
SENATE BILL 5305

State of Washington

55th Legislature

1997 Regular Session

By Senators Fairley, Wojahn, Goings, McAuliffe, Patterson and Kohl

Read first time 01/22/97. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to controlling drugs used to facilitate rape;
2 amending RCW 69.50.206 and 69.50.210; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 69.50.206 and 1993 c 187 s 6 are each amended to read
5 as follows:

6 (a) The drugs and other substances listed in this section, by
7 whatever official name, common or usual name, chemical name, or brand
8 name designated, are included in Schedule II.

9 (b) Substances. (Vegetable origin or chemical synthesis.) Unless
10 specifically excepted, any of the following substances, except those
11 listed in other schedules, whether produced directly or indirectly by
12 extraction from substances of vegetable origin, or independently by
13 means of chemical synthesis, or by combination of extraction and
14 chemical synthesis:

15 (1) Opium and opiate, and any salt, compound, derivative, or
16 preparation of opium or opiate, excluding apomorphine, dextrorphan,
17 nalbuphine, nalmefene, naloxone, and naltrexone, and their respective
18 salts, but including the following:

19 (i) Raw opium;

- 1 (ii) Opium extracts;
- 2 (iii) Opium fluid;
- 3 (iv) Powdered opium;
- 4 (v) Granulated opium;
- 5 (vi) Tincture of opium;
- 6 (vii) Codeine;
- 7 (viii) Ethylmorphine;
- 8 (ix) Etorphine hydrochloride;
- 9 (x) Hydrocodone;
- 10 (xi) Hydromorphone;
- 11 (xii) Metopon;
- 12 (xiii) Morphine;
- 13 (xiv) Oxycodone;
- 14 (xv) Oxymorphone; and
- 15 (xvi) Thebaine.

16 (2) Any salt, compound, isomer, derivative, or preparation thereof
17 that is chemically equivalent or identical with any of the substances
18 referred to in subsection (b)(1) of this section, but not including the
19 isoquinoline alkaloids of opium.

20 (3) Opium poppy and poppy straw.

21 (4) Coca leaves and any salt, compound, derivative, or preparation
22 of coca leaves including cocaine and ecgonine, and their salts,
23 isomers, derivatives, and salts of isomers and derivatives, and any
24 salt, compound, derivative, or preparation thereof which is chemically
25 equivalent or identical with any of these substances, but not including
26 decocainized coca leaves or extractions of coca leaves which do not
27 contain cocaine or ecgonine.

28 (5) Methylbenzoylecgonine (cocaine « its salts, optical isomers,
29 and salts of optical isomers).

30 (6) Concentrate of poppy straw (The crude extract of poppy straw in
31 either liquid, solid, or powder form which contains the phenanthrene
32 alkaloids of the opium poppy.)

33 (c) Opiates. Unless specifically excepted or unless in another
34 schedule, any of the following synthetic opiates, including its
35 isomers, esters, ethers, salts, and salts of isomers, esters, and
36 ethers, whenever the existence of such isomers, esters, ethers, and
37 salts is possible within the specific chemical designation, dextrophan
38 and levopropoxyphene excepted:

39 (1) Alfentanil;

- 1 (2) Alphaprodine;
- 2 (3) Anileridine;
- 3 (4) Bezitramide;
- 4 (5) Bulk dextropropoxyphene (nondosage forms);
- 5 (6) Carfentanil;
- 6 (7) Dihydrocodeine;
- 7 (8) Diphenoxylate;
- 8 (9) Fentanyl;
- 9 (10) Isomethadone;
- 10 (11) Levomethorphan;
- 11 (12) Levorphanol;
- 12 (13) Metazocine;
- 13 (14) Methadone;
- 14 (15) Methadone« Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl
- 15 butane;
- 16 (16) Moramide« Intermediate, 2-methyl-3-morpholino-1, 1-
- 17 diphenylpropane-carboxylic acid;
- 18 (17) Pethidine (meperidine);
- 19 (18) Pethidine« Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 20 (19) Pethidine« Intermediate-B, ethyl-4-phenylpiperidine-4-
- 21 carboxylate;
- 22 (20) Pethidine« Intermediate-C, 1-methyl-4-phenylpiperidine-4-
- 23 carboxylic acid;
- 24 (21) Phenazocine;
- 25 (22) Piminodine;
- 26 (23) Racemethorphan;
- 27 (24) Racemorphan;
- 28 (25) Sufentanil.

29 (d) Stimulants. Unless specifically excepted or unless listed in
30 another schedule, any material, compound, mixture, or preparation which
31 contains any quantity of the following substances having a stimulant
32 effect on the central nervous system:

- 33 (1) Amphetamine, its salts, optical isomers, and salts of its
- 34 optical isomers;
- 35 (2) Methamphetamine, its salts, isomers, and salts of its isomers;
- 36 (3) Phenmetrazine and its salts;
- 37 (4) Methylphenidate.

38 (e) Depressants. Unless specifically excepted or unless listed in
39 another schedule, any material, compound, mixture, or preparation which

1 contains any quantity of the following substances having a depressant
2 effect on the central nervous system, including its salts, isomers, and
3 salts of isomers whenever the existence of such salts, isomers, and
4 salts of isomers is possible within the specific chemical designation:

5 (1) Amobarbital;

6 (2) Flunitrazepam;

7 (3) Glutethimide;

8 ~~((+3))~~ (4) Pentobarbital;

9 ~~((+4))~~ (5) Phencyclidine;

10 ~~((+5))~~ (6) Secobarbital.

11 (f) Hallucinogenic substances.

12 (1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft
13 gelatin capsule in a United States Food and Drug Administration
14 approved drug product. (Some other names for dronabinol [6aR-trans]-
15 6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-i-
16 ol, or (-)-delta-9-(trans)-tetrahydrocannabinol.)

17 (2) Nabilone: Some trade or other names are (æ)-trans3-(1,1-
18 dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-
19 dibenzol[b,d]pyran-9-one.

20 (g) Immediate precursors. Unless specifically excepted or unless
21 listed in another schedule, any material, compound, mixture, or
22 preparation which contains any quantity of the following substances:

23 (1) Immediate precursor to amphetamine and methamphetamine:

24 (i) Phenylacetone: Some trade or other names phenyl-2-propanone,
25 P2P, benzyl methyl ketone, methyl benzyl ketone.

26 (2) Immediate precursors to phencyclidine (PCP):

27 (i) 1-phenylcyclohexylamine;

28 (ii) 1-piperidinocyclohexanecarbonitrile (PCC).

29 The controlled substances in this section may be rescheduled or
30 deleted as provided for in RCW 69.50.201.

31 **Sec. 2.** RCW 69.50.210 and 1993 c 187 s 10 are each amended to read
32 as follows:

33 Unless specifically excepted by state or federal law or regulation
34 or more specifically included in another schedule, the following
35 controlled substances are listed in Schedule IV:

36 (a) Any material, compound, mixture, or preparation containing any
37 of the following narcotic drugs, or their salts calculated as the free
38 anhydrous base or alkaloid, in limited quantities as set forth below:

1 (1) Not more than 1 milligram of difenoxin and not less than 25
2 micrograms of atropine sulfate per dosage unit.

3 (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-
4 methyl-2-propionoxybutane).

5 (b) Depressants. Unless specifically excepted or unless listed in
6 another schedule, any material, compound, mixture, or preparation
7 containing any quantity of the following substances having a depressant
8 effect on the central nervous system, including their salts, isomers,
9 and salts of isomers whenever the existence of those salts, isomers,
10 and salts of isomers is possible within the specific chemical
11 designation:

- 12 (1) Alprazolam;
- 13 (2) Barbitol;
- 14 (3) Bromazepam;
- 15 (4) Camazepam;
- 16 (5) Chloral betaine;
- 17 (6) Chloral hydrate;
- 18 (7) Chlordiazepoxide;
- 19 (8) Clobazam;
- 20 (9) Clonazepam;
- 21 (10) Clorazepate;
- 22 (11) Clotiazepam;
- 23 (12) Cloxazolam;
- 24 (13) Delorazepam;
- 25 (14) Diazepam;
- 26 (15) Estazolam;
- 27 (16) Ethchlorvynol;
- 28 (17) Ethinamate;
- 29 (18) Ethyl loflazepate;
- 30 (19) Fludiazepam;
- 31 (20) (~~Flunitrazepam;~~
- 32 ~~(21))~~) Flurazepam;
- 33 (~~(22))~~) (21) Halazepam;
- 34 (~~(23))~~) (22) Haloxazolam;
- 35 (~~(24))~~) (23) Ketazolam;
- 36 (~~(25))~~) (24) Loprazolam;
- 37 (~~(26))~~) (25) Lorazepam;
- 38 (~~(27))~~) (26) Lormetazepam;
- 39 (~~(28))~~) (27) Mebutamate;

- 1 (~~(+29)~~) (28) Medazepam;
- 2 (~~(+30)~~) (29) Meprobamate;
- 3 (~~(+31)~~) (30) Methohexital;
- 4 (~~(+32)~~) (31) Methylphenobarbital (mephobarbital);
- 5 (~~(+33)~~) (32) Midazolam;
- 6 (~~(+34)~~) (33) Nimetazepam;
- 7 (~~(+35)~~) (34) Nitrazepam;
- 8 (~~(+36)~~) (35) Nordiazepam;
- 9 (~~(+37)~~) (36) Oxazepam;
- 10 (~~(+38)~~) (37) Oxazolam;
- 11 (~~(+39)~~) (38) Paraldehyde;
- 12 (~~(+40)~~) (39) Petrichloral;
- 13 (~~(+41)~~) (40) Phenobarbital;
- 14 (~~(+42)~~) (41) Pinazepam;
- 15 (~~(+43)~~) (42) Prazepam;
- 16 (~~(+44)~~) (43) Quazepam;
- 17 (~~(+45)~~) (44) Temazepam;
- 18 (~~(+46)~~) (45) Tetrazepam;
- 19 (~~(+47)~~) (46) Triazolam.

20 (c) Any material, compound, mixture, or preparation containing any
21 quantity of the following substance, including its salts, isomers, and
22 salts of such isomers, whenever the existence of such salts, isomers,
23 and salts of isomers is possible: Fenfluramine.

24 (d) Stimulants. Unless specifically excepted or unless listed in
25 another schedule, any material, compound, mixture, or preparation
26 containing any quantity of the following substances having a stimulant
27 effect on the central nervous system, including their salts, isomers,
28 and salts of isomers:

- 29 (1) Cathine(~~(+)~~norpseudoephedrine);
- 30 (2) Diethylpropion;
- 31 (3) Fencamfamin;
- 32 (4) Fenproporex;
- 33 (5) Mazindol;
- 34 (6) Mefenorex;
- 35 (7) Pemoline (including organometallic complexes and chelates
36 thereof);
- 37 (8) Phentermine;
- 38 (9) Pipradrol;
- 39 (10) SPA (~~(-)~~-1-dimethylamino-1, 2-dephenylethane).

1 (e) Other substances. Unless specifically excepted or unless
2 listed in another schedule, any material, compound, mixture, or
3 preparation containing any quantity of the following substance,
4 including its salts:

5 (1) Pentazocine.

6 The state board of pharmacy may except by rule any compound,
7 mixture, or preparation containing any depressant substance listed in
8 subsection (b) of this section from the application of all or any part
9 of this chapter if the compound, mixture, or preparation contains one
10 or more active medicinal ingredients not having a depressant effect on
11 the central nervous system, and if the admixtures are in combinations,
12 quantity, proportion, or concentration that vitiate the potential for
13 abuse of the substances having a depressant effect on the central
14 nervous system.

15 The controlled substances listed in this section may be rescheduled
16 or deleted as provided for in RCW 69.50.201.

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