

Senate Bill No. 2164

Passed the Senate August 31, 1996

Secretary of the Senate

Passed the Assembly August 31, 1996

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1996, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to amend Section 11057 of the Health and Safety Code, relating to controlled substances.

LEGISLATIVE COUNSEL'S DIGEST

SB 2164, Hayden. Controlled substances: flunitrazepam.

Existing law categorizes controlled substances into 5 schedules and places the greatest restrictions on those contained in Schedule I.

This bill would include in Schedule IV the depressant flunitrazepam. This bill would impose a state-mandated local program upon local governments by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares the following:

(1) The federal Drug Enforcement Agency is attempting to schedule Rohypnol (flunitrazepam) as a Schedule I controlled substance.

(2) The Los Angeles Police Department Drug Enforcement Unit has urged that Rohypnol be classified as a Schedule I controlled substance.

(3) Rohypnol may have a high potential for abuse, and already has been associated with violent crimes, including rape.

(b) Accordingly, the Legislature reserves the right to hold hearings and make findings that Rohypnol should be classified as a Schedule I controlled substance in the future, notwithstanding its classification in this bill.



SEC. 2. Section 11057 of the Health and Safety Code is amended to read:

11057. (a) The controlled substances listed in this section are included in Schedule IV.

(b) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(c) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

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

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

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alprazolam.
- (2) Barbitol.
- (3) Chloral betaine.
- (4) Chloral hydrate.
- (5) Chlordiazepoxide.
- (6) Clonazepam.
- (7) Clorazepate.
- (8) Diazepam.
- (9) Ethchlorvynol.
- (10) Ethinamate.
- (11) Flunitrazepam.
- (12) Flurazepam.
- (13) Lorazepam.
- (14) Mebutamate.



- (15) Meprobamate.
- (16) Methohexital.
- (17) Methylphenobarbital (Mephobarbital).
- (18) Oxazepam.
- (19) Paraldehyde.
- (20) Petrichoral.
- (21) Phenobarbital.
- (22) Prazepam.
- (23) Quazepam.
- (24) Temazepam.
- (25) Triazolam.

(e) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers, whenever the existence of those salts, isomers, and salts of isomers is possible:

- (1) Fenfluramine.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers is possible within the specific chemical designation:

- (1) Diethylpropion.
- (2) Phentermine.
- (3) Pemoline (including organometallic complexes and chelates thereof).
- (4) Pipradrol.
- (5) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(g) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pentazocine, including its salts.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred



because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.



Approved _____, 1996

Governor

