

[Passed Both Houses]

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SENATE, No. 1772

STATE OF NEW JERSEY

INTRODUCED JANUARY 14, 1997

By Senators **KYRILLOS, SINAGRA, Inverso, Matheussen,
Kosco, Palaia, Sacco, Assemblymen Bateman, Russo, Geist,
Zisa and Assemblywoman Buono**

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[1. Section 6 of P.L.1970, c.226 (C.24:21-6) is amended to read
8 as follows:

9 6. a. Tests. The commissioner shall place a substance in Schedule
10 II if he finds that the substance: (1) has high potential abuse; (2) has
11 currently accepted medical use in treatment in the United States, or
12 currently accepted medical use with severe restrictions; and (3) abuse
13 may lead to severe psychic or physical dependence.

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

18 c. Any of the following substances except those narcotic drugs
19 listed in other schedules whether produced directly or indirectly by
20 extraction from substances of vegetable origin, or independently by
21 means of chemical synthesis, or by combination of extraction and
22 chemical synthesis:

23 (1) Opium and opiate, and any salt, compound, derivative, or

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted January 23, 1997.

1 preparation of opium or opiate.

2 (2) Any salt, compound, derivative, or preparation thereof which
3 is chemically equivalent or identical with any of the substances referred
4 to in clause 1, except that these substances shall not include the
5 isoquinoline alkaloids of opium.

6 (3) Opium poppy and poppy straw.

7 (4) Coca leaves and any salt, compound, derivative, or preparation
8 of coca leaves, and any salt, compound, derivative, or preparation
9 thereof which is chemically equivalent or identical with any of these
10 substances, except that the substances shall not include decocainized
11 coca leaves or extractions which do not contain cocaine or ecogine.

12 (5) Ketamine hydrochloride.

13 d. Any of the following opiates, including their isomers, esters,
14 ethers, salts, and salts of isomers, esters and ethers, unless specifically
15 excepted, whenever the existence of such isomers, esters, ethers, and
16 salts is possible within the specific chemical designation:

17 (1) Alphaprodine

18 (2) Anileridine

19 (3) Bezitramide

20 (4) Dihydrocodeine

21 (5) Diphenoxylate

22 (6) Fentanyl

23 (7) Isomethadone

24 (8) Levomethorphan

25 (9) Levorphanol

26 (10) Metazocine

27 (11) Methadone

28 (12) Methadone--Intermediate, 4-cyano-2-dimethylamino-4,
29 4-diphenyl butane

30 (13) Moramide--Intermediate, 2-methyl-3-morpholino-1,
31 1-diphenyl-propane-carboxylic acid

32 (14) Pethidine

33 (15) Pethidine--Intermediate--A, 4-cyano-1-methyl-4-phenylpiperidine

34 (16) Pethidine--Intermediate--B, ethyl-4-phenylpiperidine-4-
35 carboxylate

36 (17) Pethidine--Intermediate--C, 1-methyl-4-phenylpiperidine-4-
37 carboxylic acid

38 (18) Phenazocine

39 (19) Piminodine

40 (20) Racemethorphan

41 (21) Racemorphan.

42 (cf: P.L.1970, c.226, s.6)]¹

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

46 a. Tests. The commissioner shall place a substance in Schedule III

1 if he finds that the substance: (1) has a potential for abuse less than
2 the substances listed in Schedules I and II; (2) has currently accepted
3 medical use in treatment in the United States; and (3) abuse may lead
4 to moderate or low physical dependence or high psychological
5 dependence.

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

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

13 (1) Amphetamine, its salts, optical isomers, and salts of its optical
14 isomers.

15 (2) Phenmetrazine and its salts.

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

18 (4) Methylphenidate.

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

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

25 (2) Chlorhexadol

26 (3) Glutethimide

27 (4) Lysergic acid

28 (5) Lysergic acid amide

29 (6) Methyprylon

30 (7) Phencyclidine

31 (8) Sulfondiethylmethane

32 (9) Sulfonethylmethane

33 (10) Sulfonmethane

34 (11) Ketamine hydrochloride.

35 e. Nalorphine.

36 f. Any material, compound, mixture, or preparation containing
37 limited quantities of any of the following narcotic drugs, or any salts
38 thereof:

39 (1) Not more than 1.80 grams of codeine or any of its salts per 100
40 milliliters or not more than 90 milligrams per dosage unit, with an
41 equal or greater quantity of an isoquinoline alkaloid of opium.

42 (2) Not more than 1.80 grams of codeine or any of its salts per 100
43 milliliters or not more than 90 milligrams per dosage unit, with one or
44 more active, nonnarcotic ingredients in recognized therapeutic amount.

45 (3) Not more than 300 milligrams of dihydrocodeinone or any of its
46 salts per 100 milliliters or not more than 15 milligrams per dosage

1 unit, with a four-fold or greater quantity of an isoquinoline alkaloid of
2 opium.

3 (4) Not more than 300 milligrams of dihydrocodeinone or any of its
4 salts per 100 milliliters or not more than 15 milligrams per dosage
5 unit, with one or more active, nonnarcotic ingredients in recognized
6 therapeutic amounts.

7 (5) Not more than 1.80 grams of dihydrocodeine or any of its salts
8 per 100 milliliters or not more than 90 milligrams per dosage unit, with
9 one or more active, nonnarcotic ingredients in recognized therapeutic
10 amounts.

11 (6) Not more than 300 milligrams of ethylmorphine or any of its
12 salts per 100 milliliters or not more than 15 milligrams per dosage unit,
13 with one or more active, nonnarcotic ingredients in recognized
14 therapeutic amounts.

15 (7) Not more than 500 milligrams of opium or any of its salts per
16 100 milliliters or per 100 grams, or not more than 25 milligrams per
17 dosage unit, with one or more active, nonnarcotic ingredients in
18 recognized therapeutic amounts.

19 (8) Not more than 50 milligrams of morphine or any of its salts per
20 100 milliliters or per 100 grams with one or more active, nonnarcotic
21 ingredients in recognized therapeutic amounts.

22 g. The commissioner may by regulation except any compound,
23 mixture, or preparation containing any stimulant or depressant
24 substance listed in subsections a. and b. of this schedule from the
25 application of all or any part of this act if the compound, mixture, or
26 preparation contains one or more active medicinal ingredients not
27 having a stimulant or depressant effect on the central nervous system;
28 provided, that such admixtures shall be included therein in such
29 combinations, quantity, proportion, or concentration as to vitiate the
30 potential for abuse of the substances which do have a stimulant or
31 depressant effect on the central nervous system.¹

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33 2. This act shall take effect immediately.

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38 Designates ketamine hydrochloride as a controlled dangerous
39 substance.