants by the United States Food and Drug Administration;

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- (26) "**Methamphetamine**" means any substance that contains any quantity of methamphetamine, or any of its salts, isomers, or salts of isomers.
- (27) "**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:
 - (a) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;
 - (b) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (a) of this subsection, but not including the isoquinoline alkaloids of opium;
 - (c) Opium poppy and poppy straw;
 - (d) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;
 - (e) Cocaine, its salts, optical and geometric isomers, and salts of isomers;
 - (f) Ecgonine, its derivatives, their salts, isomers, and salts of isomers; and
 - (g) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in paragraphs (a) to (f) of this subsection.
- (28) "**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 KRS 218A.030, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.
- (29) "**Opium poppy**" means the plant of the species papaver somniferum L., except its seeds.
- (30) "**Person**" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.
- (31) "**Physical injury**" has the same meaning it has in KRS 500.080.
- (32) "**Poppy straw**" means all parts, except the seeds, of the opium poppy, after mowing.
- (33) "**Pharmacist**" means a natural person licensed by this state to engage in the practice of the profession of pharmacy.
- (34) "**Practitioner**" means a physician, dentist, podiatrist, veterinarian, scientific investigator, optometrist as authorized in KRS 320.240, or other person licensed, registered, or otherwise permitted by state or federal law to acquire, distribute, dispense, conduct research with respect to, or to administer a controlled substance in the course of professional practice or research in this state. "Practitioner" also includes a physician, dentist, podiatrist, or veterinarian who is a resident of and actively practicing in a state other than Kentucky and who is licensed and has prescriptive authority for controlled substances under the professional licensing laws of another state, unless the person's Kentucky license has been revoked, suspended, restricted, or probated, in which case the terms of the Kentucky license shall prevail.

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- (36) "**Prescription**" means a written, electronic, or oral order for a drug or medicine, or combination or mixture of drugs or medicines, or proprietary preparation, signed or given or authorized by a medical, dental, chiropody, veterinarian, or optometric practitioner, and intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals.
- (37) "**Prescription blank**," with reference to a controlled substance, means a document that meets the requirements of KRS 218A.204 and 217.216.

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

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- (41) "**Salvia**" means *Salvia divinorum* or Salvinorin A and includes all parts of the plant presently classified botanically as *Salvia divinorum*, whether growing or not, the seeds thereof, any extract from any part of that plant, and every compound, manufacture, derivative, mixture, or preparation of that plant, its seeds, or its extracts, including salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation of that plant, its seeds, or extracts. The term shall not include any other species in the genus *salvia*;
- (42) "**Second or subsequent offense**" means that for the purposes of this chapter an offense is considered as a second or subsequent offense, if, prior to his conviction of the offense, the offender has at any time been convicted under this chapter, or under any statute of the United States, or of any state relating to substances classified as controlled substances or counterfeit substances, except that a prior conviction for a nontrafficking offense shall be treated as a prior offense only when the subsequent offense is a nontrafficking offense. For the purposes of this section, a conviction voided under KRS 218A.275 or 218A.276 shall not constitute a conviction under this chapter.
- (43) "**Sell**" means to dispose of a controlled substance to another person for consideration or in furtherance of commercial distribution.
- (44) "**Serious physical injury**" has the same meaning it has in KRS 500.080.
- (45) "**Synthetic cannabinoids or piperazines**" means any chemical compound which is not approved by the United States Food and Drug Administration, or if approved which is not dispensed or possessed in accordance with state and federal law, that contains Benzylpiperazine (BZP); Trifluoromethylphenylpiperazine (TFMPP); 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol (HU-210); 1-Butyl-3-(1-naphthoyl)indole; 1-Pentyl-3-(1-naphthoyl)indole; dexanabinol (HU-211); or any compound in the following structural classes:
- (a) Naphthoylindoles: Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 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 naphthyl ring to any extent. Examples of this structural class include but are not limited to JWH-015, JWH-018, JWH-019, JWH-073, JWH-081, JWH-122, JWH-200, and AM-2201;
- (b) Phenylacetylindoles: Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 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 phenyl ring to any extent. Examples of this structural class include but are not limited to JWH-167, JWH-250, JWH-251, and RCS-8;
- (c) Benzoylindoles: Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 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 phenyl ring to any extent. Examples of this structural class include but are not limited to AM630, AM-2233, AM-694, Pravadoline (WIN 48,098), and RCS-4;
- (d) Cyclohexylphenols: Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, 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. Examples of this structural class include but are not limited to CP 47,497 and its C8 homologue (cannabicyclohexanol);
- (e) 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, alkenyl, cycloalkylmethyl, cycloalkylethyl, 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 naphthyl ring to any extent. Examples of this structural class include but are not limited to JWH-175, JWH-184, and JWH-185;
- (f) Naphthoylpyrroles: Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group whether or not

further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples of this structural class include but are not limited to JWH-030, JWH-145, JWH-146, JWH-307, and JWH 368; (g) Naphthylmethylenes: Any compound containing a 1-(1-naphthylmethyl)indene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. Examples of this structural class include but are not limited to JWH-176;

(h) Tetramethylcyclopropanoylindoles: Any compound containing a 3-(1-tetramethylcyclopropoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cycloalkylmethyl, cycloalkylethyl, 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 further substituted in the tetramethylcyclopropyl ring to any extent. Examples of this structural class include but are not limited to UR-144 and XLR-11;

(i) Adamantoylindoles: Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 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 adamantyl ring system to any extent. Examples of this structural class include but are not limited to AB-001 and AM-1248; or

(j) Any other synthetic cannabinoid or piperazine which is not approved by the United States Food and Drug Administration, or if approved, which is not dispensed or possessed in accordance with state and federal law;

(46) "**Synthetic cathinones**" means any chemical compound which is not approved by the United States Food and Drug Administration, or if approved, which is not dispensed or possessed in accordance with state and federal law (not including 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 one (1) or more of the following ways:

(a) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one (1) or more other univalent substituents. Examples of this class include but are not limited to 3,4-Methylenedioxcathinone (bk-MDA);

(b) By substitution at the 3-position with an acyclic alkyl substituent. Examples of this class include but are not limited to 2-methylamino-1-phenylbutan-1-one (buphedrone);

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure. Examples of this class include but are not limited to Dimethylcathinone, Ethcathinone, and α -Pyrrolidinopropiophenone (α -PPP); or

(d) Any other synthetic cathinone which is not approved by the United States Food and Drug Administration, or if approved, is not dispensed or possessed in accordance with state or federal law;

(47) "**Synthetic drugs**" means any synthetic cannabinoids or piperazines or any synthetic cathinones.

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(49) "**Tetrahydrocannabinols**" means synthetic equivalents of the substances contained in the plant, or in the resinous extractives of the plant Cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

1. Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers;
2. Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers;
3. Delta 3, 4 cis or trans tetrahydrocannabinol, and its optical isomers.

(50) "**Traffic**," except as provided in KRS 218A.1431, means to manufacture, distribute, dispense, sell, transfer, or possess with intent to manufacture, distribute, dispense, or sell a controlled substance.

(51) "**Transfer**" means to dispose of a controlled substance to another person without consideration and not in furtherance of commercial distribution.

(52) "**Ultimate user**" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his household.

KRS 218A.015 Definitions of mental states

When used in this chapter, the terms "**intentionally**," "**knowingly**," "**wantonly**," and "**recklessly**," including but not limited to equivalent terms such as "with intent" shall have the same definition and the same principles shall apply to their use as those terms are defined and used in KRS Chapter 501.

KRS 218A.030 Controlled substances – How scheduled

The controlled substances listed or to be listed in the schedules provided for in this chapter are included by whatever official, common, usual, chemical, or trade name designated.

KRS 218A.050 Schedule I controlled substances

Unless otherwise rescheduled by administrative regulation of the Cabinet for Health and Family Services, the controlled substances listed in this section are included in Schedule I:

- (1) Any material, compound, mixture, or preparation which contains any quantity 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, or salts is possible within the specific chemical designation: Acetylfentanyl; Acetylmethadol; Allylprodine; Alphaceylmehtadol; Alphameprodine; Alphamethadol; Benzethidine; Betacetylmethadol; Betameprodine; Betamethadol; Betaprodine; Clonitazene; Dextromoramide; Dextrophan; Diampromide; Diethylthiambutene; Dimenoxadol; Dimepheptanol; Dimethylthiambutene; Dioxaphetyl butyrate; Dipipanone; Ethylmethylthiambute; Etonitazene; Etoxidine; Furethidine; Hydroxypethidine; Ketobemidone; Levomoramide; Levophenacymorphan; Morpheridine; Noracymethadol; Norlevorphanol; Normethadone; Norpipanone; Phenadoxone; Phenampromide; Phenomorphan; Phenoperidine; Piritramide; Proheptazine; Properidine; Propiram; Racemoramide; Trimeperidine; 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]-benzenesulfonamide (W-18); 4-chloro-N-[1-(2-phenylethyl)-2-piperidinylidene]-benzenesulfonamide (W-15);
- (2) Any material, compound, mixture, or preparation which contains any quantity of the following opium derivatives, including their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, or salts of isomers is possible within the specific chemical designation: Acetorphine; Acetyldihydrocodeine; Benzylmorphine; Codeine methbromide; Codeine-N-Oxide; Cyprenorphine; Desomorphine; Dihyrdomorphine; Etorphine; Heroin; Hydromorphinol; Methyldesorphine; Methyldihydromorphine; Morphine methbromide; Morphine methsulfonate; Morphine_N-Oxide; Myrophine; Nicocodeine; Nicomorphine; Normorphine; Pholcodine; Thebacon.
- (3) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, or salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation: 3, 4-methylenedioxymaphetamine; 5-methoxy-3, 4-methylenedioxy amphetamine; 3, 4, 5-trimethoxyamphetamine; Bufotenine; Diethyltryptamine; Dimethyltryptamine; 4-methyl-2, 5-dimethoxyamphetamine; Ibogaine; Lysergic acid diethylamide; Marijuana; Mescaline; Peyote; N-ethyl-3-piperidyl benzilate; N-methyl-1-3-piperidyl benzilate; Psilocybin; Psilocyn; Tetrahydrocannabinols; Hashish; Phencyclidine, 2 Methylamino-1-phenylpropan-1-one (including, but limited to, Methcathinone, Cat, and Ephedrone); synthetic drugs or salvia.
- (4) Any material, compound, mixture, or preparation which contains any quantity of the following substance having a depressant effect on the central nervous system, including its 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: gamma hydroxybutyric acid.
- (5) Any material, compound, mixture, or preparation which contains any quantity of the following

substances:

- (a) 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2,5H-NBOMe);
- (b) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2,5I-NBOMe);
- (c) 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine(2,5B-NBOMe); or
- (d) 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2,5C-NBOMe).

KRS 218A.070 Schedule II controlled substances

Unless otherwise rescheduled by regulation of the Cabinet for Health and Family Services, the controlled substances listed in this section are included in Schedule II:

- (1) Any material, compound, mixture, or preparation which contains any quantity of the following substances, except those narcotic drugs listed in other schedules, 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:
 - (a) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;
 - (b) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (a), but not including the isoquinoline alkaloids of opium;
 - (c) Opium poppy and poppy straw;
 - (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, including cocaine and ecgonine and their salts, isomers, derivatives and salts of isomers and derivatives, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine; or
 - (e) Hydrocodone.
- (2) Any material, compound, mixture, or preparation which contains any quantity of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation: Alphaprodine; Anileridine; Bezitamide; Dihydrocodeine; Dipheoxylate; Fentanyl; Isomethadone; Levomethorphan; Levorphanol; Metazocine; Methadone; Methadone-Intermediate; 4-cyano-2-dimethylamino-4, 4-diphenyl butane; Moramide-Intermediate; 2-methyl-3-morpholino-1;1-diphenyl-propane-carboxylic acid; Pethidine; Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine, Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate; Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid; Phenazocine; Piminodine; Racemethorphan; Racemorphan.
- (3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:
 - (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
 - (b) Phenmetrazine and its salts;
 - (c) Methylphenidate.

KRS 218A.090 Schedule III controlled substances

Unless otherwise rescheduled by regulation of the Cabinet for Health and Family Services, the controlled substances listed in this section are included in Schedule III:

- (1) Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system: Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid; chlorhexadol; glutethimide; lysergic acid; lysergic acid amide; methyprylon; sulfondiethylmethane; sulfonethylmethane; sulfonmethane.
- (2) Nalorphine.
- (3) Pentazocine (parenteral or injectable form only).

- (4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
- (a) Not more than one and four-fifths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
 - (b) Not more than one and four-fifths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts.
 - (c) Not more than one and four-fifths (1.8) grams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - (d) Not more than three hundred (300) milligrams of ethylmorphine, or any of its salts per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one (1) or more ingredients in recognized therapeutic amounts;
 - (e) Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - (f) Not more than fifty (50) milligrams of morphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts; and
 - (g) The Cabinet for Health and Family Services may except by regulation any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsection (1) of this section from the application of all or any part of this chapter if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system; and
- (5) Any material, compound, mixture, or preparation containing any quantity of any of the following anabolic steroid substances, or any isomer, ester, salt, or derivative thereof:
- (a) Boldenone;
 - (b) Clostebol;
 - (c) Dehydrochlormethyltestosterone;
 - (d) Drostanolone;
 - (e) Ethylestrenol;
 - (f) Fluoxymesterone;
 - (g) Formebolone;
 - (h) Mesterolone;
 - (i) Methandienone;
 - (j) Methandriol;
 - (k) Methenolone;
 - (l) Methyltestosterone;
 - (m) Mibolerone;
 - (n) Nandrolone;
 - (o) Norethandrolone;
 - (p) Oxandrolone;
 - (q) Oxymesterone;
 - (r) Oxymetholone;
 - (s) Stanolone;
 - (t) Stanozolol;
 - (u) Testolactone;
 - (v) Testosterone;
 - (w) Trenbolone.
- (6) This section shall not apply to any material, compound, mixture, or preparation containing any quantity of an anabolic steroid substance, or any isomer, ester, salt, or derivative thereof that is

expressly intended for administration through implant to livestock or other nonhuman species, and that is approved by the United States Food and Drug Administration for such use.

KRS 218A.110 Schedule IV controlled substances

Unless otherwise rescheduled by regulation of the Cabinet for Health and Family Services, the controlled substances listed in this section are included in Schedule IV:

- (1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system: chloral betaine; chloral hydrate; ethchlorvynol; ethinamate; meprobamate; paraldehyde; petrichloral.
- (2) The Cabinet for Health and Family Services may except by regulation any compound, mixture, or preparation containing any depressant substance listed in subsection (1) from the application of all or any part of this chapter if the compound, mixture, or preparation contains one (1) or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

KRS 218A.130 Schedule V controlled substances

Unless otherwise rescheduled by regulation of the Cabinet for Health and Family Services, the controlled substances listed in this section are included in Schedule V:

Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone: Not more than two hundred (200) milligrams of codeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams.

KRS 218A.133 Exemption from prosecution for possession of controlled substance or drug paraphernalia if seeking assistance with drug overdose

- (1) As used in this section:
 - (a) "Drug overdose" means an acute condition of physical illness, coma, mania, hysteria, seizure, cardiac arrest, cessation of breathing, or death which reasonably appears to be the result of consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe requires medical assistance; and
 - (b) "Good faith" does not include seeking medical assistance during the course of the execution of an arrest warrant, or search warrant, or a lawful search.
- (2) A person shall not be charged with or prosecuted for a criminal offense prohibiting the possession of a controlled substance or the possession of drug paraphernalia if:
 - (a) In good faith, medical assistance with a drug overdose is sought from a public safety answering point, emergency medical services, a law enforcement officer, or a health practitioner because the person:
 1. Requests emergency medical assistance for himself or herself or another person; or
 2. Acts in concert with another person who requests emergency medical assistance; or
 3. Appears to be in need of emergency medical assistance and is the individual for whom the request was made;
 - (b) The person remains with, or is, the individual who appears to be experiencing a drug overdose until the requested assistance is provided; and
 - (c) The evidence for the charge or prosecution is obtained as a result of the drug overdose and the need for medical assistance.

- (3) The provisions of subsection (2) of this section shall not extend to the investigation and prosecution of any other crimes committed by a person who otherwise qualifies under this section.
- (4) When contact information is available for the person who requested emergency medical assistance, it shall be reported to the local health department. Health department personnel shall make contact with the person who requested emergency medical assistance in order to offer referrals regarding substance abuse treatment, if appropriate.
- (5) A law enforcement officer who makes an arrest in contravention of this section shall not be criminally or civilly liable for false arrest or false imprisonment if the arrest was based on probable cause.

TRAFFICKING AND POSSESSION OFFENSES

KRS 218A.140 Prohibited acts relating to controlled substances – Penalties

- (1)
 - (a) No person shall obtain or attempt to obtain a prescription for a controlled substance by knowingly misrepresenting to, or knowingly withholding information from, a practitioner.
 - (b) No person shall procure or attempt to procure the administration of a controlled substance by knowingly misrepresenting to, or withholding information from, a practitioner.
 - (c) No person shall obtain or attempt to obtain a controlled substance or procure or attempt to procure the administration of a controlled substance by the use of a false name or the giving of a false address.
 - (d) No person shall knowingly make a false statement regarding any prescription, order, report, or record required by this chapter.
 - (e) No person shall, for the purpose of obtaining a controlled substance, falsely assume the title of or represent himself or herself to be a manufacturer, wholesaler, distributor, repacker, pharmacist, practitioner, or other authorized person.
 - (f) In order to obtain a controlled substance, no person shall present a prescription for a controlled substance that was obtained in violation of this chapter.
 - (g) No person shall affix any false or forged label to a package or receptacle containing any controlled substance.
- (2) No person shall possess, manufacture, sell, dispense, prescribe, distribute, or administer any counterfeit substance.
- (3) No person shall knowingly obtain or attempt to obtain a prescription for a controlled substance without having formed a valid practitioner-patient relationship with the practitioner or his or her designee from whom the person seeks to obtain the prescription.
- (4) No person shall knowingly assist a person in obtaining or attempting to obtain a prescription in violation of this chapter.
- (5) Any person who violates any subsection of this section shall be guilty of a Class D felony.

KRS 218A.1401 Selling controlled substances other than salvia to minor – Penalties

- (1) A person is guilty of selling controlled substances to a minor when he or she, being eighteen (18) years of age or older, knowingly and unlawfully sells or transfers any quantity of a controlled substance other than salvia to any person under eighteen (18) years of age.
- (2) Selling controlled substances to a minor is a Class C felony for a first offense, and a Class B felony for each subsequent offense, unless a more severe penalty for trafficking in controlled substances is applicable, in which case the higher penalty shall apply.

KRS 218A.1402 Criminal conspiracy to commit offense in KRS Chapter 218A -- Penalties

Any person who commits a criminal conspiracy as defined in KRS 506.040 to commit any offense in this chapter shall be subject to the same penalties as provided for the underlying offense as specified in this chapter.

KRS 218A.1403 Advertising controlled substance – Penalties

- (1) No person shall advertise through any media other than a professional or trade publication any controlled substance by either its "trade name" or by its generic or formulary name.
- (2) Any person who violates subsection (1) of this section shall be guilty of a Class B misdemeanor for the first offense and a Class A misdemeanor for each subsequent offense.

KRS 218A.1404 Prohibited activities relating to controlled substances – Penalties

- (1) No person shall traffic in any controlled substance except as authorized by law.
- (2) No person shall possess any controlled substance except as authorized by law.
- (3) No person shall dispense, prescribe, distribute, or administer any controlled substance except as authorized by law.
- (4) Unless another specific penalty is provided in this chapter, any person who violates the provisions of subsection (1) or (3) of this section shall be guilty of a Class D felony for the first offense and a Class C felony for subsequent offenses and any person who violates the provisions of subsection (2) of this section shall be guilty of a Class A misdemeanor.

KRS 218A.1405 Use and investment of drug-related income – Penalties

- (1) It shall be unlawful for any person who has knowingly received any income derived directly or indirectly from trafficking in a controlled substance to use or invest any part of that income, or any proceeds thereof, to acquire any property, or to establish or operate any commercial enterprise.
 - (a) As used in this section, "**property**" includes real and personal property, whether tangible or intangible.
 - (b) As used in this section, "**commercial enterprise**" means any proprietorship, partnership, corporation, association or other legal entity, including any individual or group not a legal entity, which is engaged in any business or commercial activity or whose activities affect business or commerce.
- (2) Any person who violates this section shall be guilty of a Class D felony and, in addition to other penalties prescribed by law, shall forfeit any property constituting or derived from any income received directly or indirectly from trafficking in a controlled substance.

KRS 218A.141 Additional penalties for trafficking in controlled substance other than salvia or marijuana

Any person convicted of, pleading guilty to, or entering an Alford plea to any offense involving trafficking in a controlled substance, other than trafficking in salvia or marijuana shall, in addition to any other penalty authorized by law, be sentenced to:

- (1) Pay the costs of disposal of the controlled substances;
- (2) Pay the costs of disposal of all equipment, chemicals, materials, or other items used in or in furtherance of the trafficking offense;
- (3) Pay the costs involved with environmental clean-up and remediation required for the real property and personal property used for or in furtherance of the trafficking offenses; and
- (4) Pay the costs of protecting the public from dangers from chemicals, materials, and other items used for or in furtherance of the trafficking offense from the time of the arrest until the time that the clean-up or remediation of the real and personal property is concluded. The Commonwealth shall have a lien on all of the assets of the defendant until the amount specified by the court under this subsection is paid in full. The Commonwealth's attorney shall file the lien.

KRS 218A.1410 Importing heroin

- (1) A person is guilty of importing heroin when he or she knowingly and unlawfully transports any quantity of heroin into the Commonwealth by any means with the intent to sell or distribute the heroin.

- (2) The provisions of this section are intended to be a separate offense from others in this chapter, and shall be punished in addition to violations of this chapter occurring during the same course of conduct.
- (3) Importing heroin is a Class C felony, and the defendant shall not be released on probation, shock probation, conditional discharge, or parole until he or she has served at least fifty percent (50%) of the sentence imposed.

KRS 218A.1411 Trafficking in controlled substance in or near school – Exception for misdemeanor salvia offenses - Penalty

- (1) Any person who unlawfully traffics in a controlled substance classified in Schedules I, II, III, IV or V, or a controlled substance analogue in any building used primarily for classroom instruction in a school or on any premises located within one thousand (1,000) feet of any school building used primarily for classroom instruction shall be guilty of a Class D felony, unless a more severe penalty is set forth in this chapter, in which case the higher penalty shall apply. The measurement shall be taken in a straight line from the nearest wall of the school to the place of violation.
- (2) The provisions of subsection (1) of this section shall not apply to any misdemeanor offense relating to salvia.

KRS 218A.1412 Trafficking in controlled substance in first degree – Penalties

- (1) A person is guilty of trafficking in a controlled substance in the first degree when he or she knowingly and unlawfully traffics in:
 - (a) Four (4) grams or more of cocaine;
 - (b) Two (2) grams or more of heroin, fentanyl, or methamphetamine;
 - (c) Ten (10) or more dosage units of a controlled substance that is classified in Schedules I or II and is a narcotic drug or a controlled substance analogue;
 - (d) Any quantity of lysergic acid diethylamide; phencyclidine; gamma hydroxybutyric acid (GHB), including its salts, isomers, salts of isomers and analogues; or flunitrazepam, including its salts, isomers, and salts of isomers; or
 - (e) Any quantity of a controlled substance specified in paragraph (a), (b), or (c) of this subsection in an amount less than the amounts specified in those paragraphs.
- (2) The amounts specified in subsection (1) of this section may occur in a single transaction or may occur in a series of transactions over a period of time not to exceed ninety (90) days that cumulatively result in the quantities specified in this section.
- (3) (a) Any person who violates the provisions of subsection (1)(a), (b), (c), or (d) of this section shall be guilty of a Class C felony for the first offense and a Class B felony for a second or subsequent offense.
 - (b) Any person who violates the provisions of subsection (1)(e) of this section:
 - 1. Shall be guilty of a Class D felony for the first offense and a Class C felony for a second or subsequent offense; and
 - 2. a. Except as provided in subdivision b. of this subparagraph, where the trafficked substance was heroin and the defendant committed the offense while possessing more than one (1) items of paraphernalia, including but not limited to scales, ledgers, instruments and material to cut, package, or mix the final product, excess cash, multiple subscriber identity modules in excess of the number of communication devices possessed by the person at the time of arrest, or weapons, which given the totality of the circumstances, indicate the trafficking to have been a commercial activity, shall not be released on parole until he or she has served at least fifty percent (50%) of the sentence imposed.
 - b. This subparagraph shall not apply to a person who has been determined by a court to have had a substance use disorder relating to a controlled substance at the time of the offense. "Substance use disorder" shall have the same meaning as in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.

- (c) Any person convicted of a Class C felony offense or higher under this section shall not be released on probation, shock probation, parole, conditional discharge, or other form of early release until he or she has served at least fifty percent (50%) of the sentence imposed in cases where the trafficked substance was heroin.

KRS 218A.1413 Trafficking in controlled substance in second degree – Penalties

- (1) A person is guilty of trafficking in a controlled substance in the second degree when:
 - (a) He or she knowingly and unlawfully traffics in:
 - 1. Ten (10) or more dosage units of a controlled substance classified in Schedules I and II that is not a narcotic drug; or specified in KRS 218A.1412, and which is not a synthetic drug, salvia, or marijuana; or
 - 2. Twenty (20) or more dosage units of a controlled substance classified in Schedule III;
 - (b) He or she knowingly and unlawfully prescribes, distributes, supplies, or sells an anabolic steroid for:
 - 1. Enhancing human performance in an exercise, sport, or game; or
 - 2. Hormonal manipulation intended to increase muscle mass, strength, or weight in the human species without a medical necessity; or
 - (c) He or she knowingly and unlawfully traffics in any quantity of a controlled substance specified in paragraph (a) of this subsection in an amount less than the amounts specified in that paragraph.
- (2) (a) Except as provided in paragraph (b) of this subsection, any person who violates the provisions of subsection (1) of this section shall be guilty of a Class D felony for the first offense and a Class C felony for a second or subsequent offense.
 - (b) Any person who violates the provisions of subsection (1)(c) of this section shall be guilty of:
 - 1. A Class D felony for the first offense, except that KRS Chapter 532 to the contrary notwithstanding, the maximum sentence to be imposed shall be no greater than three (3) years; and
 - 2. A Class D felony for a second offense or subsequent offense.

KRS 218A.1414 Trafficking in controlled substance in third degree – Penalties

- (1) A person is guilty of trafficking in a controlled substance in the third degree when he or she knowingly and unlawfully traffics in:
 - (a) Twenty (20) or more dosage units of a controlled substance classified in Schedules IV or V; or
 - (b) Any quantity of a controlled substance specified in paragraph (a) of this subsection in an amount less than the amount specified in that paragraph.
- (2) (a) Any person who violates the provisions of subsection (1)(a) of this section shall be guilty of:
 - 1. A Class A misdemeanor for a first offense involving one hundred twenty (120) or fewer dosage units;
 - 2. A Class D felony for a first offense involving more than one hundred twenty (120) dosage units; and
 - 3. A Class D felony for a second or subsequent offense.
- (b) Any person who violates the provisions of subsection (1)(b) of this section shall be guilty of:
 - 1. A Class A misdemeanor for the first offense, subject to the imposition of presumptive probation; and
 - 2. A Class D felony for a second or subsequent offense, except that KRS Chapter 532 to the contrary notwithstanding, the maximum sentence to be imposed shall be no greater than three (3) years.

KRS 218A.1415 Possession of controlled substance in first degree – Penalties

- (1) A person is guilty of possession of a controlled substance in the first degree when he or she knowingly and unlawfully possesses:
 - (a) A controlled substance that is classified in Schedules I or II and is a narcotic drug;
 - (b) A controlled substance analogue;
 - (c) Methamphetamine;
 - (d) Lysergic acid diethylamide;
 - (e) phencyclidine;
 - (f) Gamma hydroxybutyric acid (GHB), including its salts, isomers, salts of isomers and analogues; or
 - (g) Flunitrazepam, including its salts, isomers, and salts of isomers.
- (2) Possession of a controlled substance in the first degree is a Class D felony subject to the following provisions:
 - (a) The maximum term of incarceration shall be no greater than three (3) years, notwithstanding KRS Chapter 532;
 - (b) For a person's first or second offense under this section, he or she may be subject to a period of:
 1. Deferred prosecution pursuant to KRS 218A.14151; or
 2. Presumptive probation;
 - (c) Deferred prosecution under paragraph (b) of this subsection shall be the preferred alternative for a first offense; and
 - (d) If a person does not enter a deferred prosecution program for his or her first or second offense, he or she shall be subject to a period of presumptive probation, unless a court determines the defendant is not eligible for presumptive probation as defined in KRS 218A.010(37).

KRS 218A.1416 Possession of controlled substance in second degree – Penalties

- (1) A person is guilty of possession of a controlled substance in the second degree when he or she knowingly and unlawfully possesses: a controlled substance classified in Schedules I or II which is not a narcotic drug; or specified in KRS 218A.1415; or, a controlled substance classified in Schedule III; but not synthetic drugs, salvia, or marijuana.
- (2) Possession of a controlled substance in the second degree is a Class A misdemeanor.

KRS 218A.1417 Possession of controlled substance in third degree – Penalties

- (1) A person is guilty of possession of a controlled substance in the third degree when he or she knowingly and unlawfully possesses a controlled substance classified in Schedules IV or V.
- (2) Possession of a controlled substance in the third degree is a Class A misdemeanor.

KRS 218A.142 Aggravated trafficking in controlled substance in first degree

- (1) A person is guilty of aggravated trafficking in a controlled substance in the first degree when he or she knowingly and unlawfully traffics in one hundred (100) grams or more of heroin.
- (2) Aggravated trafficking in a controlled substance in the first degree is a Class B felony, and the defendant shall not be released on probation, shock probation, conditional discharge, or parole until he or she has served at least fifty percent (50%) of the sentence imposed.

Marijuana Offenses**KRS 218A.1421 Trafficking in marijuana – Penalties**

- (1) A person is guilty of trafficking in marijuana when he knowingly and unlawfully traffics in marijuana.
- (2) Trafficking in less than eight (8) ounces of marijuana is:

- (a) For a first offense a Class A misdemeanor.
- (b) For a second or subsequent offense a Class D felony.
- (3) Trafficking in eight (8) or more ounces but less than five (5) pounds of marijuana is:
 - (a) For a first offense a Class D felony.
 - (b) For a second or subsequent offense a Class C felony.
- (4) Trafficking in five (5) or more pounds of marijuana is:
 - (a) For a first offense a Class C felony.
 - (b) For a second or subsequent offense a Class B felony.
- (5) The unlawful possession by any person of eight (8) or more ounces of marijuana shall be prima facie evidence that the person possessed the marijuana with the intent to sell or transfer it.

KRS 218A.1422 Possession of marijuana – Penalty – Maximum term of incarceration

- (1) A person is guilty of possession of marijuana when he or she knowingly and unlawfully possesses marijuana.
- (2) Possession of marijuana is a Class B misdemeanor, except that, KRS Chapter 532 to the contrary notwithstanding, the maximum term of incarceration shall be no greater than forty-five (45) days.

KRS 218A.1423 Marijuana cultivation – Penalties

- (1) A person is guilty of marijuana cultivation when he knowingly and unlawfully plants, cultivates, or harvests marijuana with the intent to sell or transfer it.
- (2) Marijuana cultivation of five (5) or more plants of marijuana is:
 - (a) For a first offense a Class D felony.
 - (b) For a second or subsequent offense a Class C felony.
- (3) Marijuana cultivation of fewer than five (5) plants is:
 - (a) For a first offense a Class A misdemeanor.
 - (b) For a second or subsequent offense a Class D felony.
- (4) The planting, cultivating, or harvesting of five (5) or more marijuana plants shall be prima facie evidence that the marijuana plants were planted, cultivated, or harvested for the purpose of sale or transfer.

KRS 218A.1430 Trafficking in synthetic drugs – Penalties – Affirmative defense – Possession of synthetic drugs - Penalty

- (1) (a) A person is guilty of trafficking in synthetic drugs when he or she knowingly and unlawfully traffics in synthetic drugs.
- (b) Trafficking in synthetic drugs is a Class D felony for the first offense and a Class C felony for a second or subsequent offense.
- (c) In lieu of the fine amounts otherwise allowed under KRS Chapter 534, for any offense under this subsection the court may impose a maximum fine of double the defendant's gain from the commission of the offense, in which case any fine money collected shall be divided between the same parties, in the same ratio, and for the same purposes as established for forfeited property under KRS 218A.420.
- (d) It shall be an affirmative defense to an offense under this subsection that the defendant committed the offense during the course of the defendant's employment as an employee of a retail store and that the defendant did not know and should not have known that the trafficked substance was a synthetic drug.
- (2) (a) A person is guilty of possession of synthetic drugs when he or she knowingly and unlawfully possesses synthetic drugs.
- (b) Possession of synthetic drugs is:
 - 1. A Class B misdemeanor for the first offense; and
 - 2. A Class D felony for each subsequent offense.

METHAMPHETAMINE OFFENSES**KRS 218A.1431 Definitions for KRS 218A.1431 to 218A.1435 and KRS 218A.141**

As used in KRS 218A.1431 to 218A.1438 and KRS 218A.141, the following definitions apply:

- (1) **"Manufacture"** means the production, preparation, propagation, compounding, conversion, or processing of methamphetamine, or possession with intent to manufacture, either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, except that this term does not include activities:
 - (a) By a practitioner incident to administering or dispensing of a controlled substance in the course of his professional practice; or
 - (b) By a practitioner, or by his authorized agent under his supervision, for the purpose of, or incident to, research, teaching, or chemical analysis; or
 - (c) By a pharmacist incident to dispensing of a controlled substance in the course of his professional practice.
- (2) **"Methamphetamine"** means any substance that contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.
- (3) **"Traffic"** means to distribute, dispense, sell, transfer, or possess with intent to distribute, dispense, or sell methamphetamine.

KRS 218A.1432 Manufacturing methamphetamine – Penalties

- (1) A person is guilty of manufacturing methamphetamine when he knowingly and unlawfully:
 - (a) Manufactures methamphetamine; or
 - (b) With intent to manufacture methamphetamine possesses two (2) or more chemicals or two (2) or more items of equipment for the manufacture of methamphetamine.
- (2) Manufacture of methamphetamine is a Class B felony for the first offense and a Class A felony for a second or subsequent offense.

KRS 218A.1437 Unlawful possession of a methamphetamine precursor – Prima facie evidence of intent - Penalties

- (1) A person is guilty of unlawful possession of a methamphetamine precursor when he or she knowingly and unlawfully possesses a drug product or combination of drug products containing ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, with the intent to use the drug product or combination of drug products as a precursor to manufacturing methamphetamine or other controlled substance.
- (2) (a) Except as provided in paragraph (b) of this subsection, possession of a drug product or combination of drug products containing more than nine (9) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, within any thirty (30) day period shall constitute prima facie evidence of the intent to use the drug product or combination of drug products as a precursor to methamphetamine or other controlled substance. (b) The prima facie evidence referred to in paragraph (a) of this subsection shall not apply to the following persons who lawfully possess a drug product or combination of drug products listed in subsection (1) of this section in the course of legitimate business:
 1. A retail distributor of drug products or wholesaler of drug products or its agent;
 2. A wholesale drug distributor, or its agent, issued a permit by the Board of Pharmacy;
 3. A pharmacist licensed by the Board of Pharmacy;
 4. A pharmacy permitted by the Board of Pharmacy;
 5. A licensed health care professional possessing the drug products in the course of carrying out his or her profession;
 6. A trained chemist working in a properly equipped research laboratory in an education, government, or corporate setting; or
 7. A common carrier under contract with any of the persons or entities set out in subparagraphs 1. to 6. of this paragraph.

- (3) Unlawful possession of a methamphetamine precursor is a Class D felony for the first offense and a Class C felony for each subsequent offense.

KRS 218A.1438 Unlawful distribution of a methamphetamine precursor - Penalties

- (1) Notwithstanding KRS 218A.1446, a person is guilty of unlawful distribution of a methamphetamine precursor when he or she knowingly and unlawfully sells, transfers, distributes, dispenses, or possesses with the intent to sell, transfer, distribute, or dispense any drug product or combination of drug products containing ephedrine, pseudoephedrine, or phenylpropanolamine, or any of their salts, isomers, or salts of isomers, if the person knows that the purchaser intends that the drug product or combination of drug products will be used as a precursor to methamphetamine or other controlled substance, or if the person sells, transfers, distributes, or dispenses the drug product or combination of drug products with reckless disregard as to how the drug product or combination of drug products will be used.
- (2) Unlawful distribution of a methamphetamine precursor is a Class D felony for the first offense and a Class C felony for each subsequent offense.
- (3) In addition to the criminal penalty specified in subsection (2) of this section, or in lieu of the criminal penalty specified in subsection (2) of this section, any person who traffics in or transfers any drug product or combination of drug products specified in subsection (1) of this section intentionally or recklessly with knowledge of or reason to know that the drug product or combination of drug products will be used to illegally manufacture methamphetamine or other controlled substance shall be liable for damages in a civil action for all damages, whether directly or indirectly caused by the sale or trafficking or transfer of the drug product or drug products.
- (a) Damages may include, but are not limited to:
1. Any and all costs of detecting, investigating, and cleaning up or remediating unlawfully operated laboratories or other facilities for the illegal manufacture of methamphetamine or other controlled substance;
 2. Costs of prosecution of criminal cases arising from the illegal sale, transfer, distribution, manufacture, or dispensing of a controlled substance or their precursors;
 3. Court costs and reasonable attorney's fees for bringing this civil action;
 4. Consequential damages; and
 5. Punitive damages.
- (b) A civil action to recover damages against a person or persons violating this section may be brought by the Attorney General, an attorney of the Justice and Public Safety Cabinet, or by any Commonwealth's attorney in whose jurisdiction the defendant may be shown to have committed an act specified in this section.
- (c) All moneys collected pursuant to such civil action shall be distributed in the following order:
1. Court costs and reasonable attorney's fees for bringing this civil action;
 2. The reimbursement of all reasonable costs of detecting, investigating, cleaning up or remediating the laboratory or other facility utilized for manufacture of methamphetamine underlying the present judgment;
 3. The reasonable costs of prosecution of criminal cases arising from trafficking in or transfer of a precursor for the illegal manufacture of methamphetamine giving rise to the present judgment; and
 4. All remaining moneys shall be distributed to the General Fund.

KRS 218A.1439 Trafficking in or transferring a dietary supplement – Exceptions - Penalties

- (1) A person is guilty of trafficking in or transferring a dietary supplement, when he or she traffics in or transfers any dietary supplement product containing ephedrine group alkaloids, except as provided in this section.
- (2) The prohibition in subsection (1) of this section shall not apply to:
- (a) A practitioner or pharmacist licensed in this Commonwealth who is practicing within his or her scope of practice and who prescribes or dispenses, or both, dietary supplement products containing ephedrine alkaloids in the course of the treatment of a patient under the direct care of the prescribing practitioner, except that a licensed practitioner or registered pharmacist shall not prescribe or dispense dietary supplement, products containing

- ephedrine group alkaloids for purposes of weight loss, body building, or athletic performance enhancement;
- (b) Dietary supplement products containing ephedrine group alkaloids that are sold or distributed directly to a licensed practitioner or registered pharmacist, when the dietary supplement products containing ephedrine group alkaloids are used solely for the purpose of the treatment of patients under the direct care of the practitioner;
 - (c) Dietary supplement products containing ephedrine group alkaloids that are sold or distributed directly to a licensed practitioner or registered pharmacist for resale to a patient for whom the products have been prescribed under paragraph (a) of this subsection; or
 - (d) Dietary supplement products containing ephedrine group alkaloids that are not for resale in this Commonwealth and that are sold or distributed directly to businesses not located in this Commonwealth.
- (3) Trafficking in or transferring a dietary supplement is:
- (a) For the first offense, a Class A misdemeanor; and
 - (b) For a second or subsequent offense, a Class D felony.

KRS 218A.1441 Controlled substance endangerment to a child in the first degree - Penalty

- (1) A person is guilty of controlled substance endangerment to a child in the first degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child dies as a result of the commission of the offense.
- (2) Controlled substance endangerment to a child in the first degree is a Class A felony.

KRS 218A.1442 Controlled substance endangerment to a child in the second degree - Penalty

- (1) A person is guilty of controlled substance endangerment to a child in the second degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child receives serious physical injury as a result of the commission of the offense.
- (2) Controlled substance endangerment to a child in the second degree is a Class B felony.

KRS 218A.1443 Controlled substance endangerment to a child in the third degree - Penalty

- (1) A person is guilty of controlled substance endangerment to a child in the third degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child receives physical injury as a result of the commission of the offense.
- (2) Controlled substance endangerment to a child in the third degree is a Class C felony.

KRS 218A.1444 Controlled substance endangerment to a child in the fourth degree - Penalty

- (1) A person is guilty of controlled substance endangerment to a child in the fourth degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child is not injured as a result of the commission of the offense.
- (2) Controlled substance endangerment to a child in the fourth degree is a Class D felony.

KRS 218A.1446 Requirements for dispensing of ephedrine-based products – Electronic log or recordkeeping mechanism – Thirty-day and one-year quantity limitations on ephedrine-based products – Exceptions – Preemption of local laws - Blocking mechanism – Annual report

- (1) Any compound, mixture, or preparation containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers shall be dispensed, sold, or distributed only by a registered pharmacist, a pharmacy intern, or a pharmacy technician.
- (2) Any person purchasing, receiving, or otherwise acquiring any nonprescription compound, mixture, or preparation containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers shall:
 - (a) Produce a government issued photo identification showing the date of birth of the person; and
 - (b) Sign a log or record showing the:
 1. Date of the transaction;
 2. Name, date of birth, and address of the person making the purchase; and
 3. The amount and name of the compound, mixture, or preparation.

Only an electronic logging or recordkeeping mechanism approved by the Office of Drug Control Policy may be utilized to meet the requirements of this subsection. No pharmacy may dispense or sell any compound, mixture, or preparation containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers unless the electronic logging or recordkeeping mechanism required by this section is provided at no cost to the pharmacy.
- (3) An electronic log or record, as described in subsection (2) of this section, shall be kept of each day's transactions. The registered pharmacist, a pharmacy intern, or a pharmacy technician shall initial the entry of each sale in the log, evidencing completion of each transaction. The log shall be:
 - (a) Kept for a period of two (2) years; and
 - (b) Subject to random and warrantless inspection by city, county, or state law enforcement officers;

* * * * *

- (5) No person shall purchase, receive, or otherwise acquire any product, mixture, or preparation or combinations of products, mixtures, or preparations containing more than seven and one-fifth (7.2) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers within any thirty (30) day period or twenty-four (24) grams within one (1) year period provided that either of these limits shall not apply to any quantity of product, mixture or preparation dispensed pursuant to a valid prescription. In addition to the thirty (30) day and the one (1) year restrictions, no person shall purchase, receive, or otherwise acquire more than three (3) packages of any product, mixture, or preparation containing ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers during each transaction.
- (6) A person under eighteen (18) years of age shall not purchase or attempt to purchase any quantity of a nonprescription ephedrine, pseudoephedrine, or phenylpropanolamine product as described in subsection (1) of this section. No person shall aid or assist a person under eighteen (18) years of age in purchasing any quantity of a nonprescription ephedrine, pseudoephedrine, or phenylpropanolamine product as described in subsection (1) of this section.
- (7) The requirements of this section shall not apply to any compounds, mixtures, or preparation containing ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers which are in liquid, liquid capsule, or gel capsule form or to any compounds, mixtures, or preparations containing ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts or optical isomers which are deemed to be not subject to abuse upon joint review and agreement of the Office of Drug Control Policy, the Board of Pharmacy, and the Cabinet for Health Services.

* * * * *

- (9) The provisions of this section shall supersede and preempt all local laws, ordinances, and regulations pertaining to the sale of any compounds, mixtures, or preparation containing

ephedrine, pseudoephedrine, phenylpropanolamine, their salts or optical isomers, or salts of optical isomers.

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KRS 218A.1447 Restrictions on possession of dextromethorphan and sale of products containing dextromethorphan

- (1) A person, other than a medical facility, medical practitioner, pharmacist, pharmacy intern, pharmacy technician, pharmacy licensed or registered under KRS Chapter 315, or registrant under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. secs. 301 et seq., shall not possess one (1) gram or more of:
 - (a) Pure dextromethorphan; or
 - (b) Dextromethorphan extracted from solid or liquid dose forms, as defined by United States Pharmacopeia reference standards.
- (2) A person shall not sell any products containing dextromethorphan to individuals under eighteen (18) years of age, except that in any prosecution for selling a product containing dextromethorphan to an individual under eighteen (18) years of age it shall be an affirmative defense that the sale was induced by the use of false, fraudulent, or altered identification papers or other documents and that the appearance and character of the purchaser were such that his or her age could not have been ascertained by any other means and that the purchaser's appearance and character indicated strongly that he or she was of legal age to purchase products containing dextromethorphan. This evidence may be introduced either in mitigation of the charge or as a defense to the charge itself.
- (3) Any person who sells any product containing dextromethorphan shall limit access to these products by requiring proof of age from a prospective buyer by showing a government-issued photo identification card that displays his or her date of birth if the person has reason to believe that the prospective buyer is under the age of eighteen (18) years.

KRS 218A.1448 Offenses relating to purchases of products containing dextromethorphan by minors

- (1) No person shall aid or assist any person under eighteen (18) years of age in purchasing any product containing dextromethorphan.
- (2) A person under eighteen (18) years of age shall not misrepresent his or her age for the purpose of inducing a retail establishment or the retail establishment's agent, servant, or employee to sell or serve a product containing dextromethorphan to the underage person.
- (3) A person under eighteen (18) years of age shall not use or attempt to use any false, fraudulent, or altered identification card, paper, or any other document to purchase or attempt to purchase or otherwise obtain a product containing dextromethorphan.
- (4) Any person under the age of eighteen (18) years of age shall not purchase or attempt to purchase or have another person purchase for him or her a product containing dextromethorphan.

KRS 218A.1449 Penalties for violation of KRS 218A.1447 or 218A.1448

- (1) Any person who violates subsection (1) of Section 1 of this Act shall be subject to a fine of one thousand dollars (\$1,000) for the first violation and two thousand five hundred dollars (\$2,500) for each subsequent violation.
- (2) Any person who knowingly violates subsection (2) of Section 1 of this Act shall be subject to a fine of twenty-five dollars (\$25) for the first violation and two hundred dollars (\$200) for each subsequent violation.
- (3) Any person who knowingly violates subsection (3) of Section 1 of this Act shall be subject to a fine of twenty-five dollars (\$25) for the first violation and two hundred fifty dollars (\$250) for each subsequent violation.

- (4) Any person who knowingly violates subsection (1) of Section 2 of this Act shall be subject to a fine of one hundred dollars (\$100) for the first violation and two hundred dollars (\$200) for each subsequent violation.
- (5) Any person who violates subsection (2), (3), or (4) of Section 2 of this Act shall be subject to a fine of twenty-five dollars (\$25) for the first violation, a fine of one hundred dollars (\$100) for the second violation, and a fine of two hundred dollars (\$200) for each subsequent violation.

KRS 218A.1450 Trafficking in salvia - Penalty

- (1) A person is guilty of trafficking in salvia when he or she knowingly and unlawfully traffics in salvia for human consumption.
- (2) Trafficking in salvia is a Class A misdemeanor.

KRS 218A.1451 Possession of salvia - Penalty – Maximum term of incarceration

- (1) A person is guilty of possession of salvia when he or she knowingly and unlawfully possesses salvia for human consumption.
- (2) Possession of salvia is a Class B misdemeanor, except that, KRS Chapter 532 to the contrary notwithstanding, the maximum term of incarceration shall be no greater than thirty (30) days..

KRS 218A.1452 Cultivation of salvia - Penalty

- (1) A person is guilty of salvia cultivation when he or she knowingly and unlawfully plants, cultivates, or harvests salvia with the intent to sell or transfer it of human consumption.
- (2) Salvia consumption is a Class A misdemeanor.

**SCHEDULES UNDER KENTUCKY LAW
QUICK REFERENCE CHART**

SCHEDULE I NARCOTICS (see KRS 218A.050 and 902 KAR 55:015) Includes: Heroin

SCHEDULE I NON-NARCOTICS (see KRS 218A.050 and 902 KAR 55:015)

Includes: Marijuana, Synthetic Drugs, Salvia, LSD, Mescaline, Methaqualone, MDMA, PCE, Peyote, Hashish, Psilocybin, MDA, MMDA, DMT, THC, DET, Phencyclidine (PCP or "Angel Dust"), synthetic drugs (Bath Salts), salvia, and other hallucinogens.

SCHEDULE II NARCOTICS (see KRS 218A.070 and 902 KAR 55:020)

Includes: Opium Derivatives (Dilaudid, Morphine, Percodan, etc.), Cocaine, Demerol, Methadone, Oxycodone, Oxycontin, Sufenatil, and Alfentanil.

SCHEDULE II NON-NARCOTICS (see KRS 218A.070 and 902 KAR 55:020)

Includes: Amphetamine, Preludin, Ritalin, Amobarbital, Pentobarbital, Secobarbital, Dronabinol, and Doriden.

SCHEDULE III (see KRS 218A.090 and 902 KAR 55:025)

Includes: Talwin, barbiturates (other than those specified in Schedule II Non-narcotics) and the following anorectic drugs:

Benzphetamine (Didrex), Chlorphentermine (Pre-sate), Chlortermine (Voramil), and Phendimetrazine (Plegine, Statobex). Also includes anabolic steroids, hydrocodone (Lorcet, Lortab, Vicodin), and codeine in combination (e.g., Tylenol with codeine).

SCHEDULE IV (see KRS 218A.110 and 902 KAR 55:030)

Includes: Chloral hydrate, Meprobamate (Equanil, Milltown), Paraldehyde, Dextropropoxyphene (Darvon) (except bulk which is Schedule II), Chlordiazepoxide (Librium), Clonazepam (Klonopin), Chlorazepate (Tranxene), Diazepam (Valium), Flurazepam (Dalmane), Mebutamate (Capla), Methohexital (Brevital), Oxazepam (Serax), Alprazolam (Xanax), and Carisoprodol (Soma),

Butorphanol (Stadol), Nalbuphine (Nubain), and stimulants such as Diethylpropion (Tenuate), Phentermine (Ionamin and Fastin), Pemoline (Cylert), Sibutramine (Meridia), and Mazindol (Sanorex).

SCHEDULE V (see KRS 218A.130 and 902 KAR 55:035)

Includes: Codeine cough preparations--Cheracol, Robitussin AC, Cosanyl, Ambenyl, Phenergan with Codeine, etc.; Buprenorphine; and certain opium preparations. (Some of these substances require a prescription and some may be sold over-the-counter.)

CONTROLLED SUBSTANCES: Information About Specific Drugs

Categories & Drugs	Schedule	Trade Names & Street Names	Method of Administration	Symptoms
NARCOTICS Opium	II, III, V	Trade Names: Dover's Powder, Paragoric, Parapectolin Street Names: Blue Velvet, Ope, PG, PO, Hop, Mash	Oral, smoked	<p>Possible Effects: Euphoria, drowsiness, respiratory depression, constricted pupils, nausea</p> <p>Effects of Overdose: Slow and shallow breathing, clammy skin, convulsions, coma, possible death</p> <p>Withdrawal Symptoms: Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</p>
Morphine	II, III	Trade Names: MS-Contin, Roxanol, Roxanol-SR, Duramorph Street Names: M, Miss Emma, Mud, Morp, Blue Heaven	Oral, smoked, injected	
Codeine	II, III, V	Trade Names: Empirin w/codeine, Tylenol w/codeine Street Names: School Boy, Subs	Oral, injected	
Heroin (Diacetylmorphine)	I	Trade Names: Heroin Street Names: Smack, H, Horse, Scag, Mexican Brown, Mexican Mud	Injected, sniffed, smoked	
Hydromorphone	II	Trade Names: Dilaudid Street Names: Drugstore heroin, Yellow D's, Delight, #1s, #2s, #3s, #4s	Oral, injected	
Meperidine (Pethidine)	II	Trade Names: Demerol Street Names: Subs, Demmies, Doctors	Oral, injected	
Methadone	II	Trade Names: Dolophine, Amidone Street Names: Dollies, Dolls	Oral, injected	
Other Narcotics	I, II, III, IV, V	Trade Names: Numorphan, Percodan, Percocet, Tylox, Fentanyl, Darvon Street Names: Perks, Yellow Footballs, China	Oral, injected	

		White		
DEPRESSANTS Chloral Hydrate	IV	Trade Names: Noctec Street Names: Joy Juice, Mickey Finn, Mickey	Oral	Possible Effects: Slurred speech, disorientation, drunken behavior without the odor of alcohol Effects of Overdose: Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death Withdrawal Symptoms: Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates	II, III, IV	Trade Names: Amytal, Butisol, Fiorinal, Nembutal, Seconal, Tuinal, Phenobarbital	Oral	
Benzodiazepines	IV	Trade Names: Ativan, Dalmane, Diazepam, Librium, Xanax, Valium, Restoril, Halcion Street Names: V's, Libs, Vals	Oral	
Methaqualone	I	Trade Names: Quaalude, Sopor, Parest Street Names: Ludes, 714's, Soapers, Sopes	Oral	
Glutethimide	II	Trade Names: Doriden	Oral	
Other Depressants	III, IV	Trade Names: Eqanil, Miltown, Noludar, Placidyl, Valmid Street Names: Noodles, Placid	Oral	
STIMULANTS Cocaine (designated a narcotic in KRS Chapter 218A)	II	Trade Names: Cocaine Hydrochloride Street Names: Coke, Snow, Flake, Nose Candy, Blow, Crack	Sniffed, smoked, injected	Possible Effects: Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite Effects of Overdose: Agitation, increase in body temperature, hallucinations, convulsions, possible death Withdrawal Symptoms: Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamines	II	Trade Names: Bihetamine, Delcobese, Desoxyn, Dexedrine, Benzedrine Street Names: Meth, Speed, Crystals, Ice, Whites, Uppers, Crank, Black Beauties, Hearts	Oral, injected	
Phenmetrazine	II	Trade Names: Preludin Street Names: Preludes	Oral, injected	
Methylphenidate	II	Trade Names: Ritalin	Oral, injected	
Other Stimulants	III, IV	Trade Names: Adipex, Cylert, Didrex, Ionamin, Sanorex, Tepanil, Prelu-2 Street Name: Speed	Oral, injected	
HALLUCINOGENS LSD	I	Street Names: Acid, Microdot, 25, Blotter, Paper,	Oral	Possible Effects: Illusions and hallucinations, poor

SECTION 6: DRUGS

		Haze		perception of time and distance
Mescaline & Peyote	I	Street Names: Mex, Buttons, Cactus, Mescal	Oral	Effects of Overdose: Longer, more intense "trip" episodes, psychosis, possible death
Amphetamine Variants	I	Trade Names: 2, 5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	Oral, injected	Withdrawal Symptoms: Withdrawal symptoms not reported
Phencyclidine	I	Street Names: PCP, Angel Dust, Hog, Crystal	Smoked, oral, injected	
Phencyclidine Analogues	I	Trade Names: PCE, PCPy, TCP	Smoked, oral, injected	
Other Hallucinogens	I	Trade Names: Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn Street Names: Magic Mushrooms	Smoked, oral, injected, sniffed	
CANNABIS Marijuana	I	Street Names: Pot, grass, sinsemilla, weed	Smoked, oral	Possible Effects: Euphoria, relaxed inhibitions, increased appetite, disoriented behavior
Tetrahydrocannabinol	I, II	Trade Names: THC, Marinol	Smoked, oral	Effects of Overdose: Fatigue, paranoia, possible psychosis
Hashish	I	Street Names: Hash, Kif, Black Russian	Smoked, oral	Withdrawal Symptoms: Insomnia, hyperactivity, and decreased appetite occasionally reported
Hashish Oil	I	Street Names: Hash Oil, Honey Oil, Shish Oil	Smoked, oral	
SYNTHETIC CANNABIS Synthetic Marijuana	I	Street Names: K2, Spice, Haze Trainwreck, Herbal Incense	Smoked	Possible Effects: Euphoria, relaxed inhibitions, increased appetite, disoriented behavior Effects of Overdose: Acute psychosis, worsening of psychotic disorders, triggering psychotic disorders, agitation, vomiting, heart attacks, convulsions Withdrawal Symptoms: Similar to narcotics withdrawal
SYNTHETIC DRUGS MDPV	I	Street Names: Bath Salts	Smoked, rectal, injected, sniffed	Possible Effects: Euphoria; increased alertness, awareness, wakefulness, sexual stimulation Effects of Overdose: Rapid heartbeat,

				<p>insomnia, nausea, headache, breathing difficulty, agitation, severe paranoia, confusion, psychotic delusions, suicidal thoughts/actions, "Zombie" behavior.</p> <p>Withdrawal symptoms: Strong cravings to re-administer, depression, lethargy, headache, anxiety</p>
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