

ASSEMBLY, No. 2712

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1997

By Assemblymen BATEMAN, RUSSO and Geist

1 AN ACT concerning ketamine hydrochloride and amending P.L.1970,  
2 c.226.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 7 of P.L.1970, c.226 (C.24:21-7) is amended to read as  
8 follows:

9 7. a. Tests. The commissioner shall place a substance in Schedule  
10 III if he finds that the substance: (1) has a potential for abuse less than  
11 the substances listed in Schedules I and II; (2) has currently accepted  
12 medical use in treatment in the United States; and (3) abuse may lead  
13 to moderate or low physical dependence or high psychological  
14 dependence.

15 b. The controlled dangerous substances listed in this section are  
16 included in Schedule III, subject to any revision and republishing by  
17 the commissioner pursuant to section 3d., and except to the extent  
18 provided in any other schedule.

19 c. Any material, compound, mixture, or preparation which contains  
20 any quantity of the following substances associated with a stimulant  
21 effect on the central nervous system:

22 (1) Amphetamine, its salts, optical isomers, and salts of its optical  
23 isomers.

24 (2) Phenmetrazine and its salts.

25 (3) Any substance which contains any quantity of  
26 methamphetamine, including its salts, isomers, and salts of isomers.

27 (4) Methylphenidate.

28 d. Any material, compound, mixture, or preparation which contains  
29 any quantity of the following substances having a potential for abuse  
30 associated with a depressant effect on the central nervous system:

31 (1) Any substance which contains any quantity of a derivative of  
32 barbituric acid, or any salt of a derivative of barbituric acid, except  
33 those substances which are specifically listed in other schedules

34 (2) Chlorhexadol

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

- 1 (3) Glutethimide
- 2 (4) Lysergic acid
- 3 (5) Lysergic acid amide
- 4 (6) Methyprylon
- 5 (7) Phencyclidine
- 6 (8) Sulfondiethylmethane
- 7 (9) Sulfonethylmethane
- 8 (10) Sulfonmethane
- 9 (11) Ketamine hydrochloride.
- 10 e. Nalorphine.
- 11 f. Any material, compound, mixture, or preparation containing
- 12 limited quantities of any of the following narcotic drugs, or any salts
- 13 thereof:
- 14 (1) Not more than 1.80 grams of codeine or any of its salts per 100
- 15 milliliters or not more than 90 milligrams per dosage unit, with an
- 16 equal or greater quantity of an isoquinoline alkaloid of opium.
- 17 (2) Not more than 1.80 grams of codeine or any of its salts per 100
- 18 milliliters or not more than 90 milligrams per dosage unit, with one or
- 19 more active, nonnarcotic ingredients in recognized therapeutic amount.
- 20 (3) Not more than 300 milligrams of dihydrocodeinone or any of its
- 21 salts per 100 milliliters or not more than 15 milligrams per dosage
- 22 unit, with a four-fold or greater quantity of an isoquinoline alkaloid of
- 23 opium.
- 24 (4) Not more than 300 milligrams of dihydrocodeinone or any of its
- 25 salts per 100 milliliters or not more than 15 milligrams per dosage
- 26 unit, with one or more active, nonnarcotic ingredients in recognized
- 27 therapeutic amounts.
- 28 (5) Not more than 1.80 grams of dihydrocodeine or any of its salts
- 29 per 100 milliliters or not more than 90 milligrams per dosage unit, with
- 30 one or more active, nonnarcotic ingredients in recognized therapeutic
- 31 amounts.
- 32 (6) Not more than 300 milligrams of ethylmorphine or any of its
- 33 salts per 100 milliliters or not more than 15 milligrams per dosage unit,
- 34 with one or more active, nonnarcotic ingredients in recognized
- 35 therapeutic amounts.
- 36 (7) Not more than 500 milligrams of opium or any of its salts per
- 37 100 milliliters or per 100 grams, or not more than 25 milligrams per
- 38 dosage unit, with one or more active, nonnarcotic ingredients in
- 39 recognized therapeutic amounts.
- 40 (8) Not more than 50 milligrams of morphine or any of its salts per
- 41 100 milliliters or per 100 grams with one or more active, nonnarcotic
- 42 ingredients in recognized therapeutic amounts.
- 43 g. The commissioner may by regulation except any compound,
- 44 mixture, or preparation containing any stimulant or depressant
- 45 substance listed in subsections a. and b. of this schedule from the
- 46 application of all or any part of this act if the compound, mixture, or

1 preparation contains one or more active medicinal ingredients not  
2 having a stimulant or depressant effect on the central nervous system;  
3 provided, that such admixtures shall be included therein in such  
4 combinations, quantity, proportion, or concentration as to vitiate the  
5 potential for abuse of the substances which do have a stimulant or  
6 depressant effect on the central nervous system.

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8 2. This act shall take effect immediately.

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11 STATEMENT

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13 This bill amends the "New Jersey Controlled Dangerous Substances  
14 Act," P.L.1970, c.226 (C.24:21-1 et seq.) to designate ketamine  
15 hydrochloride, also known as ketamine, as a Schedule III controlled  
16 dangerous substance.

17 Ketamine is a rapidly acting general anesthetic occurring as a white,  
18 crystalline powder, which is given intravenously or intramuscularly and  
19 may produce vivid and sometimes unpleasant dreams. Although this  
20 drug has an accepted use in veterinary medicine, it has been  
21 increasingly used by youths in this and other states as a street drug  
22 called "Special K," which leaves the user in a heavily sedated condition  
23 and has been documented to result in instances of coma and even  
24 death. Raids of popular dance clubs in New York and New Jersey have  
25 resulted in charges of club employees distributing the drug. The high  
26 produced by ketamine may include hallucinations, delirium and  
27 disorientation, and high doses may cause respiratory distress,  
28 vomiting, convulsions and an inability to move. The drug may also  
29 cause elevated blood pressure and pulse rate. Users report a high that  
30 is both dreamlike and energizing.

31 Ketamine is chemically similar to PCP. In its injectable form, it is  
32 sold under the brand names of Ketajet and Ketacet. Illegal users may  
33 either drink the drug in liquid form, mixing it with bottled water or  
34 other liquids, or, more commonly, may convert it into powder, which  
35 can be either snorted or sprinkled on marijuana cigarettes and smoked.  
36 When packaged in its powder form, ketamine appears similar to  
37 cocaine, heroine or crystal methamphetamine. Veterinarians can buy  
38 a vial of ketamine for about \$7; however, a single dose of powder or  
39 liquid costs the abuser from \$25 to \$50.

40 Currently, the maximum penalty for possession of this drug is a  
41 disorderly persons offense (punishable by up to six months  
42 imprisonment or a fine of up to \$1,000, or both), because ketamine is  
43 not classified as a controlled dangerous substance. This bill is  
44 intended to provide the law enforcement community with a more  
45 potent means of combating this growing problem.

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3 Designates ketamine hydrochloride as a controlled dangerous  
4 substance.