

AN ACT

To repeal sections 143.121, 195.017, 195.815, 362.105, 369.144, 370.070, 577.001, 579.015, 579.020, 579.030, 579.055, 579.065, 579.068, and 579.105, RSMo, and to enact in lieu thereof fifty-two new sections relating to marijuana, with penalty provisions and an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 143.121, 195.017, 195.815, 362.105, 2 369.144, 370.070, 577.001, 579.015, 579.020, 579.030, 579.055, 3 579.065, 579.068, and 579.105, RSMo, are repealed and fifty-two 4 new sections enacted in lieu thereof, to be known as sections 5 143.121, 143.2200, 191.255, 195.006, 195.017, 195.815, 196.3000, 6 196.3003, 196.3006, 196.3009, 196.3012, 196.3015, 196.3018, 7 196.3021, 196.3024, 196.3025, 196.3026, 196.3027, 196.3028, 8 196.3029, 196.3031, 196.3032, 196.3035, 196.3036, 196.3037, 9 196.3039, 196.3040, 196.3041, 196.3042, 196.3043, 196.3044, 10 196.3045, 196.3046, 196.3047, 196.3048, 362.034, 362.105, 369.144, 11 370.070, 487.205, 544.186, 557.059, 559.023, 577.001, 579.015, 12 579.020, 579.030, 579.055, 579.065, 579.068, 579.105, and 610.135, 13 to read as follows:

143.121. 1. The Missouri adjusted gross income of a resident 2 individual shall be the taxpayer's federal adjusted gross income 3 subject to the modifications in this section.

4 2. There shall be added to the taxpayer's federal adjusted 5 gross income:

6 (1) The amount of any federal income tax refund received for
7 a prior year which resulted in a Missouri income tax benefit. The
8 amount added pursuant to this subdivision shall not include any
9 amount of a federal income tax refund attributable to a tax credit
10 reducing a taxpayer's federal tax liability pursuant to Public Law
11 116-136 or 116-260, enacted by the 116th United States Congress,
12 for the tax year beginning on or after January 1, 2020, and ending
13 on or before December 31, 2020, and deducted from Missouri adjusted
14 gross income pursuant to section 143.171. The amount added under
15 this subdivision shall also not include any amount of a federal
16 income tax refund attributable to a tax credit reducing a
17 taxpayer's federal tax liability under any other federal law that
18 provides direct economic impact payments to taxpayers to mitigate
19 financial challenges related to the COVID-19 pandemic, and
20 deducted from Missouri adjusted gross income under section
21 143.171;

22 (2) Interest on certain governmental obligations excluded
23 from federal gross income by 26 U.S.C. Section 103 of the Internal
24 Revenue Code, as amended. The previous sentence shall not apply to
25 interest on obligations of the state of Missouri or any of its
26 political subdivisions or authorities and shall not apply to the
27 interest described in subdivision (1) of subsection 3 of this
28 section. The amount added pursuant to this subdivision shall be
29 reduced by the amounts applicable to such interest that would have
30 been deductible in computing the taxable income of the taxpayer
31 except only for the application of 26 U.S.C. Section 265 of the
32 Internal Revenue Code, as amended. The reduction shall only be

33 made if it is at least five hundred dollars;

34 (3) The amount of any deduction that is included in the
35 computation of federal taxable income pursuant to 26 U.S.C.
36 Section 168 of the Internal Revenue Code as amended by the Job
37 Creation and Worker Assistance Act of 2002 to the extent the amount
38 deducted relates to property purchased on or after July 1, 2002,
39 but before July 1, 2003, and to the extent the amount deducted
40 exceeds the amount that would have been deductible pursuant to 26
41 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in
42 effect on January 1, 2002;

43 (4) The amount of any deduction that is included in the
44 computation of federal taxable income for net operating loss
45 allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of
46 1986, as amended, other than the deduction allowed by 26 U.S.C.
47 Section 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal
48 Revenue Code of 1986, as amended, for a net operating loss the
49 taxpayer claims in the tax year in which the net operating loss
50 occurred or carries forward for a period of more than twenty years
51 and carries backward for more than two years. Any amount of net
52 operating loss taken against federal taxable income but disallowed
53 for Missouri income tax purposes pursuant to this subdivision
54 after June 18, 2002, may be carried forward and taken against any
55 income on the Missouri income tax return for a period of not more
56 than twenty years from the year of the initial loss; and

57 (5) For nonresident individuals in all taxable years ending
58 on or after December 31, 2006, the amount of any property taxes
59 paid to another state or a political subdivision of another state

60 for which a deduction was allowed on such nonresident's federal
61 return in the taxable year unless such state, political
62 subdivision of a state, or the District of Columbia allows a
63 subtraction from income for property taxes paid to this state for
64 purposes of calculating income for the income tax for such state,
65 political subdivision of a state, or the District of Columbia;

66 (6) For all tax years beginning on or after January 1, 2018,
67 any interest expense paid or accrued in a previous taxable year,
68 but allowed as a deduction under 26 U.S.C. Section 163, as amended,
69 in the current taxable year by reason of the carryforward of
70 disallowed business interest provisions of 26 U.S.C. Section 163
71 (j), as amended. For the purposes of this subdivision, an interest
72 expense is considered paid or accrued only in the first taxable
73 year the deduction would have been allowable under 26 U.S.C.
74 Section 163, as amended, if the limitation under 26 U.S.C. Section
75 163(j), as amended, did not exist.

76 3. There shall be subtracted from the taxpayer's federal
77 adjusted gross income the following amounts to the extent included
78 in federal adjusted gross income:

79 (1) Interest received on deposits held at a federal reserve
80 bank or interest or dividends on obligations of the United States
81 and its territories and possessions or of any authority,
82 commission or instrumentality of the United States to the extent
83 exempt from Missouri income taxes pursuant to the laws of the
84 United States. The amount subtracted pursuant to this subdivision
85 shall be reduced by any interest on indebtedness incurred to carry
86 the described obligations or securities and by any expenses

87 incurred in the production of interest or dividend income
88 described in this subdivision. The reduction in the previous
89 sentence shall only apply to the extent that such expenses
90 including amortizable bond premiums are deducted in determining
91 the taxpayer's federal adjusted gross income or included in the
92 taxpayer's Missouri itemized deduction. The reduction shall only
93 be made if the expenses total at least five hundred dollars;

94 (2) The portion of any gain, from the sale or other
95 disposition of property having a higher adjusted basis to the
96 taxpayer for Missouri income tax purposes than for federal income
97 tax purposes on December 31, 1972, that does not exceed such
98 difference in basis. If a gain is considered a long-term capital
99 gain for federal income tax purposes, the modification shall be
100 limited to one-half of such portion of the gain;

101 (3) The amount necessary to prevent the taxation pursuant to
102 this chapter of any annuity or other amount of income or gain which
103 was properly included in income or gain and was taxed pursuant to
104 the laws of Missouri for a taxable year prior to January 1, 1973,
105 to the taxpayer, or to a decedent by reason of whose death the
106 taxpayer acquired the right to receive the income or gain, or to a
107 trust or estate from which the taxpayer received the income or
108 gain;

109 (4) Accumulation distributions received by a taxpayer as a
110 beneficiary of a trust to the extent that the same are included in
111 federal adjusted gross income;

112 (5) The amount of any state income tax refund for a prior
113 year which was included in the federal adjusted gross income;

114 (6) The portion of capital gain specified in section 135.357
115 that would otherwise be included in federal adjusted gross income;

116 (7) The amount that would have been deducted in the
117 computation of federal taxable income pursuant to 26 U.S.C.
118 Section 168 of the Internal Revenue Code as in effect on January 1,
119 2002, to the extent that amount relates to property purchased on or
120 after July 1, 2002, but before July 1, 2003, and to the extent that
121 amount exceeds the amount actually deducted pursuant to 26 U.S.C.
122 Section 168 of the Internal Revenue Code as amended by the Job
123 Creation and Worker Assistance Act of 2002;

124 (8) For all tax years beginning on or after January 1, 2005,
125 the amount of any income received for military service while the
126 taxpayer serves in a combat zone which is included in federal
127 adjusted gross income and not otherwise excluded therefrom. As
128 used in this section, "combat zone" means any area which the
129 President of the United States by Executive Order designates as an
130 area in which Armed Forces of the United States are or have engaged
131 in combat. Service is performed in a combat zone only if performed
132 on or after the date designated by the President by Executive Order
133 as the date of the commencing of combat activities in such zone,
134 and on or before the date designated by the President by Executive
135 Order as the date of the termination of combatant activities in
136 such zone;

137 (9) For all tax years ending on or after July 1, 2002, with
138 respect to qualified property that is sold or otherwise disposed of
139 during a taxable year by a taxpayer and for which an additional
140 modification was made under subdivision (3) of subsection 2 of this

141 section, the amount by which additional modification made under
142 subdivision (3) of subsection 2 of this section on qualified
143 property has not been recovered through the additional
144 subtractions provided in subdivision (7) of this subsection;

145 (10) For all tax years beginning on or after January 1, 2014,
146 the amount of any income received as payment from any program which
147 provides compensation to agricultural producers who have suffered
148 a loss as the result of a disaster or emergency, including the:

149 (a) Livestock Forage Disaster Program;

150 (b) Livestock Indemnity Program;

151 (c) Emergency Assistance for Livestock, Honeybees, and Farm-
152 Raised Fish;

153 (d) Emergency Conservation Program;

154 (e) Noninsured Crop Disaster Assistance Program;

155 (f) Pasture, Rangeland, Forage Pilot Insurance Program;

156 (g) Annual Forage Pilot Program;

157 (h) Livestock Risk Protection Insurance Plan;

158 (i) Livestock Gross Margin Insurance Plan;

159 (11) For all tax years beginning on or after January 1, 2018,
160 any interest expense paid or accrued in the current taxable year,
161 but not deducted as a result of the limitation imposed under 26
162 U.S.C. Section 163(j), as amended. For the purposes of this
163 subdivision, an interest expense is considered paid or accrued
164 only in the first taxable year the deduction would have been
165 allowable under 26 U.S.C. Section 163, as amended, if the
166 limitation under 26 U.S.C. Section 163(j), as amended, did not
167 exist; ~~and~~

168 (12) One hundred percent of any retirement benefits received
169 by any taxpayer as a result of the taxpayer's service in the Armed
170 Forces of the United States, including reserve components and the
171 National Guard of this state, as defined in 32 U.S.C. Sections 101
172 (3) and 109, and any other military force organized under the laws
173 of this state; and

174 (13) For taxpayers authorized to conduct business under
175 Article XIV of the Constitution of Missouri or sections 196.3000 to
176 196.3048, the amount that would have been deducted from the
177 computation of the taxpayer's federal taxable income if such a
178 deduction were not disallowed under 26 U.S.C. Section 280E, as in
179 effect on January 1, 2022, because of the status of marijuana as a
180 controlled substance under federal law.

181 4. There shall be added to or subtracted from the taxpayer's
182 federal adjusted gross income the taxpayer's share of the Missouri
183 fiduciary adjustment provided in section 143.351.

184 5. There shall be added to or subtracted from the taxpayer's
185 federal adjusted gross income the modifications provided in
186 section 143.411.

187 6. In addition to the modifications to a taxpayer's federal
188 adjusted gross income in this section, to calculate Missouri
189 adjusted gross income there shall be subtracted from the
190 taxpayer's federal adjusted gross income any gain recognized
191 pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of
192 1986, as amended, arising from compulsory or involuntary
193 conversion of property as a result of condemnation or the imminence
194 thereof.

195 7. (1) As used in this subsection, "qualified health
196 insurance premium" means the amount paid during the tax year by
197 such taxpayer for any insurance policy primarily providing health
198 care coverage for the taxpayer, the taxpayer's spouse, or the
199 taxpayer's dependents.

200 (2) In addition to the subtractions in subsection 3 of this
201 section, one hundred percent of the amount of qualified health
202 insurance premiums shall be subtracted from the taxpayer's federal
203 adjusted gross income to the extent the amount paid for such
204 premiums is included in federal taxable income. The taxpayer shall
205 provide the department of revenue with proof of the amount of
206 qualified health insurance premiums paid.

207 8. (1) Beginning January 1, 2014, in addition to the
208 subtractions provided in this section, one hundred percent of the
209 cost incurred by a taxpayer for a home energy audit conducted by an
210 entity certified by the department of natural resources under
211 section 640.153 or the implementation of any energy efficiency
212 recommendations made in such an audit shall be subtracted from the
213 taxpayer's federal adjusted gross income to the extent the amount
214 paid for any such activity is included in federal taxable income.
215 The taxpayer shall provide the department of revenue with a summary
216 of any recommendations made in a qualified home energy audit, the
217 name and certification number of the qualified home energy auditor
218 who conducted the audit, and proof of the amount paid for any
219 activities under this subsection for which a deduction is claimed.
220 The taxpayer shall also provide a copy of the summary of any
221 recommendations made in a qualified home energy audit to the

222 department of natural resources.

223 (2) At no time shall a deduction claimed under this
224 subsection by an individual taxpayer or taxpayers filing combined
225 returns exceed one thousand dollars per year for individual
226 taxpayers or cumulatively exceed two thousand dollars per year for
227 taxpayers filing combined returns.

228 (3) Any deduction claimed under this subsection shall be
229 claimed for the tax year in which the qualified home energy audit
230 was conducted or in which the implementation of the energy
231 efficiency recommendations occurred. If implementation of the
232 energy efficiency recommendations occurred during more than one
233 year, the deduction may be claimed in more than one year, subject
234 to the limitations provided under subdivision (2) of this
235 subsection.

236 (4) A deduction shall not be claimed for any otherwise
237 eligible activity under this subsection if such activity qualified
238 for and received any rebate or other incentive through a state-
239 sponsored energy program or through an electric corporation, gas
240 corporation, electric cooperative, or municipally owned utility.

241 9. The provisions of subsection 8 of this section shall
242 expire on December 31, 2020.

143.2200. 1. As used in this section, the following terms

2 mean:

3 (1) "Deduction", an amount subtracted from a taxpayer's
4 Missouri adjusted gross income to determine the taxpayer's
5 Missouri taxable income for a given tax year;

6 (2) "Qualified amount", the amount spent by a taxpayer in a

7 given tax year on a license application fee required under Article
8 XIV, Section 1 of the Constitution of Missouri, up to the amount
9 expended for such fee;

10 (3) "Qualified taxpayer", any individual with an income tax
11 liability under chapter 143, excluding the withholding tax imposed
12 by sections 143.191 to 143.265, who incurred a license application
13 fee required under Article XIV, Section 1 of the Constitution of
14 Missouri but was denied such license.

15 2. For all tax years beginning on or after January 1, 2023,
16 in addition to all other deductions and modifications allowed by
17 law, a qualified taxpayer shall be allowed a deduction from the
18 taxpayer's Missouri adjusted gross income in an amount equal to the
19 taxpayer's qualified amount.

20 3. The department of revenue shall promulgate all necessary
21 rules and regulations for the administration of this section
22 including, but not limited to, rules relating to the verification
23 of a taxpayer's qualified amount. Any rule or portion of a rule,
24 as that term is defined in section 536.010, that is created under
25 the authority delegated in this section shall become effective
26 only if it complies with and is subject to all of the provisions of
27 chapter 536 and, if applicable, section 536.028. This section and
28 chapter 536 are nonseverable, and if any of the powers vested with
29 the general assembly pursuant to chapter 536 to review, to delay
30 the effective date, or to disapprove and annul a rule are
31 subsequently held unconstitutional, then the grant of rulemaking
32 authority and any rule proposed or adopted after the effective date
33 of this section shall be invalid and void.

34 4. Under section 23.253 of the Missouri sunset act:

35 (1) The provisions of the new program authorized under this
36 section shall automatically sunset six years after the effective
37 date of this section unless reauthorized by an act of the general
38 assembly; and

39 (2) If such a program is reauthorized, the program authorized
40 under this section shall automatically sunset twelve years after
41 the effective date of the reauthorization of this section; and

42 (3) This section shall terminate on September first of the
43 calendar year immediately following the calendar year in which the
44 program authorized under this section is sunset.

191.255. 1. Notwithstanding any other provision of law to
2 the contrary, no state agency, including employees therein, shall
3 disclose to the federal government, any federal government
4 employee, or any unauthorized third party the statewide list or any
5 individual information of persons who have applied for or obtained
6 a qualifying patient identification card, a qualifying patient
7 cultivation identification card, or a primary caregiver
8 identification card, as those cards are described in Article XIV,
9 Section 1 of the Constitution of Missouri relating to the right to
10 access medical marijuana.

11 2. Any violation of this section is a class E felony.

195.006. Notwithstanding any provision under this chapter or
2 any other provision of law, beginning on the effective date of this
3 section, marijuana shall no longer be listed among Missouri's drug
4 schedules and shall no longer be considered a controlled substance
5 or a drug.

195.017. 1. The department of health and senior services
shall place a substance in Schedule I if it finds that the
substance:

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;

(2) Any 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 and salts is possible within the specific chemical designation:

(a) Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide);

(b) Acetylmethadol;

(c) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(d) Acryl fentanyl (-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide);

(e) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl] benzamide);

(f) Allylprodine;

(g) Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-alpha-acetylmethadol levothadyl acetate or LAAM);

28 (h) Alphameprodine;

29 (i) Alphamethadol;

30 (j) Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl)
31 ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4
32 ((N-propanilido) piperidine);

33 (k) Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl)
34 ethyl-4-piperidinyl)-N-phenylpropanamide);

35 (l) Benzethidine;

36 (m) Betacetylmethadol;

37 (n) Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-
38 piperidinyl)-N-phenylpropanamide);

39 (o) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-
40 phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);

41 (p) Betameprodine;

42 (q) Betamethadol;

43 (r) Betaprodine;

44 (s) Clonitazene;

45 (t) Dextromoramide;

46 (u) Diampromide;

47 (v) Cyclopropyl fentanyl;

48 (w) Diethylthiambutene;

49 (x) Difenoazin;

50 (y) Dimenoxadol;

51 (z) Dimepheptanol;

52 (aa) Dimethylthiambutene;

53 (bb) Dioxaphetyl butyrate;

54 (cc) Dipipanone;

55 (dd) Ethylmethythiambutene;

56 (ee) Etonitazene;

57 (ff) Etoxadine;

58 (gg) 4-fluoroisobutyryl fentanyl -(4-fluorophenyl)-N-(1-
59 phenethylpiperidin-4-yl)isobutyramide;

60 (hh) Furanyl fentanyl -(1-phenethylpiperidin-4-yl)-N-
61 phenylfuran-2-carboxamide;

62 (ii) Furethidine;

63 (jj) Hydroxypethidine;

64 (kk) Ketobemidone;

65 (ll) Levomoramide;

66 (mm) Levophenacymorphan;

67 (nn) 3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-
68 piperidyl)-N-phenylpropanamide), its optical and geometric isomers,
69 salts, and salts of isomers;

70 (oo) 3-Methylthiofentanyl (N-((3-methyl-1-(2-thienyl)ethyl-
71 4-piperidinyl)-N-phenylpropanamide);

72 (pp) Methoxyacetyl fentanyl (2-methoxy-N-(1-
73 phenethylpiperidin-4-yl)-N-phenylacetamide);

74 (qq) Morpheridine;

75 (rr) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

76 (ss) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl) piperazine);

77 (tt) Noracymethadol;

78 (uu) Norlevorphanol;

79 (vv) Normethadone;

80 (ww) Norpipanone;

81 (xx) Ocfentanil N-(2-fluorophenyl)-2-methoxy-N-(1-

82 phenethylpiperidin-4-yl)acetamide;
83 (yy) Ortho-fluorofentanyl (N-2-(1-phenethylpiperidin-yl)
84 propionamide); other name 2-fluorofentanyl;
85 (zz) para-fluorobutyryl fentanyl (N-4-fluorophenyl)-N-(1-
86 phenethylpiperidin-4-yl)butyramide;
87 (aaa) Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-
88 phenethyl)-4-piperidinyl) propanamide);
89 (bbb) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
90 (ccc) Phenadoxone;
91 (ddd) Phenampromide;
92 (eee) Phenomorphan;
93 (fff) Phenoperidine;
94 (ggg) Piritramide;
95 (hhh) Proheptazine;
96 (iii) Properidine;
97 (jjj) Propiram;
98 (kkk) Racemoramide;
99 (lll) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-
100 4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
101 (mmm) Thiofentanyl (-phenyl-N-(1-(2-thienyl)ethyl-4-
102 piperidinyl)-propanamide);
103 (nnn) Tilidine;
104 (ooo) Trimeperidine;
105 (3) Any of the following opium derivatives, their salts,
106 isomers and salts of isomers unless specifically excepted,
107 whenever the existence of these salts, isomers and salts of isomers
108 is possible within the specific chemical designation:

- 109 (a) Acetorphine;
- 110 (b) Acetyldihydrocodeine;
- 111 (c) Benzylmorphine;
- 112 (d) Codeine methylbromide;
- 113 (e) Codeine-N-Oxide;
- 114 (f) Cyprenorphine;
- 115 (g) Desomorphine;
- 116 (h) Dihydromorphine;
- 117 (i) Drotebanol;
- 118 (j) Etorphine (except hydrochloride salt);
- 119 (k) Heroin;
- 120 (l) Hydromorphenol;
- 121 (m) Methyldesorphine;
- 122 (n) Methyldihydromorphine;
- 123 (o) Morphine methylbromide;
- 124 (p) Morphine methylsulfonate;
- 125 (q) Morphine-N-Oxide;
- 126 (r) Myrophine;
- 127 (s) Nicocodeine;
- 128 (t) Nicomorphine;
- 129 (u) Normorphine;
- 130 (v) Pholcodine;
- 131 (w) Thebacon;
- 132 (4) Any of the following opiate similar synthetic substances
- 133 scheduled by the U.S. Drug Enforcement Administration as
- 134 substances that share a pharmacological profile similar to
- 135 fentanyl, morphine, and other synthetic opioids, unless

136 specifically excepted or unless listed in another schedule:

137 (a) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-
138 phenylbutyramide);

139 (b) U-47700 (3,4-Dichloro-N-[2-(dimethylamino) cyclohexyl]-
140 methyl benzamide).

141 (5) Any material, compound, mixture or preparation which
142 contains any quantity of the following hallucinogenic substances,
143 their salts, isomers and salts of isomers, unless specifically
144 excepted, whenever the existence of these salts, isomers, and
145 salts of isomers is possible within the specific chemical
146 designation:

147 (a) Alpha-ethyltryptamine;

148 (b) 4-bromo-2,5-dimethoxyamphetamine;

149 (c) 4-bromo-2,5-dimethoxyphenethylamine;

150 (d) 2,5-dimethoxyamphetamine;

151 (e) 2,5-dimethoxy-4-ethylamphetamine;

152 (f) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;

153 (g) 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine;

154 (h) 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine;

155 (i) 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine;

156 (j) 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine;

157 (k) 2-(2,5-Dimethoxyphenyl) ethanamine;

158 (l) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine;

159 (m) 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine;

160 (n) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine;

161 (o) 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl) ethanamine;

162 (p) 4-methoxyamphetamine;

- 163 (q) 5-methoxy-3,4-methylenedioxyamphetamine;
- 164 (r) 4-methyl-2, 5-dimethoxyamphetamine;
- 165 (s) 3,4-methylenedioxyamphetamine;
- 166 (t) 3,4-methylenedioxymethamphetamine;
- 167 (u) 3,4-methylenedioxy-N-ethylamphetamine;
- 168 (v) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 169 (w) 3,4,5-trimethoxyamphetamine;
- 170 (x) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine;
- 171 (y) Alpha-methyltryptamine;
- 172 (z) Bufotenine;
- 173 (aa) Diethyltryptamine;
- 174 (bb) Dimethyltryptamine;
- 175 (cc) 5-methoxy-N,N-diisopropyltryptamine;
- 176 (dd) Ibogaine;
- 177 (ee) Lysergic acid diethylamide;
- 178 (ff) ~~【Marijuana or marihuana, except industrial hemp;~~
- 179 ~~(gg)】~~ Mescaline;
- 180 ~~【(hh) Parahexyl;~~
- 181 ~~(ii)】~~ (gg) Peyote, to include all parts of the plant
- 182 presently classified botanically as *Lophophora williamsii* Lemaire,
- 183 whether growing or not; the seeds thereof; any extract from any
- 184 part of such plant; and every compound, manufacture, salt,
- 185 derivative, mixture or preparation of the plant, its seed or
- 186 extracts;
- 187 ~~【(jj)】~~ (hh) N-ethyl-3-piperidyl benzilate;
- 188 ~~【(kk)】~~ (ii) N-methyl-3-piperidyl benzilate;
- 189 ~~【(ll)】~~ (jj) Psilocybin;

190 ~~[(mm)]~~ (kk) Psilocyn;

191 ~~[(nn)]~~ ~~Tetrahydrocannabinols naturally contained in a plant~~
192 ~~of the genus Cannabis (cannabis plant), except industrial hemp, as~~
193 ~~well as synthetic equivalents of the substances contained in the~~
194 ~~cannabis plant, or in the resinous extractives of such plant, or~~
195 ~~synthetic substances, derivatives and their isomers, or both, with~~
196 ~~similar chemical structure and pharmacological activity to those~~
197 ~~substances contained in the plant, such as the following:~~

198 ~~a. 1 cis or trans tetrahydrocannabinol and their optical~~
199 ~~isomers;~~

200 ~~b. 6 cis or trans tetrahydrocannabinol and their optical~~
201 ~~isomers;~~

202 ~~c. 3,4 cis or trans tetrahydrocannabinol and their optical~~
203 ~~isomers;~~

204 ~~d. Any compounds of these structures, regardless of~~
205 ~~numerical designation of atomic positions covered;~~

206 ~~(oo)]~~ (ll) Ethylamine analog of phencyclidine;

207 ~~[(pp)]~~ (mm) Pyrrolidine analog of phencyclidine;

208 ~~[(qq)]~~ (nn) Thiophene analog of phencyclidine;

209 ~~[(rr)]~~ (oo) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

210 ~~[(ss)]~~ (pp) Salvia divinorum;

211 ~~[(tt)]~~ (qq) Salvinorin A;

212 ~~[(uu)]~~ (rr) Synthetic cannabinoids:

213 a. Any compound structurally derived from 3-(1-naphthoyl)
214 indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the
215 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl,
216 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)

217 methyl or 2-(4-morpholinyl)ethyl group, whether or not further
218 substituted in the indole ring to any extent, whether or not
219 substituted in the naphthyl ring to any extent. Including, but not
220 limited to:

221 (i) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole;

222 (ii) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

223 (iii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;

224 (iv) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

225 (v) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

226 (vi) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

227 (vii) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

228 (viii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-
229 naphthoyl)indole;

230 (ix) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;

231 (x) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

232 (xi) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-
233 naphthoyl)indole;

234 (xii) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;

235 (xiii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

236 b. Any compound structurally derived from 3-(1-naphthoyl)
237 pyrrole by substitution at the nitrogen atom of the pyrrole ring by
238 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-
239 (N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
240 whether or not further substituted in the pyrrole ring to any
241 extent, whether or not substituted in the naphthyl ring to any
242 extent;

243 c. Any compound structurally derived from 1-(1-

244 naphthylmethyl)indene by substitution at the 3-position of the
245 indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
246 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
247 morpholinyl)ethyl group, whether or not further substituted in the
248 indene ring to any extent, whether or not substituted in the
249 naphthyl ring to any extent;

250 d. Any compound structurally derived from 3-
251 phenylacetylindole by substitution at the nitrogen atom of the
252 indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
253 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
254 morpholinyl)ethyl group, whether or not further substituted in the
255 indole ring to any extent, whether or not substituted in the phenyl
256 ring to any extent. Including, but not limited to:

257 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
258 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
259 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
260 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
261 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-
262 methoxyphenylacetyl)indole;

263 e. Any compound structurally derived from 2-(3-
264 hydroxycyclohexyl)phenol by substitution at the 5-position of the
265 phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
266 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
267 morpholinyl)ethyl group, whether or not substituted in the
268 cyclohexyl ring to any extent. Including, but not limited to CP
269 47, 497 and homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-
270 methyl-octan-2-yl)phenol, where side chain n=5, and homologues

271 where side chain n-4,6, or 7;

272 f. Any compound containing a 3-(benzoyl)indole structure
273 with substitution at the nitrogen atom of the indole ring by alkyl,
274 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
275 methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group,
276 whether or not further substituted in the indole ring to any extent
277 and whether or not substituted in the phenyl ring to any extent.
278 Including, but not limited to:

279 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

280 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19
281 and RCS-4);

282 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-
283 [(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-
284 octahydrophenanthridin-1-yl] acetate;

285 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
286 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

287 i. HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-
288 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
289 chromen-1-ol;

290 j. Dimethylheptylpyran, or DMHP;

291 (6) Any material, compound, mixture or preparation
292 containing any quantity of the following substances having a
293 depressant effect on the central nervous system, including their
294 salts, isomers and salts of isomers whenever the existence of these
295 salts, isomers and salts of isomers is possible within the specific
296 chemical designation:

297 (a) Gamma-hydroxybutyric acid;

298 (b) Mecloqualone;

299 (c) Methaqualone;

300 (7) Any material, compound, mixture or preparation

301 containing any quantity of the following substances having a

302 stimulant effect on the central nervous system, including their

303 salts, isomers and salts of isomers:

304 (a) Aminorex;

305 (b) N-benzylpiperazine;

306 (c) Cathinone;

307 (d) Fenethylamine;

308 (e) 3-Fluoromethcathinone;

309 (f) 4-Fluoromethcathinone;

310 (g) Mephedrone, or 4-methylmethcathinone;

311 (h) Methcathinone;

312 (i) 4-methoxymethcathinone;

313 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-

314 methyl-5-phenyl-2-oxazoline);

315 (k) Methylenedioxypropylamphetamine, MDPV, or 1-(1,3-Benzodioxol-

316 5-yl)-2-(1-pyrrolidinyl)-1-propanone;

317 (l) Methylenedioxymethamphetamine;

318 (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;

319 (n) N-ethylamphetamine;

320 (o) N,N-dimethylamphetamine;

321 (p) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (PB-22;

322 QUPIC);

323 (q) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-

324 carboxylate (5-fluoro-PB-22; 5F-PB-22);

325 (r) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
326 fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA);

327 (s) N-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
328 indazole-3-carboxamide (ADB-PINACA);

329 (8) A temporary listing of substances subject to emergency
330 scheduling under federal law shall include any material, compound,
331 mixture or preparation which contains any quantity of the
332 following substances:

333 (a) (1-pentyl-1H-indol-3-yl) (2,2,3,3-
334 tetramethylcyclopropyl)methanone, its optical, positional, and
335 geometric isomers, salts, and salts of isomers;

336 (b) [1-(5-fluoro-pentyl)-1H-indol-3-yl] (2,2,3,3-
337 tetramethylcyclopropyl)methanone, its optical, positional, and
338 geometric isomers, salts, and salts of isomers;

339 (c) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its
340 optical, positional, and geometric isomers, salts, and salts of
341 isomers;

342 (d) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)
343 ethanamine, its optical, positional, and geometric isomers, salts,
344 and salts of isomers;

345 (e) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)
346 ethanamine, its optical, positional, and geometric isomers, salts,
347 and salts of isomers;

348 (f) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)
349 ethanamine, its optical, positional, and geometric isomers, salts,
350 and salts of isomers;

351 (g) 4-methyl-N-ethylcathinone, its optical, positional, and

352 geometric isomers, salts, and salts of isomers;

353 (h) 4-methyl-alpha-pyrrolidinopropiophenone, its optical,
354 positional, and geometric isomers, salts, and salts of isomers;

355 (i) Alpha-pyrrolidinopentiophenone, its optical, positional,
356 and geometric isomers, salts, and salts of isomers;

357 (j) Butylone, its optical, positional, and geometric
358 isomers, salts, and salts of isomers;

359 (k) Pentedrone, its optical, positional, and geometric
360 isomers, salts, and salts of isomers;

361 (l) Pentylone, its optical, positional, and geometric
362 isomers, salts, and salts of isomers;

363 (m) Naphyrone, its optical, positional, and geometric
364 isomers, salts, and salts of isomers;

365 (n) Alpha-pyrrolidinobutiophenone, its optical, positional,
366 and geometric isomers, salts, and salts of isomers;

367 (o) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
368 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
369 positional, and geometric isomers, salts, and salts of isomers;

370 (p) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
371 indazole-3-carboxamide, its optical, positional, and geometric
372 isomers, salts, and salts of isomers;

373 (q) [1-(5-fluoropentyl)-1H-indazole-3-yl](naphthalen-1-yl)
374 methanone, its optical, positional, and geometric isomers, salts,
375 and salts of isomers;

376 (r) N-[1-[2-hydroxy-2-(thiophen-2-yl) ethyl]piperidin-4-
377 yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and
378 salts of isomers, esters, and ethers;

379 (s) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its
380 optical, positional, and geometric isomers, salts, and salts of
381 isomers;

382 (t) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
383 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical,
384 positional, and geometric isomers, salts, and salts of isomers;

385 (u) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
386 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
387 geometric isomers, salts, and salts of isomers;

388 (v) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
389 carboxamido)-3-methylbutanoate, its optical, positional, and
390 geometric isomers, salts, and salts of isomers;

391 (w) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-
392 carboxamide, its optical, positional, and geometric isomers,
393 salts, and salts of isomers;

394 (x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-
395 fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional,
396 and geometric isomers, salts, and salts of isomers;

397 (y) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
398 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
399 geometric isomers, salts, and salts of isomers;

400 (z) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
401 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
402 geometric isomers, salts, and salts of isomers;

403 (aa) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)
404 propionamide, its isomers, esters, ethers, salts, and salts of
405 isomers, esters, and ethers;

406 (bb) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-
407 carboxamido)-3-methylbutanoate, its optical, positional, and
408 geometric isomers, salts, and salts of isomers;

409 (cc) N-(1-phenethylpiperidin-4-yl)-N-
410 phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts,
411 and salts of isomers, esters, and ethers;

412 (dd) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its
413 isomers, esters, ethers, salts, and salts of isomers, esters, and
414 ethers;

415 (ee) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)
416 butyramide, its isomers, esters, ethers, salts, and salts of
417 isomers, esters, and ethers;

418 (ff) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)
419 butyramide, its isomers, esters, ethers, salts, and salts of
420 isomers, esters, and ethers;

421 (gg) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)
422 isobutyramide, its isomers, esters, ethers, salts, and salts of
423 isomers, esters, and ethers;

424 (hh) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide,
425 its isomers, esters, ethers, salts, and salts of isomers, esters,
426 and ethers;

427 (ii) N-(1-phenethylpiperidin-4-yl)-N-
428 phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts,
429 and salts of isomers, esters, and ethers;

430 (jj) Fentanyl-related substances, their isomers, esters,
431 ethers, salts, and salts of isomers, esters, and ethers. Fentanyl-
432 related substance shall mean any substance not otherwise listed

433 under another Drug Enforcement Administration Controlled Substance
434 Code Number, and for which no exemption or approval is in effect
435 under section 505 of the Federal Food, Drug, and Cosmetic Act, 21
436 U.S.C. Section 355, that is structurally related to fentanyl by one
437 or more of the following modifications:

438 a. Replacement of the phenyl portion of the phenethyl group
439 by any monocycle, whether or not further substituted in or on the
440 monocycle;

441 b. Substitution in or on the phenethyl group with alkyl,
442 alkenyl, alkoxy, hydroxy, halo, haloalkyl, amino or nitro
443 groups;

444 c. Substitution in or on the piperidine ring with alkyl,
445 alkenyl, alkoxy, ester, ether, hydroxy, amino or nitro groups;

446 d. Replacement of the aniline ring with any aromatic
447 monocycle, whether or not further substituted in or on the aromatic
448 monocycle; or

449 e. Replacement of the N-propionyl group by another acyl
450 group;

451 (kk) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
452 carboxylate, its optical, positional, and geometric isomers,
453 salts, and salts of isomers (NM2201; CBL2201);

454 (ll) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-
455 fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional,
456 and geometric isomers, salts, and salts of isomers (5F-AB-PINACA);

457 (mm) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-
458 3-carboxamide, its optical, positional, and geometric isomers,
459 salts, and salts of isomers (4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-

460 BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CN-BINACA; SGT-78);
461 (nn) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
462 carboxamido)-3-methylbutanoate, its optical, positional, and
463 geometric isomers, salts, and salts of isomers (MMB-CHMICA, AMB-
464 CHMICA);
465 (oo) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo
466 [2,3-b]pyridine-3-carboxamide, its optical, positional, and
467 geometric isomers, salts, and salts of isomers (5F-CUMYL-P7AICA);
468 (pp) N-ethylpentylone, its optical, positional, and
469 geometric isomers, salts, and salts of isomers (ephylone, 1-(1,3-
470 benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one);
471 (qq) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
472 carboxamido)-3,3-dimethylbutanoate, its optical, positional, and
473 geometric isomers, salts, and salts of isomers (trivial name: 5F-
474 EDMB-PINACA);
475 (rr) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-
476 3,3-dimethylbutanoate, its optical, positional, and geometric
477 isomers, salts, and salts of isomers (trivial name: 5F-MDMB-PICA);
478 (ss) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-
479 carboxamide, its optical, positional, and geometric isomers,
480 salts, and salts of isomers (trivial names: FUB-AKB48; FUB-
481 APINACA; AKB48 N-(4-FLUOROBENZYL));
482 (tt) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-
483 indazole-3-carboxamide, its optical, positional, and geometric
484 isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-
485 PINACA; SGT-25);
486 (uu) (1-(4-fluorobenzyl)-1H-indol-3-yl) (2,2,3,3-

487 tetramethylcyclopropyl) methanone, its optical, positional, and
488 geometric isomers, salts, and salts of isomers (trivial name: FUB-
489 144);

490 (vv) N-ethylhexedrone, its optical, positional, and
491 geometric isomers, salts, and salts of isomers (Other name: 2-
492 (ethylamino)-1-phenylhexan-1-one);

493 (ww) alpha-pyrrolidinohexanophenone, its optical,
494 positional, and geometric isomers, salts, and salts of isomers
495 (Other names: a-PHP; alpha-pyrrolidinohexiophenone; 1-phenyl-2-
496 (pyrrolidin-1-yl)hexan-1-one);

497 (xx) 4-methyl-alpha-ethylaminopentiophenone, its optical,
498 positional, and geometric isomers, salts, and salts of isomers;
499 (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-
500 one);

501 (yy) 4'-methyl-alpha-pyrrolidinohexiophenone, its optical,
502 positional, and geometric isomers, salts, and salts of isomers
503 (Other names: MPHP; 4'-methyl-alpha-pyrrolidinohexanophenone; 1-
504 (4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

505 (zz) alpha-pyrrolidinoheptaphenone, its optical, positional,
506 and geometric isomers, salts, and salts of isomers (Other names:
507 PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one);

508 (aaa) 4'-chloro-alpha-pyrrolidinovalerophenone, its
509 optical, positional, and geometric isomers, salts, and salts of
510 isomers (Other names: 4-chloro-a-PVP; 4'-chloro-alpha-
511 pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)
512 pentan-1-one);

513 (9) Khat, to include all parts of the plant presently

514 classified botanically as *catha edulis*, whether growing or not;
515 the seeds thereof; any extract from any part of such plant; and
516 every compound, manufacture, salt, derivative, mixture, or
517 preparation of the plant, its seed or extracts.

518 3. The department of health and senior services shall place a
519 substance in Schedule II if it finds that:

520 (1) The substance has high potential for abuse;

521 (2) The substance has currently accepted medical use in
522 treatment in the United States, or currently accepted medical use
523 with severe restrictions; and

524 (3) The abuse of the substance may lead to severe psychic or
525 physical dependence.

526 4. The controlled substances listed in this subsection are
527 included in Schedule II:

528 (1) Any of the following substances whether produced
529 directly or indirectly by extraction from substances of vegetable
530 origin, or independently by means of chemical synthesis, or by
531 combination of extraction and chemical synthesis:

532 (a) Opium and opiate; and any salt, compound, derivative or
533 preparation of opium or opiate, excluding apomorphine, thebaine-
534 derived butorphanol, dextrorphan, nalbuphine, nalmefene,
535 naloxegol, naloxone, and naltrexone, and their respective salts,
536 but including the following:

537 a. Raw opium;

538 b. Opium extracts;

539 c. Opium fluid;

540 d. Powdered opium;

- 541 e. Granulated opium;
- 542 f. Tincture of opium;
- 543 g. Codeine;
- 544 h. Dihydroetorphine;
- 545 i. Ethylmorphine;
- 546 j. Etorphine hydrochloride;
- 547 k. Hydrocodone;
- 548 l. Hydromorphone;
- 549 m. Metopon;
- 550 n. Morphine;
- 551 o. Oripavine;
- 552 p. Oxycodone;
- 553 q. Oxymorphone;
- 554 r. Thebaine;

555 (b) Any salt, compound, derivative, or preparation thereof
556 which is chemically equivalent or identical with any of the
557 substances referred to in this subdivision, but not including the
558 isoquinoline alkaloids of opium;

559 (c) Opium poppy and poppy straw;

560 (d) Coca leaves and any salt, compound, derivative, or
561 preparation of coca leaves, and any salt, compound, derivative, or
562 preparation thereof which is chemically equivalent or identical
563 with any of these substances, but not including the following:

564 a. Decocainized coca leaves or extractions of coca leaves,
565 which extractions do not contain cocaine or ecgonine; or

566 b. Ioflupane;

567 (e) Concentrate of poppy straw (the crude extract of poppy

568 straw in either liquid, solid or powder form which contains the
569 phenanthrene alkaloids of the opium poppy);

570 (2) Any of the following opiates, including their isomers,
571 esters, ethers, salts, and salts of isomers, whenever the
572 existence of these isomers, esters, ethers, and salts is possible
573 within the specific chemical designation, dextrorphan and
574 levopropoxyphene excepted:

575 (a) Alfentanil;

576 (b) Alphaprodine;

577 (c) Anileridine;

578 (d) Bezitramide;

579 (e) Bulk dextropropoxyphene;

580 (f) Carfentanil;

581 (g) Dihydrocodeine;

582 (h) Diphenoxylate;

583 (i) Fentanyl;

584 (j) Isomethadone;

585 (k) Levo-alphaacetylmethadol;

586 (l) Levomethorphan;

587 (m) Levorphanol;

588 (n) Metazocine;

589 (o) Methadone;

590 (p) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-
591 diphenylbutane;

592 (q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-
593 diphenylpropane-carboxylic acid;

594 (r) Pethidine (meperidine);

595 (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-
596 phenylpiperidine;

597 (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-
598 carboxylate;

599 (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-
600 carboxylic acid;

601 (v) Phenazocine;

602 (w) Piminodine;

603 (x) Racemethorphan;

604 (y) Racemorphan;

605 (z) Remifentanil;

606 (aa) Sufentanil;

607 (bb) Tapentadol;

608 (cc) Thiafentanil;

609 (3) Any material, compound, mixture, or preparation which
610 contains any quantity of the following substances having a
611 stimulant effect on the central nervous system:

612 (a) Amphetamine, its salts, optical isomers, and salts of its
613 optical isomers;

614 (b) Lisdexamfetamine, its salts, isomers, and salts of its
615 isomers;

616 (c) Methamphetamine, its salts, isomers, and salts of its
617 isomers;

618 (d) Phenmetrazine and its salts;

619 (e) Methylphenidate;

620 (4) Any material, compound, mixture, or preparation which
621 contains any quantity of the following substances having a

622 depressant effect on the central nervous system, including its
623 salts, isomers, and salts of isomers whenever the existence of
624 those salts, isomers, and salts of isomers is possible within the
625 specific chemical designation:

626 (a) Amobarbital;

627 (b) Glutethimide;

628 (c) Pentobarbital;

629 (d) Phencyclidine;

630 (e) Secobarbital;

631 (5) Hallucinogenic substances:

632 (a) Any material or compound which contains any quantity of
633 nabilone;

634 (b) Dronabinol [(-)- Δ^9 -trans tetrahydrocannabinol] in an
635 oral solution in a drug product approved for marketing by the U.S.
636 Food and Drug Administration;

637 (6) Any material, compound, mixture, or preparation which
638 contains any quantity of the following substances:

639 (a) Immediate precursor to amphetamine and methamphetamine:
640 Phenylacetone;

641 (b) Immediate precursors to phencyclidine (PCP):

642 a. 1-phenylcyclohexylamine;

643 b. 1-piperidinocyclohexanecarbonitrile (PCC);

644 (c) Immediate precursor to fentanyl: 4-anilino-N-phenethyl-
645 4-piperidine (ANPP);

646 (7) Any material, compound, mixture, or preparation which
647 contains any quantity of the following alkyl nitrites:

648 (a) Amyl nitrite;

649 (b) Butyl nitrite.

650 5. The department of health and senior services shall place a
651 substance in Schedule III if it finds that:

652 (1) The substance has a potential for abuse less than the
653 substances listed in Schedules I and II;

654 (2) The substance has currently accepted medical use in
655 treatment in the United States; and

656 (3) Abuse of the substance may lead to moderate or low
657 physical dependence or high psychological dependence.

658 6. The controlled substances listed in this subsection are
659 included in Schedule III:

660 (1) Any material, compound, mixture, or preparation which
661 contains any quantity of the following substances having a
662 potential for abuse associated with a stimulant effect on the
663 central nervous system:

664 (a) Benzphetamine;

665 (b) Chlorphentermine;

666 (c) Clortermine;

667 (d) Phendimetrazine;

668 (2) Any material, compound, mixture or preparation which
669 contains any quantity or salt of the following substances or salts
670 having a depressant effect on the central nervous system:

671 (a) Any material, compound, mixture or preparation which
672 contains any quantity or salt of the following substances combined
673 with one or more active medicinal ingredients:

674 a. Amobarbital;

675 b. Secobarbital;

676 c. Pentobarbital;

677 (b) Any suppository dosage form containing any quantity or
678 salt of the following:

679 a. Amobarbital;

680 b. Secobarbital;

681 c. Pentobarbital;

682 (c) Any substance which contains any quantity of a derivative
683 of barbituric acid or its salt;

684 (d) Chlorhexadol;

685 (e) Embutramide;

686 (f) Gamma hydroxybutyric acid and its salts, isomers, and
687 salts of isomers contained in a drug product for which an
688 application has been approved under Section 505 of the federal
689 Food, Drug, and Cosmetic Act;

690 (g) Ketamine, its salts, isomers, and salts of isomers;

691 (h) Lysergic acid;

692 (i) Lysergic acid amide;

693 (j) Methyprylon;

694 (k) Perampanel, and its salts, isomers, and salts of isomers;

695 (l) Sulfondiethylmethane;

696 (m) Sulfonethylmethane;

697 (n) Sulfonmethane;

698 (o) Tiletamine and zolazepam or any salt thereof;

699 (3) Nalorphine;

700 (4) Any material, compound, mixture, or preparation
701 containing limited quantities of any of the following narcotic
702 drugs or their salts:

703 (a) Not more than 1.8 grams of codeine per one hundred
704 milliliters or not more than ninety milligrams per dosage unit,
705 with an equal or greater quantity of an isoquinoline alkaloid of
706 opium;

707 (b) Not more than 1.8 grams of codeine per one hundred
708 milliliters or not more than ninety milligrams per dosage unit with
709 one or more active, nonnarcotic ingredients in recognized
710 therapeutic amounts;

711 (c) Not more than 1.8 grams of dihydrocodeine per one hundred
712 milliliters or not more than ninety milligrams per dosage unit,
713 with one or more active, nonnarcotic ingredients in recognized
714 therapeutic amounts;

715 (d) Not more than three hundred milligrams of ethylmorphine
716 per one hundred milliliters or not more than fifteen milligrams per
717 dosage unit, with one or more active, nonnarcotic ingredients in
718 recognized therapeutic amounts;

719 (e) Not more than five hundred milligrams of opium per one
720 hundred milliliters or per one hundred grams or not more than
721 twenty-five milligrams per dosage unit, with one or more active
722 nonnarcotic ingredients in recognized therapeutic amounts;

723 (f) Not more than fifty milligrams of morphine per one
724 hundred milliliters or per one hundred grams, with one or more
725 active, nonnarcotic ingredients in recognized therapeutic amounts;

726 (5) Any material, compound, mixture, or preparation
727 containing any of the following narcotic drugs or their salts:
728 Buprenorphine;

729 (6) Anabolic steroids. Any drug or hormonal substance,

730 chemically and pharmacologically related to testosterone (other
731 than estrogens, progestins, corticosteroids, and
732 dehydroepiandrosterone) that promotes muscle growth, except an
733 anabolic steroid which is expressly intended for administration
734 through implants to cattle or other nonhuman species and which has
735 been approved by the Secretary of Health and Human Services for
736 that administration. If any person prescribes, dispenses, or
737 distributes such steroid for human use, such person shall be
738 considered to have prescribed, dispensed, or distributed an
739 anabolic steroid within the meaning of this subdivision. Unless
740 specifically excepted or unless listed in another schedule, any
741 material, compound, mixture or preparation containing any quantity
742 of the following substances, including its salts, esters and
743 ethers:

- 744 (a) $3\beta,17\beta$ -dihydroxy-5 α -androstane;
- 745 (b) $3\alpha,17\beta$ -dihydroxy-5 α -androstane;
- 746 (c) 5 α -androstan-3,17-dione;
- 747 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy-5 α -androst-1-ene);
- 748 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy-5 α -androst-1-ene);
- 749 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- 750 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- 751 (h) 1-androstenedione ([5 α]-androst-1-en-3,17-dione);
- 752 (i) 4-androstenedione (androst-4-en-3,17-dione);
- 753 (j) 5-androstenedione (androst-5-en-3,17-dione);
- 754 (k) Bolasterone (7 α , 17 α -dimethyl-17 β -hydroxyandrost-4-en-
755 3-one);
- 756 (l) Boldenone (17 β -hydroxyandrost-1,4,-diene-3-one);

757 (m) Boldione;

758 (n) Calusterone (7 β , 17 α -dimethyl-17 β -hydroxyandrost-4-en-
759 3-one);

760 (o) Clostebol (4-chloro-17 β -hydroxyandrost-4-en-3-one);

761 (p) Dehydrochloromethyltestosterone (4-chloro-17 β -hydroxy-
762 17 α -methyl-androst-1,4-dien-3-one);

763 (q) Desoxymethyltestosterone;

764 (r) 4-dihydrotestosterone (17 β -hydroxy-androstan-3-one);

765 (s) Drostanolone (17 β -hydroxy-2 α -methyl-5 α -androstan-3-
766 one);

767 (t) Ethylestrenol (17 α -ethyl-17 β -hydroxyestr-4-ene);

768 (u) Fluoxymesterone (9-fluoro-17 α -methyl-11 β ,17 β -
769 dihydroxyandrost-4-en-3-one);

770 (v) Formebolone (2-formyl-17 α -methyl-11 α ,17 β -
771 dihydroxyandrost-1,4-dien-3-one);

772 (w) Furazabol (17 α -methyl-17 β -hydroxyandrostando[2,3-c]-
773 furazan);

774 (x) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;

775 (y) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-
776 one);

777 (z) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-
778 en-3-one);

779 (aa) Mestanolone (17 α -methyl-17 β -hydroxy-5 α -androstan-3-
780 one);

781 (bb) Mesterolone (1 α - methyl-17 β -hydroxy-[5 α]-androstan-3-
782 one);

783 (cc) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-

784 3-one);
785 (dd) Methandriol (17a-methyl-3 β ,17 β -dihydroxyandrost-5-
786 ene);
787 (ee) Methasterone (2a,17a-dimethyl-5a-androstan-17 β -ol-3-
788 one);
789 (ff) Methenolone (1-methyl-17 β -hydroxy-5a-androst-1-en-3-
790 one);
791 (gg) 17a-methyl-3 β ,17 β -dihydroxy-5a-androstane;
792 (hh) 17a-methyl-3a,17 β -dihydroxy-5a-androstane;
793 (ii) 17a-methyl-3 β ,17 β -dihydroxyandrost-4-ene;
794 (jj) 17a-methyl-4-hydroxynandrolone (17a-methyl-4-hydroxy-
795 17 β -hydroxyestr-4-en-3-one);
796 (kk) Methyldienolone (17a-methyl-17 β -hydroxyestra-4,9(10)-
797 dien-3-one);
798 (ll) Methyltrienolone (17a-methyl-17 β -hydroxyestra-4,9,11-
799 trien-3-one);
800 (mm) Methyltestosterone (17a-methyl-17 β -hydroxyandrost-4-
801 en-3-one);
802 (nn) Mibolerone (7a,17a-dimethyl-17 β -hydroxyestr-4-en-3-
803 one);
804 (oo) 17a-methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17a-
805 methyl-5a-androst-1-en-3-one) (a.k.a. '17-a-methyl-1-
806 testosterone');
807 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
808 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
809 (rr) 19-nor-4-androstenediol (3a,17 β -dihydroxyestr-4-ene);
810 (ss) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-

811 diene-3,17-dione);

812 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);

813 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);

814 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);

815 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

816 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-

817 one);

818 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);

819 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-

820 one);

821 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-

822 one);

823 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5a]-

824 androstan-3-one);

825 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-

826 3-one);

827 (ddd) metholone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-

828 [5a]-androstan-3-one);

829 (eee) Prostanazol (17 β -hydroxy-5 α -androstan[3,2-c]

830 pyrazole);

831 (fff) Stanolone (?1-dihydrotestosterone (a.k.a. 1-

832 testosterone) (17 β -hydroxy-5 α -androst-1-en-3-one));

833 (ggg) Stanozolol (17 α -methyl-17 β -hydroxy-[5a]-androst-2-eno

834 [3,2-c]-pyrazole);

835 (hhh) Stenbolone (17 β -hydroxy-2-methyl-[5a]-androst-1-en-3-

836 one);

837 (iii) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-

838 1,4-dien-17-oic acid lactone);

839 (jjj) Testosterone (17 β -hydroxyandrost-4-en-3-one);

840 (kkk) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-

841 4,9,11-trien-3-one);

842 (lll) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);

843 (mmm) Any salt, ester, or ether of a drug or substance

844 described or listed in this subdivision, except an anabolic

845 steroid which is expressly intended for administration through

846 implants to cattle or other nonhuman species and which has been

847 approved by the Secretary of Health and Human Services for that

848 administration;

849 (7) Dronabinol (synthetic) in sesame oil and encapsulated in

850 a soft gelatin capsule in a United States Food and Drug

851 Administration approved drug product;

852 (8) The department of health and senior services may except

853 by rule any compound, mixture, or preparation containing any

854 stimulant or depressant substance listed in subdivisions (1) and

855 (2) of this subsection from the application of all or any part of

856 sections 195.010 to 195.320 if the compound, mixture, or

857 preparation contains one or more active medicinal ingredients not

858 having a stimulant or depressant effect on the central nervous

859 system, and if the admixtures are included therein in

860 combinations, quantity, proportion, or concentration that vitiate

861 the potential for abuse of the substances which have a stimulant or

862 depressant effect on the central nervous system.

863 7. The department of health and senior services shall place a

864 substance in Schedule IV if it finds that:

865 (1) The substance has a low potential for abuse relative to
866 substances in Schedule III;

867 (2) The substance has currently accepted medical use in
868 treatment in the United States; and

869 (3) Abuse of the substance may lead to limited physical
870 dependence or psychological dependence relative to the substances
871 in Schedule III.

872 8. The controlled substances listed in this subsection are
873 included in Schedule IV:

874 (1) Any material, compound, mixture, or preparation
875 containing any of the following narcotic drugs or their salts
876 calculated as the free anhydrous base or alkaloid, in limited
877 quantities as set forth below:

878 (a) Not more than one milligram of difenoxin and not less
879 than twenty-five micrograms of atropine sulfate per dosage unit;

880 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-
881 diphenyl-3-methyl-2-propionoxybutane);

882 (c) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)
883 cyclohexanol, its salts, optical and geometric isomers, and salts
884 of these isomers (including tramadol);

885 (d) Any of the following limited quantities of narcotic drugs
886 or their salts, which shall include one or more nonnarcotic active
887 medicinal ingredients in sufficient proportion to confer upon the
888 compound, mixture or preparation valuable medicinal qualities
889 other than those possessed by the narcotic drug alone:

890 a. Not more than two hundred milligrams of codeine per one
891 hundred milliliters or per one hundred grams;

892 b. Not more than one hundred milligrams of dihydrocodeine per
893 one hundred milliliters or per one hundred grams;

894 c. Not more than one hundred milligrams of ethylmorphine per
895 one hundred milliliters or per one hundred grams;

896 (2) Any material, compound, mixture or preparation
897 containing any quantity of the following substances, including
898 their salts, isomers, and salts of isomers whenever the existence
899 of those salts, isomers, and salts of isomers is possible within
900 the specific chemical designation:

- 901 (a) Alfaxalone;
- 902 (b) Alprazolam;
- 903 (c) Barbitol;
- 904 (d) Bromazepam;
- 905 (e) Camazepam;
- 906 (f) Carisoprodol;
- 907 (g) Chloral betaine;
- 908 (h) Chloral hydrate;
- 909 (i) Chlordiazepoxide;
- 910 (j) Clobazam;
- 911 (k) Clonazepam;
- 912 (l) Clorazepate;
- 913 (m) Clotiazepam;
- 914 (n) Cloxazolam;
- 915 (o) Delorazepam;
- 916 (p) Diazepam;
- 917 (q) Dichloralphenazone;
- 918 (r) Estazolam;

919 (s) Ethchlorvynol;
920 (t) Ethinamate;
921 (u) Ethyl loflazepate;
922 (v) Fludiazepam;
923 (w) Flunitrazepam;
924 (x) Flurazepam;
925 (y) Fospropofol;
926 (z) Halazepam;
927 (aa) Haloxazolam;
928 (bb) Ketazolam;
929 (cc) Loprazolam;
930 (dd) Lorazepam;
931 (ee) Lormetazepam;
932 (ff) Mebutamate;
933 (gg) Medazepam;
934 (hh) Meprobamate;
935 (ii) Methohexital;
936 (jj) Methylphenobarbital (mephobarbital);
937 (kk) Midazolam;
938 (ll) Nimetazepam;
939 (mm) Nitrazepam;
940 (nn) Nordiazepam;
941 (oo) Oxazepam;
942 (pp) Oxazolam;
943 (qq) Paraldehyde;
944 (rr) Petrichloral;
945 (ss) Phenobarbital;

946 (tt) Pinazepam;
947 (uu) Prazepam;
948 (vv) Quazepam;
949 (ww) Suvorexant;
950 (xx) Temazepam;
951 (yy) Tetrazepam;
952 (zz) Triazolam;
953 (aaa) Zaleplon;
954 (bbb) Zolpidem;
955 (ccc) Zopiclone;

956 (3) Any material, compound, mixture, or preparation which
957 contains any quantity of the following substance including its
958 salts, isomers and salts of isomers whenever the existence of such
959 salts, isomers and salts of isomers is possible: fenfluramine;

960 (4) Any material, compound, mixture, or preparation which
961 contains any quantity of the following substances, including its
962 salts, isomers, and salts of isomers, whenever the existence of
963 such salts, isomers, and salts of isomers is possible: Lorcaserin;

964 (5) Any material, compound, mixture or preparation
965 containing any quantity of the following substances having a
966 stimulant effect on the central nervous system, including their
967 salts, isomers and salts of isomers:

968 (a) Cathine ((+)-norpseudoephedrine);
969 (b) Diethylpropion;
970 (c) Fencamfamin;
971 (d) Fenproporex;
972 (e) Mazindol;

973 (f) Mefenorex;

974 (g) Modafinil;

975 (h) Pemoline, including organometallic complexes and
976 chelates thereof;

977 (i) Phentermine;

978 (j) Pipradrol;

979 (k) Sibutramine;

980 (l) SPA ((-)-1-dimethy-amino-1,2-diphenylethane);

981 (6) Any material, compound, mixture or preparation
982 containing any quantity of the following substance, including its
983 salts:

984 (a) Butorphanol (including its optical isomers);

985 (b) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-
986 dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1 H-imidazol-2-yl)
987 ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical
988 isomers) and its salts, isomers, and salts of isomers;

989 (c) Pentazocine;

990 (7) Ephedrine, its salts, optical isomers and salts of
991 optical isomers, when the substance is the only active medicinal
992 ingredient;

993 (8) The department of health and senior services may except
994 by rule any compound, mixture, or preparation containing any
995 depressant substance listed in subdivision (1) of this subsection
996 from the application of all or any part of sections 195.010 to
997 195.320 and sections 579.015 to 579.086 if the compound, mixture,
998 or preparation contains one or more active medicinal ingredients
999 not having a depressant effect on the central nervous system, and

1000 if the admixtures are included therein in combinations, quantity,
1001 proportion, or concentration that vitiate the potential for abuse
1002 of the substances which have a depressant effect on the central
1003 nervous system.

1004 9. The department of health and senior services shall place a
1005 substance in Schedule V if it finds that:

1006 (1) The substance has low potential for abuse relative to the
1007 controlled substances listed in Schedule IV;

1008 (2) The substance has currently accepted medical use in
1009 treatment in the United States; and

1010 (3) The substance has limited physical dependence or
1011 psychological dependence liability relative to the controlled
1012 substances listed in Schedule IV.

1013 10. The controlled substances listed in this subsection are
1014 included in Schedule V:

1015 (1) Any compound, mixture or preparation containing any of
1016 the following narcotic drugs or their salts calculated as the free
1017 anhydrous base or alkaloid, in limited quantities as set forth
1018 below, which also contains one or more nonnarcotic active
1019 medicinal ingredients in sufficient proportion to confer upon the
1020 compound, mixture or preparation valuable medicinal qualities
1021 other than those possessed by the narcotic drug alone:

1022 (a) Not more than two and five-tenths milligrams of
1023 diphenoxylate and not less than twenty-five micrograms of atropine
1024 sulfate per dosage unit;

1025 (b) Not more than one hundred milligrams of opium per one
1026 hundred milliliters or per one hundred grams;

1027 (c) Not more than five-tenths milligram of difenoxin and not
1028 less than twenty-five micrograms of atropine sulfate per dosage
1029 unit;

1030 (2) Any material, compound, mixture or preparation which
1031 contains any quantity of the following substance having a
1032 stimulant effect on the central nervous system including its
1033 salts, isomers and salts of isomers: pyrovalerone;

1034 (3) Any compound, mixture, or preparation containing any
1035 detectable quantity of pseudoephedrine or its salts or optical
1036 isomers, or salts of optical isomers or any compound, mixture, or
1037 preparation containing any detectable quantity of ephedrine or its
1038 salts or optical isomers, or salts of optical isomers;

1039 (4) Unless specifically exempted or excluded or unless
1040 listed in another schedule, any material, compound, mixture, or
1041 preparation which contains any quantity of the following
1042 substances having a depressant effect on the central nervous
1043 system, including its salts:

1044 (a) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-
1045 yl]butanamide) (also referred to as BRV; UCB-34714; Briviact);

1046 (b) Ezogabine [N-[2-amino-4(4-fluorobenzylamino)-phenyl]-
1047 carbamic acid ethyl ester];

1048 (c) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-
1049 propionamide];

1050 (d) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid];

1051 (5) Any drug product in finished dosage formulation that has
1052 been approved by the U.S. Food and Drug Administration that
1053 contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-

1054 cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis
1055 and no more than 0.1 percent (w/w) residual tetrahydro
1056 cannabiniols.

1057 11. If any compound, mixture, or preparation as specified in
1058 subdivision (3) of subsection 10 of this section is dispensed,
1059 sold, or distributed in a pharmacy without a prescription:

1060 (1) All packages of any compound, mixture, or preparation
1061 containing any detectable quantity of pseudoephedrine, its salts
1062 or optical isomers, or salts of optical isomers or ephedrine, its
1063 salts or optical isomers, or salts of optical isomers, shall be
1064 offered for sale only from behind a pharmacy counter where the
1065 public is not permitted, and only by a registered pharmacist or
1066 registered pharmacy technician; and

1067 (2) Any person purchasing, receiving or otherwise acquiring
1068 any compound, mixture, or preparation containing any detectable
1069 quantity of pseudoephedrine, its salts or optical isomers, or
1070 salts of optical isomers or ephedrine, its salts or optical
1071 isomers, or salts of optical isomers shall be at least eighteen
1072 years of age; and

1073 (3) The pharmacist, intern pharmacist, or registered
1074 pharmacy technician shall require any person, prior to such
1075 person's purchasing, receiving or otherwise acquiring such
1076 compound, mixture, or preparation to furnish suitable photo
1077 identification that is issued by a state or the federal government
1078 or a document that, with respect to identification, is considered
1079 acceptable and showing the date of birth of the person;

1080 (4) The seller shall deliver the product directly into the

1081 custody of the purchaser.

1082 12. Pharmacists, intern pharmacists, and registered pharmacy
1083 technicians shall implement and maintain an electronic log of each
1084 transaction. Such log shall include the following information:

1085 (1) The name, address, and signature of the purchaser;

1086 (2) The amount of the compound, mixture, or preparation
1087 purchased;

1088 (3) The date and time of each purchase; and

1089 (4) The name or initials of the pharmacist, intern
1090 pharmacist, or registered pharmacy technician who dispensed the
1091 compound, mixture, or preparation to the purchaser.

1092 13. Each pharmacy shall submit information regarding sales
1093 of any compound, mixture, or preparation as specified in
1094 subdivision (3) of subsection 10 of this section in accordance with
1095 transmission methods and frequency established by the department
1096 by regulation;

1097 14. No person shall dispense, sell, purchase, receive, or
1098 otherwise acquire quantities greater than those specified in this
1099 chapter.

1100 15. All persons who dispense or offer for sale
1101 pseudoephedrine and ephedrine products in a pharmacy shall ensure
1102 that all such products are located only behind a pharmacy counter
1103 where the public is not permitted.

1104 16. The penalties for a knowing or reckless violation of the
1105 provisions of subsections 11 to 15 of this section are found in
1106 section 579.060.

1107 17. The scheduling of substances specified in subdivision

1108 (3) of subsection 10 of this section and subsections 11, 12, 14,
1109 and 15 of this section shall not apply to any compounds, mixtures,
1110 or preparations that are in liquid or liquid-filled gel capsule
1111 form or to any compound, mixture, or preparation specified in
1112 subdivision (3) of subsection 10 of this section which must be
1113 dispensed, sold, or distributed in a pharmacy pursuant to a
1114 prescription.

1115 18. The manufacturer of a drug product or another interested
1116 party may apply with the department of health and senior services
1117 for an exemption from this section. The department of health and
1118 senior services may grant an exemption by rule from this section if
1119 the department finds the drug product is not used in the illegal
1120 manufacture of methamphetamine or other controlled or dangerous
1121 substances. The department of health and senior services shall
1122 rely on reports from law enforcement and law enforcement
1123 evidentiary laboratories in determining if the proposed product
1124 can be used to manufacture illicit controlled substances.

1125 19. The department of health and senior services shall revise
1126 and republish the schedules annually.

1127 20. The department of health and senior services shall
1128 promulgate rules under chapter 536 regarding the security and
1129 storage of Schedule V controlled substances, as described in
1130 subdivision (3) of subsection 10 of this section, for distributors
1131 as registered by the department of health and senior services.

1132 21. Logs of transactions required to be kept and maintained
1133 by this section and section 195.417 shall create a rebuttable
1134 presumption that the person whose name appears in the logs is the

1135 person whose transactions are recorded in the logs.

195.815. 1. The department of health and senior services
2 shall require all employees, contractors, owners, and volunteers
3 of medical marijuana facilities or the marijuana enforcement
4 authority shall require all employees, contractors, owners, and
5 volunteers of marijuana businesses to submit fingerprints to the
6 Missouri state highway patrol for the purpose of conducting a state
7 and federal fingerprint-based criminal background check.

8 2. The department or authority may require that such
9 fingerprint submissions be made as part of a medical marijuana
10 facility or marijuana business application, a medical marijuana
11 facility or marijuana business renewal application, and an
12 individual's application for licensure under sections 196.3000 to
13 196.3048 or licensure and issuance of an identification card
14 authorizing that individual to be an employee, contractor, owner,
15 or volunteer of a medical marijuana facility or marijuana
16 business.

17 3. Fingerprint cards and any required fees shall be sent to
18 the Missouri state highway patrol's central repository. The
19 fingerprints shall be used for searching the state criminal
20 records repository and shall also be forwarded to the Federal
21 Bureau of Investigation for a federal criminal records search
22 under section 43.540. The Missouri state highway patrol shall
23 notify the department of any criminal history record information
24 or lack of criminal history record information discovered on the
25 individual. Notwithstanding the provisions of section 610.120 to
26 the contrary, all records related to any criminal history

27 information discovered shall be accessible and available to the
28 department.

29 4. As used in this section, the following words shall mean:

30 (1) "Contractor", a person performing work or service of any
31 kind for a medical marijuana facility or marijuana business in
32 accordance with a contract with that facility or business;

33 (2) "Employee", a person performing work or service of any
34 kind or character for hire in a medical marijuana facility or
35 marijuana business;

36 (3) "Medical marijuana facility", an entity licensed or
37 certified by the department of health and senior services to
38 acquire, cultivate, process, manufacture, test, store, sell,
39 transport, or deliver medical marijuana.

196.3000. Sections 196.3000 to 196.3048 shall be known and
2 may be cited as the "Marijuana Freedom Act".

196.3003. As used in sections 196.3000 to 196.3048, the
2 following terms mean:

3 (1) "Authority", the marijuana enforcement authority (MEA)
4 within the department;

5 (2) "Consumer", a person twenty-one years of age or older who
6 purchases marijuana, marijuana products, or marijuana accessories
7 for personal use but not for resale to others;

8 (3) "Department", the department of health and senior
9 services;

10 (4) "Marijuana", all parts of the plant of the genus
11 Cannabis; the seeds thereof; the resin extracted from any part of
12 the plant; and every compound, manufacture, salt, derivative,

13 mixture, or preparation of the plant, its seeds, or its resin,
14 including marijuana concentrate. "Marijuana" shall not include
15 industrial hemp, nor shall it include fiber produced from the
16 stalks, oil, or cake made from the seeds of the plant; sterilized
17 seed of the plant that is incapable of germination; or the weight
18 of any other ingredient combined with marijuana to prepare topical
19 or oral administrations, food, drink, or other products;

20 (5) "Marijuana accessories", any equipment, products, or
21 materials of any kind that are used, intended for use, or designed
22 for use in planting, propagating, cultivating, growing,
23 harvesting, composting, manufacturing, compounding, converting,
24 producing, processing, preparing, testing, analyzing, packaging,
25 repackaging, storing, vaporizing, or containing marijuana or for
26 ingesting, inhaling, or otherwise introducing marijuana into the
27 human body;

28 (6) "Marijuana business", a licensed marijuana processor,
29 marijuana commercial grower, or marijuana retailer;

30 (7) "Marijuana commercial grower" or "commercial grower", an
31 entity licensed to cultivate, prepare, and package marijuana and
32 transfer or contract for transfer of marijuana to a marijuana
33 retailer, marijuana processor, or any other marijuana commercial
34 grower. A commercial grower may sell seeds, flower, or clones to
35 commercial growers under sections 196.3000 to 196.3048;

36 (8) "Marijuana processor", a person or entity licensed under
37 sections 196.3000 to 196.3048 to operate a business, including the
38 production, manufacture, extraction, processing, packaging, or
39 creation of marijuana products as described under sections

40 196.3000 to 196.3048;

41 (9) "Marijuana products", concentrated marijuana products
42 and marijuana products that are composed of marijuana and other
43 ingredients and are intended for use or consumption including, but
44 not limited to, edible products, ointments, and tinctures;

45 (10) "Marijuana retailer", an entity that has been licensed
46 by the authority under sections 196.3000 to 196.3048 to purchase
47 marijuana or marijuana products from a licensed marijuana
48 commercial grower or marijuana processor, sell marijuana or
49 marijuana products to consumers under sections 196.3000 to
50 196.3048, or sell or transfer marijuana or marijuana products to
51 another marijuana retailer;

52 (11) "Medical marijuana dispensary facility", a facility
53 licensed by the department or its successor agency to acquire,
54 store, sell, transport, and deliver marijuana, marijuana-infused
55 products, and drug paraphernalia used to administer marijuana as
56 provided under Article XIV, Section 1 of the Constitution of
57 Missouri to a qualifying patient, a primary caregiver, another
58 medical marijuana dispensary facility, a medical marijuana testing
59 facility, or a medical marijuana-infused products manufacturing
60 facility;

61 (12) "Personal use", personal use or consumption of
62 marijuana by a person twenty-one years of age or older.

196.3006. The provisions of sections 196.3000 to 196.3048
2 shall not:

3 (1) Restrict the rights of employers to maintain a drug- and
4 alcohol-free workplace or affect the ability of employers to enact

5 workplace policies restricting the use of marijuana or marijuana
6 products by employees or prospective employees;

7 (2) Require an employer to allow or accommodate the use,
8 consumption, possession, transfer, display, transportation, sale,
9 or cultivation of marijuana or marijuana products in a place of
10 employment;

11 (3) Allow driving, flying, or boating while impaired by
12 marijuana or marijuana products or prevent this state from
13 enacting and imposing penalties for driving, flying, or boating
14 while impaired by marijuana or marijuana products;

15 (4) Allow individuals who are under twenty-one years of age
16 to purchase, possess, transport, or consume marijuana or marijuana
17 products;

18 (5) Allow the sale, transfer, or provision of marijuana or
19 marijuana products to individuals who are under twenty-one years
20 of age;

21 (6) Restrict the rights of employers, schools, day care
22 centers, adult care facilities, health care facilities, or
23 correctional facilities to prohibit or regulate conduct otherwise
24 allowed under sections 196.3000 to 196.3048 if such conduct occurs
25 on or in properties listed under this subdivision;

26 (7) Restrict the ability of an individual, partnership,
27 limited liability company, private corporation, private entity, or
28 private organization of any character that occupies, owns, or
29 controls property to prohibit or regulate conduct otherwise
30 allowed in this section on or in such property;

31 (8) Prohibit this state or a political subdivision of this

32 state from prohibiting or regulating conduct otherwise allowed
33 under sections 196.3000 to 196.3048 when such conduct occurs on or
34 in property that is occupied, owned, controlled, or operated by
35 this state or a political subdivision of this state; or

36 (9) Require a person to violate federal law or to implement
37 or fail to implement a restriction on the possession, consumption,
38 displaying, transferring, processing, manufacturing, or
39 cultivation of marijuana if by doing so the person will lose a
40 monetary or licensing-related benefit under federal law.

196.3009. 1. The following acts shall not be unlawful and
2 shall not be an offense under Missouri law:

3 (1) Possessing or consuming marijuana or marijuana products
4 for personal use;

5 (2) For any person twenty-one years of age or older,
6 cultivating or possessing no more than twelve mature, flowering
7 marijuana plants for noncommercial, personal use. Any person
8 twenty-one years of age or older may contract with a commercial
9 grower to grow his or her allotment of marijuana plants for
10 noncommercial, personal use. The authority shall set fines for any
11 person who exceeds the limitation under this subdivision if the
12 person has not obtained a temporary or annual marijuana business
13 license. No person under this subdivision shall be subject to any
14 testing or seed-to-sale tracking requirement provided under
15 sections 196.3000 to 196.3048;

16 (3) Cultivating, harvesting, processing, manufacturing,
17 packaging, distributing, transferring, displaying, or possessing
18 marijuana, marijuana accessories, or marijuana products for

19 commercial purposes, provided the person has current applicable
20 licensing to operate a marijuana business;

21 (4) Providing marijuana, marijuana accessories, or marijuana
22 products for sale to consumers twenty-one years of age or older;
23 and

24 (5) Leasing or otherwise allowing the use of property owned,
25 occupied, or controlled by any person, corporation, or other
26 entity for any of the activities conducted lawfully in accordance
27 with subdivisions (1) to (4) of this subsection.

28 2. The use or possession of marijuana shall in no way impede
29 a person's legal right to possess a firearm.

196.3012. Notwithstanding any provision of law, it shall be
2 lawful for a person twenty-one years of age or older, or an
3 emancipated individual under twenty-one years of age with a
4 physician's recommendation authorizing the use of marijuana, to
5 transfer or gift marijuana in any form including, but not limited
6 to, plant material, seeds, extract, or concentrate, to another
7 adult twenty-one years of age or older, or to another emancipated
8 individual under twenty-one years of age with a physician's
9 recommendation authorizing the use of marijuana, provided no
10 compensation of any kind is given or received; however, nothing in
11 this section shall be construed to permit the transfer or gifting
12 of marijuana to a person under twenty-one years of age, if such
13 person has a physician's recommendation authorizing the use of
14 marijuana, by anyone other than such person's legal guardian,
15 under and in accordance with the provisions governing the
16 medically authorized administration of marijuana to a person under

17 twenty-one years of age.

18 196.3015. Marijuana farmers, manufacturers, processors, and
19 distributors shall not be subject to any special zoning
20 requirement or licensing fee that is excessive, discriminatory,
21 prohibitive, or in any way contrary to that which is relative to
22 any other commercial or agricultural farmer, manufacturer,
23 processor, or distributor.

24 196.3018. 1. No Missouri law enforcement personnel or state
25 funds shall be used to assist or aid in the enforcement of federal
26 marijuana laws involving acts that are no longer illegal in the
27 state of Missouri under sections 196.3000 to 196.3048.

28 2. Asset or civil forfeiture shall no longer be used in the
29 state of Missouri in association with legal marijuana cultivation,
30 use, sale, or possession.

31 3. As provided under section 610.135, Missouri's courts
32 shall expunge conviction records of offenses or municipal
33 violations pertaining to nonviolent marijuana-related offenses or
34 violations that are no longer illegal in the state of Missouri
35 under sections 196.3000 to 196.3048.

36 196.3021. 1. A tax shall be levied upon the sale of
37 marijuana or marijuana products to consumers or buyers not
38 licensed for resale at a rate of six percent. The department of
39 revenue shall direct the authority to establish procedures for the
40 collection of all taxes levied. The tax shall be evidenced by
41 stamps that shall be furnished by and purchased from the department
42 of revenue, and the department of revenue shall enforce any such
43 tax in a manner similar to taxes levied on cigarettes under chapter

9 149.

10 2. All tax revenues collected under subsection 1 of this
11 section shall be deposited in the marijuana freedom fund
12 established under section 196.3045.

13 3. Nothing in this section shall prohibit state and local
14 sales tax as imposed under the sales tax law and local sales tax
15 law.

16 4. Any sale of marijuana for medical use shall not be subject
17 to taxation under this section.

196.3024. All provisions of sections 196.3000 to 196.3048
2 shall supersede any conflicting state statute or local charter,
3 ordinance, or resolution.

196.3025. Before February 1, 2023, the department shall
2 appoint a chief information officer. The chief information
3 officer shall establish public education programming and targeted
4 technical assistance programming dedicated to providing the public
5 with information detailing the licensing process and informing
6 individuals of the support and resources that can be provided to
7 individuals and entities interested in participating in activities
8 licensed under sections 196.3000 to 196.3048. The chief
9 information officer shall provide a report to the department no
10 later than January 1, 2024, and every January first thereafter of
11 the officer's and the department's public education programming
12 and targeted technical assistance programming, and the department
13 shall provide such report to the general assembly.

196.3026. 1. The department shall issue rules or emergency
2 rules for a marijuana and marijuana products independent testing

3 and certification program for marijuana licensees under sections
4 196.3000 to 196.3048, and the department shall issue rules or
5 emergency rules requiring such licensees to test marijuana and
6 marijuana products using one or more impartial, independent
7 laboratories to ensure, at a minimum, that products sold for human
8 consumption do not contain contaminants that are injurious to
9 health and to ensure correct labeling and measure potency. The
10 department shall not require any marijuana or marijuana product to
11 be tested more than once prior to sale.

12 2. The department shall issue rules or emergency rules to
13 provide for the certification of and standards for marijuana
14 testing facilities, including the requirements for equipment and
15 qualifications for personnel, but shall not require certificate
16 holders to have any federal agency licensing or have any
17 relationship with a federally licensed testing facility. The
18 department shall certify, if possible, at least two entities as
19 marijuana testing facilities. No marijuana testing facility shall
20 be owned by an entity under substantially common control,
21 ownership, or management as a marijuana business.

196.3027. 1. There is hereby established the "Marijuana
2 Enforcement Authority" under the department. The authority shall
3 have oversight and auditing responsibilities to ensure that all
4 marijuana being grown in Missouri for personal use is accounted for
5 and shall implement an inventory tracking system as provided under
6 subsection 2 of this section. The authority shall require that
7 each marijuana business keep records for every transaction with
8 another marijuana business or consumer. Inventory shall be

9 tracked and updated after each individual sale and reported to the
10 authority.

11 2. The authority shall require a seed-to-sale tracking
12 system that tracks marijuana from either seed or immature plant
13 stage until the marijuana or marijuana product is sold to a
14 consumer by a marijuana business to ensure that no marijuana grown
15 or processed is sold or otherwise transferred except by a marijuana
16 business. The authority shall contract with a vendor or vendors to
17 maintain a standardized tracking system in the state. The tracking
18 system shall include, at a minimum, the following:

19 (1) Notification of when marijuana seeds are planted;

20 (2) Notification of when marijuana plants are harvested and
21 destroyed;

22 (3) Notification of when marijuana is transported, sold,
23 stolen, diverted, or lost;

24 (4) A complete inventory of all marijuana seeds, plant
25 tissue, clones, plants, usable marijuana or trim, leaves, and
26 other plant matter, batches of extract, and marijuana
27 concentrates;

28 (5) All samples sent to a testing laboratory, an unused
29 portion of a sample returned to a licensee, and all samples
30 utilized by a licensee for purposes of negotiating a sale; and

31 (6) All samples used for quality testing by a licensee.

196.3028. 1. There is hereby created the marijuana business
2 license, which shall include applications for the following
3 categories:

4 (1) Marijuana commercial growers;

5 (2) Marijuana processors; and

6 (3) Marijuana retailers.

7 2. The authority, with the aid of the office of
8 administration, shall develop a website for marijuana business
9 license applications.

10 3. The authority shall determine an application fee for a
11 marijuana business license in an amount sufficient to cover
12 administration, regulation, and enforcement costs associated under
13 sections 196.3000 to 196.3048, and the fee shall be deposited into
14 the marijuana freedom fund established under section 196.3045.

15 4. All applicants shall be approved for licensing review
16 that, at a minimum, meet the following criteria:

17 (1) All applicants shall be twenty-one years of age or older;
18 and

19 (2) All applying individuals or entities shall be registered
20 to conduct business in the state of Missouri.

21 5. All applicants seeking licensure as a marijuana business
22 shall comply with the following general requirements:

23 (1) All applications shall contain the name and address of
24 the applicant;

25 (2) All applications for marijuana commercial growers and
26 marijuana processors shall contain the name, address, and global
27 positioning system coordinates and the legal description of the
28 property;

29 (3) All applications for licenses authorized under this
30 section shall be made upon forms prescribed by the authority;

31 (4) All applications shall identify the city or county in

32 which the applicant seeks to obtain licensure as a marijuana
33 business;

34 (5) All applicants shall submit a complete and accurate
35 application to the authority before the application may be
36 accepted or considered;

37 (6) All applications shall include all attachments or
38 supplemental information required by the forms supplied by the
39 authority;

40 (7) All applications shall be accompanied by a full
41 remittance for the entire amount of the application fees;

42 (8) All applicants for a marijuana business license
43 authorized under sections 196.3000 to 196.3048, including:

44 (a) Individual applicants applying on their own behalf;

45 (b) Individuals applying on behalf of an applying entity;

46 (c) All principal officers of an applying entity; and

47 (d) All owners of an applying entity,

48
49 shall undergo a Missouri criminal background check within thirty
50 days prior to applying for the license;

51 (9) All applicable fees charged for the criminal background
52 check are the responsibility of the applicant and shall not be
53 higher than fees charged to any other person or industry for such
54 background check;

55 (10) All applicants, or applying individuals if an entity,
56 shall establish their identity through submission of a color copy
57 or digital image of one of the following unexpired documents:

58 (a) Front and back of a Missouri driver's license;

59 (b) Front and back of a Missouri identification card; or
60 (c) A United States passport or other photo identification
61 issued by the United States government; and

62 (11) All applicants, or applying individuals if an entity,
63 shall submit an applicant photograph.

64 6. A person or entity applying for a marijuana business
65 license shall submit the following to the authority:

66 (1) Business-formation documents, which may include, but are
67 not limited to, articles of incorporation, operating agreements,
68 partnership agreements, and fictitious business name statements;

69 (2) Financial information pertaining to the operations of
70 the marijuana business, which shall include the following:

71 (a) A list of funds belonging to the applicant held in
72 savings, checking, or other accounts maintained by a financial
73 institution. The applicant shall provide for each account the name
74 of the financial institution, the address of the financial
75 institution, account type, account number, and the amount of
76 moneys in the account;

77 (b) A list of loans made to the applicant. For each loan, the
78 applicant shall provide the amount of the loan; the date of the
79 loan; term of the loan; security provided for the loan; and the
80 name, address, and phone number of the lender;

81 (c) A list of investments made into the marijuana business.
82 For each investment, the applicant shall provide the amount of the
83 investment; the date of the investment; term of the investment; and
84 the name, address, and phone number of the investor;

85 (d) A list of all gifts of any kind given to the applicant for

86 the applicant's use in conducting marijuana business activities.
87 For each gift, the applicant shall provide the value of the gift or
88 description of the gift and the name, address, and phone number of
89 the provider of the gift;

90 (e) A complete list of every individual who has a financial
91 interest in the marijuana business but is not an owner of the
92 marijuana business;

93 (f) Whether the applicant has an ownership or a financial
94 interest in any other marijuana business licensed in Missouri; and

95 (g) A complete and detailed diagram of the proposed premises.
96 The diagram shall be to scale and shall show the following:

97 a. Boundaries of the property and the proposed premises to be
98 licensed, including all boundaries, dimensions, entrances and
99 exits, interior partitions, walls, rooms, windows, doorways, and
100 common or shared entryways. A brief statement or description of
101 the principal activity to be conducted therein shall also be
102 included;

103 b. The location of marijuana business activities that will
104 take place in each area of the premises and the identification of
105 limited-access areas;

106 c. Where all cameras are located and a number assigned to
107 each camera for identification purposes; and

108 d. If the proposed premises consists of only a portion of the
109 property, which part of the property is the proposed premises, and
110 the use of the remaining property.

111 7. If the applicant is not the landowner of the real property
112 upon which the premises is located, the applicant shall provide to

113 the authority a document from the landowner or the agent of the
114 landowner that states that the applicant has the right to occupy
115 the property and acknowledges the applicant may use the property
116 for marijuana business activities for which the applicant is
117 applying for licensure. An applicant shall also provide a copy of
118 the rental agreement, as applicable.

119 8. If the applicant is the landowner of the real property
120 upon which the premises is located, the applicant shall provide to
121 the authority a copy of the title or deed to the property.

122 9. If the applicant is applying for a marijuana commercial
123 grower license, the applicant shall also submit the following:

124 (1) For indoor and mixed-light cultivation, identification
125 of all power sources for cultivation activities including, but not
126 limited to, illumination, heating, cooling, and ventilation;

127 (2) If the applicant is proposing to use a diversion from a
128 waterbody, groundwater well, or rain catchment system as a water
129 source for cultivation, the following locations on the property
130 diagram with locations also provided as GPS coordinates in
131 latitude and longitude:

132 (a) Sources of the water used, including the location of
133 waterbody diversion;

134 (b) Pump location and distribution system; and

135 (c) Location, type, and capacity of each storage unit to be
136 used for cultivation;

137 (3) A proposed cultivation plan, which shall include
138 identification of all water sources used for cultivation
139 activities;

- 140 (4) Evidence of insurance including, but not limited to:
141 (a) General liability insurance;
142 (b) Workers' compensation insurance; and
143 (c) Product liability insurance; and
144 (5) Any additional information required by the authority.

145 10. The authority shall be authorized to issue the following
146 types of marijuana processor licenses based on the level of risk
147 posed by the type of processing conducted:

- 148 (1) A nonhazardous marijuana processor license; or
149 (2) A hazardous marijuana processor license.

150 11. In addition to the application requirements under this
151 section, a marijuana commercial grower or marijuana processor
152 shall demonstrate to the authority that the grower or processor has
153 a bank account and shall provide growth estimates, processing
154 estimates, and predicted electrical and water usage to grow or
155 process marijuana.

156 12. All applicants shall submit information to the authority
157 in a full, faithful, truthful, and fair manner. The authority may
158 deny an application if the applicant made misstatements,
159 omissions, misrepresentations, or untruths in the application or
160 in connection with the background investigation of the applicant.
161 Such conduct may be considered as the basis for additional
162 administrative action against the applicant. Typos and
163 scrivener's errors shall not be grounds for denial. The criminal
164 background of an applicant, as long as it does not include any
165 violation under sections 196.3000 to 196.3048, shall not be used as
166 the sole grounds for denial of an application.

167 13. In investigating the qualifications of an applicant, the
168 authority may have access to criminal history record information
169 furnished by a criminal justice agency, subject to any
170 restrictions imposed by such an agency. In the event the authority
171 considers the criminal history record of the applicant, the
172 authority shall also consider any information provided by the
173 applicant regarding such criminal history record including, but
174 not limited to, evidence of rehabilitation, character references,
175 and educational achievements, and those items pertaining to the
176 period of time between the last criminal conviction of the
177 applicant and the consideration of the application for a state
178 license.

179 14. (1) The authority shall review the marijuana business
180 license application, approve or reject the application, and mail
181 the approval, rejection, or status-update letter to the applicant
182 within ninety days of receipt of the application.

183 (2) The authority may reject an application for a marijuana
184 business license if the requirements for the marijuana business
185 license application are not satisfied.

186 (3) If an application is rejected for failure to provide the
187 required information, the applicant shall have thirty days to
188 submit the required information for reconsideration. No
189 additional application fee shall be charged for such
190 reconsideration.

191 15. The following violations shall be grounds for denial of a
192 marijuana license under this section:

193 (1) Unlawful sales or purchases;

194 (2) Any fraudulent acts, falsification of records, or
195 misrepresentation to the authority;

196 (3) Any grossly inaccurate or fraudulent reporting;

197 (4) Threatening or harming any marijuana patient, caregiver,
198 consumer, medical practitioner, or employee of the authority;

199 (5) Knowingly or intentionally refusing to permit the
200 authority access to the premises or records;

201 (6) Using a prohibited, hazardous substance for processing
202 in a residential area;

203 (7) Criminal acts relating to the operation of a marijuana
204 business; or

205 (8) Any violation that endangers public health and safety or
206 product safety.

207 16. Status-update letters shall provide a reason for delay in
208 either approval or rejection if a situation arises in which an
209 application was submitted properly but a delay in processing the
210 application occurred.

211 17. All marijuana business applicants shall pay the relevant
212 application fee prior to receiving a license under section
213 196.3029 to operate a marijuana business, as provided under this
214 section, for each category of license.

215 18. There shall be no limit to the number of marijuana
216 business licenses or categories that an individual or entity can
217 apply for or receive; however, each application and each category
218 under subsection 1 of this section shall require a separate
219 application and application fee. A marijuana commercial grower,
220 marijuana processor, and marijuana retailer shall be authorized to

221 share the same address or physical location, subject to the
222 restrictions set forth by the authority.

223 19. An annual license issued to a marijuana business under
224 this section shall expire one year from the date on which the
225 license was issued. Such license shall be renewed by the licensee,
226 and the license renewal requirements and fee for such renewal shall
227 be determined by the authority. A marijuana business that attempts
228 to renew its license after the expiration date of the license shall
229 pay a late renewal fee to reinstate the license in an amount to be
230 determined by the authority. Late renewal fees are nonrefundable.
231 A license that has been expired for more than ninety days shall not
232 be renewed.

2 196.3029. 1. As used in this section, "temporary marijuana
3 business license" means a conditional license that authorizes the
4 licensee to engage in commercial marijuana activities as would be
5 permitted under the privileges of an annual marijuana business
6 license. A temporary marijuana business licensee shall follow all
7 applicable rules and regulations as would be required if the
8 licensee held an annual license.

9 2. Once the authority has certified the application under
10 section 196.3028 is complete and accurate, a temporary marijuana
11 business license shall be issued under this section, and such
12 license shall be valid for one hundred eighty days from the
13 effective date of the license.

14 3. A temporary marijuana business license may be extended by
15 the authority for an additional ninety days but shall not exceed
eighteen months.

16 4. The authority shall continue its review of the licensee of
17 the temporary marijuana business license and conduct all
18 investigations, inspections, and interviews, including a site
19 inspection, before approving the licensee for an annual marijuana
20 business license. The authority shall promulgate rules and
21 regulations relating to the investigations, inspections, and
22 interviews required to be conducted under this subsection.

23 5. Status-update letters shall provide a reason for any delay
24 in issuing an annual license.

25 6. An annual license provided under section 196.3028 shall
26 not be issued until all investigations, inspections, and
27 interviews required under this section have been satisfied and all
28 relevant local licenses and permits have been issued by the
29 municipality including, but not limited to, an occupancy permit or
30 certificate of compliance.

31 7. A temporary marijuana business license shall not be issued
32 to or held by:

33 (1) A person until all required fees have been paid;

34 (2) A person under twenty-one years of age;

35 (3) A person who, during the period of licensure under this
36 section, or at the time of application under section 196.3028, has
37 failed to:

38 (a) File taxes or report interest or penalties due related to
39 a marijuana business; or

40 (b) Pay taxes, interest, or penalties due related to a
41 marijuana business.

196.3031. 1. (1) A licensed marijuana commercial grower

2 shall sell only at the wholesale level to a licensed marijuana
3 retailer, another licensed marijuana commercial grower, or a
4 licensed marijuana processor.

5 (2) A licensed marijuana commercial grower shall be required
6 to complete and submit a monthly yield and sales report to the
7 authority. The report shall be due on the fifteenth of each month
8 and provide reporting for the previous month. The report shall
9 detail the amount of marijuana harvested in pounds, the amount of
10 drying or dried marijuana on hand, the amount of marijuana sold to
11 licensed processors in pounds, the amount of waste in pounds, and
12 the amount of marijuana sold to licensed marijuana dispensaries in
13 pounds. Additionally, the report shall show total wholesale sales
14 in dollars.

15 (3) Up to two times a year, the authority may inspect a
16 growing operation and determine the operation's compliance with
17 sections 196.3000 to 196.3048. If a deficiency is found, a written
18 report of the deficiency shall be issued to the licensed marijuana
19 commercial grower. The licensed marijuana commercial grower shall
20 have one month to correct the deficiency or be subject to fines as
21 determined by the authority.

22 (4) The authority shall have oversight and auditing
23 responsibilities to ensure that all marijuana being grown by a
24 licensed marijuana commercial grower is accounted for.

25 2. (1) A licensed marijuana processor may take marijuana
26 plants and distill or process such plants into concentrates,
27 edibles, and other forms for consumption.

28 (2) The authority shall make available a set of standards

29 that shall be used by licensed marijuana processors in the
30 preparation of edible marijuana products within sixty days of the
31 enactment of this section. The standards shall be in line with
32 current food preparation guidelines. No excessive or punitive
33 rules shall be established by the authority.

34 (3) Up to two times per year, the authority may inspect a
35 processing operation and determine the operation's compliance with
36 the preparation standards. If a deficiency is found, a written
37 report of the deficiency shall be issued to the licensed marijuana
38 processor. The licensed marijuana processor shall have one month
39 to correct the deficiency or be subject to fines as determined by
40 the authority.

41 (4) A licensed marijuana processor may sell marijuana
42 products the processor creates to a licensed marijuana dispensary
43 or any other licensed marijuana processor. All sales by a licensed
44 marijuana commercial grower or marijuana processor shall be
45 considered wholesale sales and shall not be subject to taxation.

46 (5) For a fee, a licensed marijuana processor may process
47 cannabis into a concentrated form for a medical marijuana patient
48 or for an adult-use grower.

49 (6) A licensed marijuana processor shall be required to
50 complete and submit a monthly yield and sales report to the
51 authority. The report shall be due on the fifteenth of each month
52 and shall provide reporting for the previous month. The report
53 shall detail the amount of marijuana and marijuana products
54 purchased in pounds, the amount of marijuana cooked or processed in
55 pounds, and the amount of waste in pounds. Additionally, the

56 report shall show total wholesale sales in dollars. The authority
57 shall have oversight and auditing responsibilities to ensure that
58 all marijuana being processed is accounted for.

196.3032. 1. A marijuana transporter license shall be issued
2 to qualifying applicants for a marijuana retailer, marijuana
3 commercial grower, or marijuana processor license. The marijuana
4 transporter license shall be issued at the time of approval of a
5 temporary or annual marijuana business license. The fees for the
6 marijuana transporter license, including any renewal fees, shall
7 be paid by the applicant as determined by the authority.

8 2. A marijuana transporter license shall allow the holder to
9 transport marijuana from a Missouri-licensed marijuana retailer,
10 licensed marijuana commercial grower facility, or licensed
11 marijuana processor facility to a Missouri-licensed marijuana
12 retailer, licensed marijuana commercial grower facility, or
13 licensed marijuana processing facility.

14 3. All marijuana or marijuana products shall be transported
15 in a locked container and clearly labeled "Marijuana or
16 Derivative".

17 4. No marijuana business shall possess, sell, or transfer
18 marijuana or marijuana products without a valid, unexpired
19 marijuana transporter license issued by the authority.

20 5. A marijuana transporter license shall be valid for one
21 year and shall not be transferred with a change of ownership. A
22 licensed marijuana transporter shall be responsible for all
23 marijuana, marijuana concentrate, and marijuana products once the
24 transporter takes control of the product.

25 6. A marijuana transporter license shall be required for any
26 person or entity to transport or transfer marijuana, marijuana
27 concentrate, or marijuana products from a licensed marijuana
28 business to another licensed marijuana business.

29 7. A marijuana transporter licensee may contract with
30 multiple licensed marijuana businesses.

31 8. A marijuana transporter licensee may maintain a licensed
32 premises to temporarily store marijuana, marijuana concentrate,
33 and marijuana products and to use as a centralized distribution
34 point. A marijuana transporter licensee may store and distribute
35 marijuana, marijuana concentrate, and marijuana products from the
36 licensed premises. The licensed premises shall meet all security
37 requirements determined by the authority.

38 9. A marijuana transporter licensee shall use the seed-to-
39 sale tracking system developed under section 196.3027 to create
40 shipping manifests documenting the transport of marijuana,
41 marijuana concentrate, and marijuana products throughout the
42 state.

43 10. A licensed marijuana transporter may maintain and
44 operate one or more warehouses in the state to handle marijuana,
45 marijuana concentrate, and marijuana products. Each warehouse
46 shall be registered and inspected by the authority prior to its use
47 and shall meet all security requirements determined by the
48 authority.

49 11. With the exception of a lawful transfer between marijuana
50 businesses that are licensed to operate at the same physical
51 address, all marijuana, marijuana concentrate, and marijuana

52 products shall be transported:

53 (1) In a vehicle equipped with a global positioning system
54 (GPS) tracker;

55 (2) In a locked container clearly labeled "Marijuana or
56 Derivative"; and

57 (3) In a secured area of the vehicle that is not accessible
58 by the driver during transit.

59 12. A marijuana transporter agent may possess marijuana at
60 any location while the marijuana transporter agent is transferring
61 marijuana to or from a licensed marijuana business. The department
62 shall administer and enforce the provisions of this section
63 concerning transportation.

64 13. The authority shall issue a marijuana transporter agent
65 license to individual agents, employees, officers, or owners of a
66 marijuana transporter licensee in order for the individual to
67 qualify to transport marijuana, marijuana concentrate, or
68 marijuana products.

69 14. The annual fee for a marijuana transporter agent license
70 shall be twenty-five dollars and shall be paid by the marijuana
71 transporter license holder or the individual applicant. Marijuana
72 transporter agent license reprints shall be twenty dollars. The
73 authority shall issue each marijuana transporter agent a registry
74 identification card within thirty days of receipt of the name,
75 address, and date of birth of the person.

76 15. A registry identification card for a marijuana
77 transporter agent shall expire one year after the date of issuance
78 or upon notification from the holder of the marijuana transporter

79 license that the marijuana transporter agent ceases to work as a
80 marijuana transporter.

81 16. The department may revoke the registry identification
82 card of a marijuana transporter agent who knowingly violates any
83 provision of this section, and the marijuana transporter shall be
84 subject to any other penalties established by law for the
85 violation. The department may revoke or suspend the marijuana
86 transporter license of a marijuana transporter that the department
87 determines knowingly aided or facilitated a violation of any
88 provision of this section, and the license holder shall be subject
89 to any other penalties established in law for the violation.

90 17. Vehicles used in the transport of marijuana or marijuana
91 products shall:

92 (1) Be insured at or above the legal requirements in
93 Missouri;

94 (2) Be capable of securing marijuana during transport; and

95 (3) Contain a shipping container capable of securing all
96 transported products.

97 18. Prior to the transport of any marijuana, marijuana
98 concentrate, or marijuana product, an inventory manifest shall be
99 prepared at the origination point of the marijuana. The inventory
100 manifest shall include the following information:

101 (1) For the origination point of the marijuana:

102 (a) The license number for the commercial grower, processor,
103 or retailer;

104 (b) The address of the origination of transport; and

105 (c) The name and contact information for the originating

106 licensee;

107 (2) For the end-recipient license holder of the marijuana:

108 (a) The license number for the retailer, commercial grower,

109 and processor;

110 (b) The address of the destination; and

111 (c) The name and contact information for the destination

112 licensee;

113 (3) Quantities by weight or unit of each type of marijuana

114 product contained in the transport;

115 (4) The date of the transport and the approximate time of

116 departure;

117 (5) The arrival date and the estimated time of arrival;

118 (6) Printed names and signatures of the personnel

119 accompanying the transport; and

120 (7) Notation of the transporting licensee.

121 19. A separate inventory manifest shall be prepared for each

122 licensee receiving the marijuana.

123 20. The marijuana transporter agent shall provide the other

124 marijuana business with a copy of the inventory manifest at the

125 time the product changes hands and after the other licensee prints

126 his or her name and signs the inventory manifest.

127 21. A receiving licensee shall refuse to accept any

128 marijuana, marijuana concentrate, or marijuana product that is not

129 accompanied by an inventory manifest.

130 22. Originating and receiving licensees shall maintain

131 copies of inventory manifests and logs of quantities of marijuana

132 exchanged for three years from the date of receipt.

196.3035. 1. Any producer, as defined under section 195.740,
2 who holds a permit under section 195.746 may apply to the
3 department for a marijuana business license under section 196.3028
4 as a commercial grower or marijuana processor.

5 2. The application submitted by the producer under
6 subsection 1 of this section shall include all supporting
7 documents required under section 196.3028. If the department
8 confirms the producer meets the requirements under section
9 196.3028, the department shall issue the producer a marijuana
10 business license without the producer first obtaining a temporary
11 marijuana business license and being subject to any further
12 investigation under section 196.3029.

196.3036. An entity that was awarded a medical marijuana
2 business license by the department may apply for a marijuana
3 business license under section 196.3028 so long as the
4 requirements under sections 196.3000 to 196.3048 are met.

196.3037. A person denied a license under Article XIV,
2 Section 1 of the Constitution of Missouri but who incurred the
3 required application fee may offset such fee against a license
4 under sections 196.3000 to 196.3048 as long as the person has not
5 been reimbursed or has not used the tax deduction authorized under
6 section 143.2200. If a person offsets the license fee, as provided
7 under this section, such person shall be prohibited from claiming
8 any future tax deduction authorized under section 143.2200.

196.3039. 1. The authority shall by rule create a statewide
2 hospitality business license that allows a business including, but
3 not limited to, a lodging establishment as defined under section

4 315.005, bar, or restaurant to allow for the consumption of
5 marijuana or marijuana products on the premises.

6 2. The authority shall maintain a list of businesses licensed
7 under this section.

8 3. Businesses that are licensed under this section shall:

9 (1) Confirm that guests who desire to consume marijuana or
10 marijuana products are twenty-one years of age or older;

11 (2) Post a notice at all entrances declaring that marijuana
12 or marijuana products may be consumed on the premises; and

13 (3) Ensure that areas and rooms where marijuana or marijuana
14 products may be consumed are located twenty feet or more from areas
15 that do not allow such consumption or ensure that marijuana or
16 marijuana product consumption is restricted to a floor or floors
17 that are specifically designated for the consumption of such
18 products. A lodging establishment licensed under this section
19 that allows consumption everywhere on the establishment's premises
20 shall be exempt from the requirements of this subdivision.

21 4. (1) The authority shall determine a fee for a license
22 issued under this section in an amount sufficient to cover the
23 administration, regulation, and enforcement costs under sections
24 196.3000 to 196.3048.

25 (2) A business seeking licensure under this section shall
26 submit an application to the authority with the fee in a form and
27 manner determined by the authority. The application shall require
28 that the business include a written description, blueprints, or
29 similar information that communicates to the authority that the
30 business is in compliance with the requirements of this section.

31 (3) The hospitality business license issued under this
32 section shall be valid for two years after the date of issuance.

33 5. (1) Any business that does not have a hospitality
34 business license under this section and that knowingly allows
35 guests or consumers to consume marijuana or marijuana products on
36 its premises shall be subject to a fine in the amount of one
37 thousand dollars for a first offense. A second offense shall
38 result in a fine in the amount of two thousand dollars. A third or
39 subsequent offense shall result in a fine in the amount of five
40 thousand dollars. In addition to a fine, a fourth offense shall
41 result in a one-week suspension of a license issued to the business
42 by the applicable municipal or county governing body, if any such
43 license exists.

44 (2) Any business licensed under this section that has not
45 posted notice as required under subdivision (2) of subsection 3 of
46 this section shall be subject to a fine in the amount of one
47 hundred dollars for the first offense. A second offense shall
48 result in a fine in the amount of two hundred dollars. A third
49 offense shall result in a fine in the amount of five hundred
50 dollars. A fourth offense shall result in the loss of the
51 business's license issued under this section for a period of one
52 year. After one year, the business shall be eligible to reapply
53 for a license issued under this section.

54 (3) Any business licensed under this section that does not
55 comply with the requirements under subdivision (3) of subsection 3
56 of this section shall be subject to a fine in the amount of one
57 hundred dollars for the first offense. A second offense shall

58 result in a fine of two hundred dollars. A third offense shall
59 result in a fine of three hundred dollars. A fourth offense shall
60 result in the loss of the business's license issued under this
61 section for a period of one year. After one year, the business
62 shall be eligible to reapply for such license.

196.3040. 1. Any person or entity, either licensed or
2 unlicensed, under sections 196.3000 to 196.3048, or his or her
3 employee, who sells, vends, gives away, or otherwise supplies
4 marijuana or any marijuana accessory or marijuana product to any
5 person under twenty-one years of age shall be deemed guilty of a
6 misdemeanor; except that, this section shall not apply to the
7 administering of marijuana or marijuana-infused products to a
8 person under twenty-one years of age as provided under Article XIV,
9 Section 1 of the Constitution of Missouri. No person shall be
10 denied a license or renewal of a license issued under sections
11 196.3000 to 196.3048 solely due to a conviction for unlawful sale
12 or supply of marijuana, marijuana accessories, or marijuana
13 products to a minor when serving in the capacity as an employee of
14 a licensed establishment.

2. Any owner, occupant, or other person or legal entity with
16 a lawful right to the exclusive use and enjoyment of any property
17 who knowingly allows a person under twenty-one years of age to
18 possess or use marijuana or marijuana products or knowingly fails
19 to stop a person under twenty-one years of age from possessing or
20 using marijuana or marijuana products on such property is guilty of
21 a class B misdemeanor. Any second or subsequent violation of this
22 subsection is a class A misdemeanor. The provisions of this

23 subsection shall not apply if the person under twenty-one years of
24 age is able to possess or use marijuana or marijuana-infused
25 products under Article XIV, Section 1 of the Constitution of
26 Missouri.

27 3. It shall be a defense to prosecution under this section
28 if:

29 (1) The defendant is a licensed marijuana retailer or an
30 employee thereof;

31 (2) The defendant sold the marijuana or marijuana product to
32 the minor with reasonable cause to believe that the minor was
33 twenty-one years of age or older; and

34 (3) To purchase the marijuana or marijuana product, the
35 person exhibited to the defendant a driver's license, Missouri
36 nondriver's identification card, or other official or apparently
37 official document containing a photograph of the minor and
38 purporting to establish that such minor was twenty-one years of age
39 and of the legal age for the possession or use of marijuana or a
40 marijuana product.

196.3041. 1. Any person who is seventeen years of age or
2 older and under twenty-one years of age who represents that he or
3 she has attained twenty-one years of age for the purpose of
4 purchasing, asking for, or in any way receiving marijuana or any
5 marijuana product, except in cases authorized by law, shall upon
6 conviction be deemed guilty of a misdemeanor. Any person under
7 seventeen years of age who represents that he or she is twenty-one
8 years of age for the purpose of purchasing, asking for, or in any
9 way receiving marijuana or any marijuana product, except in cases

10 authorized by law, may be considered a delinquent child and may be
11 dealt with in accordance with the provisions of chapter 211.

12 2. In addition to any other penalties established under
13 subsection 1 of this section, any person who is under twenty-one
14 years of age who uses a reproduced, modified, or altered
15 chauffeur's license, motor vehicle operator's license,
16 identification card issued by any uniformed service of the United
17 States, passport, or identification card established in section
18 302.181 for the purpose of purchasing, asking for, or in any way
19 receiving marijuana or any marijuana product shall be guilty of a
20 misdemeanor and shall be subject to a fine of five hundred dollars
21 for each separate offense.

196.3042. If marijuana is decriminalized on a federal level,
2 any licensed marijuana business in this state may engage in
3 interstate commerce, and the state may enter into any interstate
4 compact or agreement relating to marijuana.

196.3043. Any person under twenty-one years of age who
2 purchases or attempts to purchase, or has in his or her possession,
3 any marijuana or marijuana product as defined in section 650.700,
4 or who is visibly in an intoxicated condition as defined in section
5 577.001, is guilty of a misdemeanor unless such person is able to
6 purchase or possess marijuana or a marijuana-infused product under
7 Article XIV, Section 1 of the Constitution of Missouri. A first
8 violation of this section shall be punishable as a class D
9 misdemeanor. A second or subsequent violation of this section
10 shall be punishable as a class A misdemeanor. Prior findings of
11 guilt shall be pleaded and proven in the same manner as required by

12 section 558.021.

196.3044. 1. A valid and unexpired operator's or chauffeur's
2 license issued under the provisions of section 302.177, a valid and
3 unexpired operator's or chauffeur's license issued under the laws
4 of any state or territory of the United States to residents of such
5 state or territory, a valid and unexpired identification card or
6 nondriver's license as provided for under section 302.181, a valid
7 and unexpired nondriver's license issued under the laws of any
8 state or territory of the United States to residents of such state
9 or territory, a valid and unexpired identification card issued by
10 any uniformed service of the United States, or a valid and
11 unexpired passport shall be presented by the holder thereof upon
12 request of any agent of the division of alcohol and tobacco control
13 or any licensee or the servant, agent, or employee thereof for the
14 purpose of aiding the licensee or the servant, agent, or employee
15 to determine whether the person is twenty-one years of age or older
16 when such person desires to purchase or use marijuana or a
17 marijuana product procured from a licensee. Upon such
18 presentation, the licensee or the servant, agent, or employee
19 thereof shall compare the photograph and physical characteristics
20 noted on the license, identification card, or passport with the
21 physical characteristics of the person presenting the license,
22 identification card, or passport.

23 2. Upon proof of full compliance by the licensee with the
24 provisions of this section, no penalty shall be imposed if the
25 supervisor of the division of alcohol and tobacco control or the
26 courts are satisfied that the licensee acted in good faith.

27 3. Any person who shall, without authorization from the
28 department of revenue, reproduce, alter, modify, or misrepresent
29 any chauffeur's license, motor vehicle operator's license, or
30 identification card shall be deemed guilty of a misdemeanor and
31 upon conviction shall be subject to a fine of not more than one
32 thousand dollars or confinement for not more than one year, or
33 both.

196.3045. 1. (1) There is hereby created in the state
2 treasury the "Marijuana Freedom Fund", which shall consist of
3 moneys collected under sections 196.3021, 196.3028, and 196.3029,
4 subsection 14 of section 196.3032, and subsection 4 of section
5 196.3039. The state treasurer shall be custodian of the fund. In
6 accordance with sections 30.170 and 30.180, the state treasurer
7 may approve disbursements. The fund shall be a dedicated fund and,
8 upon appropriation, moneys in this fund shall be used solely as
9 provided under this section.

10 (2) Moneys in the fund shall be used to pay for the direct and
11 indirect costs associated with the implementation, administration,
12 and enforcement of sections 196.3000 to 196.3048 and any costs
13 associated with the expungement process under section 610.135.
14 Except as provided under subdivision (3) of this subsection, any
15 excess moneys remaining in the fund after all costs under this
16 subdivision have been paid shall be divided equally between
17 teachers' salaries, first responders' pensions, and the Missouri
18 veterans commission.

19 (3) Ten percent of the moneys collected under sections
20 196.3028 and 196.3029, subsection 14 of section 196.3032, and

21 subsection 4 of section 196.3039 that are deposited into the fund
22 shall be used to provide assistance with small business loans under
23 section 196.3047.

24 2. Notwithstanding the provisions of section 33.080 to the
25 contrary, any moneys remaining in the fund at the end of the
26 biennium shall not revert to the credit of the general revenue
27 fund.

28 3. The state treasurer shall invest moneys in the fund in the
29 same manner as other funds are invested. Any interest and moneys
30 earned on such investments shall be credited to the fund.

196.3046. The department shall design and implement a
2 marijuana addiction treatment and services program to offer
3 assistance and resources for those with marijuana abuse
4 addictions.

196.3047. The department shall establish a loan program in
2 which women-owned and minority-owned business enterprises may
3 apply for a small business loan that shall be interest-free for a
4 period of two years.

196.3048. The authority shall promulgate all necessary rules
2 and regulations for the administration of sections 196.3000 to
3 196.3048. Any rule or portion of a rule, as that term is defined in
4 section 536.010, that is created under the authority delegated in
5 this section shall become effective only if it complies with and is
6 subject to all of the provisions of chapter 536 and, if applicable,
7 section 536.028. This section and chapter 536 are nonseverable,
8 and if any of the powers vested with the general assembly pursuant
9 to chapter 536 to review, to delay the effective date, or to

10 disapprove and annul a rule are subsequently held
11 unconstitutional, then the grant of rulemaking authority and any
12 rule proposed or adopted after the effective date of sections
13 196.3000 to 196.3048 shall be invalid and void.

14 362.034. 1. Any entity that operates as a facility licensed
15 or certified under Article XIV, Section 1 of the Constitution of
16 Missouri or a business licensed under sections 196.3000 to
17 196.3048 may request in writing that a state or local licensing
18 authority or agency including, but not limited to, the department
19 of health and senior services or department of revenue, share the
20 entity's or business's application, license, or other regulatory
21 and financial information with a banking institution. A state or
22 local licensing authority or agency may also share such
23 information with the banking institution's state and federal
24 supervisory agencies.

25 2. In order to ensure the state or local licensing authority
26 or agency is properly maintaining the confidentiality of
27 individualized data, information, or records, an entity or a
28 business shall include in the written request a waiver giving
29 authorization for the transfer of the individualized data,
30 information, or records and waiving any confidentiality or
31 privilege that applies to such individualized data, information,
32 or records.

33 3. This section shall apply only to the disclosure of
34 information by a state or local licensing authority or agency
35 reasonably necessary to facilitate the provision of financial
36 services by a banking institution to the entity or business making

24 a request under this section.

25 4. The recipient of any information under this section shall
26 treat such information as confidential and use the information
27 only for the purposes described in this section.

28 5. Nothing in this section shall be construed to authorize
29 the disclosure of confidential or privileged information, nor
30 waive an entity's or business's rights to assert confidentiality
31 or privilege, except as reasonably necessary to facilitate the
32 provision of financial services for the entity or business making
33 the request.

34 6. An entity or business that has provided a waiver under
35 this section may withdraw the waiver with thirty days' notice in
36 writing.

37 7. Nothing in this section shall be construed to modify the
38 requirements of chapter 610.

39 8. For purposes of this section, the following terms mean:

40 (1) "Banking institution", the same meaning as in Article IV,
41 Section 15 of the Constitution of Missouri;

42 (2) "Business", a marijuana business as defined under
43 section 196.3003;

44 (3) "Entity", the same meaning as in Article XIV, Section 1
45 of the Constitution of Missouri.

362.105. 1. Every bank and trust company created under the
2 laws of this state may for a fee or other consideration, directly
3 or through a subsidiary company, and upon complying with any
4 applicable licensing statute:

5 (1) Conduct the business of receiving money on deposit and

6 allowing interest thereon not exceeding the legal rate or without
7 allowing interest thereon, and of buying and selling exchange,
8 gold, silver, coin of all kinds, uncurrent money, of loaning money
9 upon real estate or personal property, and upon collateral of
10 personal security at a rate of interest not exceeding that allowed
11 by law, and also of buying, investing in, selling and discounting
12 negotiable and nonnegotiable paper of all kinds, including bonds
13 as well as all kinds of commercial paper; and for all loans and
14 discounts made, the corporation may receive and retain the
15 interest in advance;

16 (2) Accept for payment, at a future date, drafts drawn upon
17 it by its customers and to issue letters of credit authorizing the
18 holders thereof to draw drafts upon it or upon its correspondents
19 at sight or on time not exceeding one year; provided, that no bank
20 or trust company shall incur liabilities under this subdivision to
21 an amount equal at any time in the aggregate to more than its paid-
22 up and unimpaired capital stock and surplus fund, except with the
23 approval of the director under such general regulations as to
24 amount of acceptances as the director may prescribe;

25 (3) Purchase and hold, for the purpose of becoming a member
26 of a Federal Reserve Bank, so much of the capital stock thereof as
27 will qualify it for membership in the reserve bank pursuant to an
28 act of Congress, approved December 23, 1913, entitled "The Federal
29 Reserve Act" and any amendments thereto; to become a member of the
30 Federal Reserve Bank, and to have and exercise all powers, not in
31 conflict with the laws of this state, which are conferred upon any
32 member by the Federal Reserve Act and any amendments thereto. The

33 member bank or trust company and its directors, officers and
34 stockholders shall continue to be subject, however, to all
35 liabilities and duties imposed upon them by any law of this state
36 and to all the provisions of this chapter relating to banks or
37 trust companies;

38 (4) Subscribe for and purchase such stock in the Federal
39 Deposit Insurance Corporation and to make such payments to and to
40 make such deposits with the Federal Deposit Insurance Corporation
41 and to pay such assessments made by such corporation as will enable
42 the bank or trust company to obtain the benefits of the insurance
43 of deposits under the act of Congress known as "The Banking Act of
44 1933" and any amendments thereto;

45 (5) Invest in a bank service corporation as defined by the
46 act of Congress known as the "Bank Service ~~Corporation~~ Company
47 Act", Public Law 87-856, as approved October 23, 1962, to the same
48 extent as provided by that act or any amendment thereto;

49 (6) Hold a noncontrolling equity interest in any business
50 entity that conducts only activities that are financial in nature
51 or incidental to financial activity or that is established
52 pursuant to subdivision (16) of this subsection where the majority
53 of the stock or other interest is held by Missouri banks, Missouri
54 trust companies, national banks located in Missouri, or any
55 foreign bank with a branch or branches in Missouri, or any
56 combination of these financial institutions; provided that if the
57 entity is defined pursuant to Missouri law as any type of financial
58 institution subsidiary or other type of entity subject to special
59 conditions or regulations, those conditions and regulations shall

60 remain applicable, and provided that such business entity may be
61 formed as any type of business entity, in which each investor's
62 liability is limited to the investment in and loans to the business
63 entity as otherwise provided by law;

64 (7) Receive upon deposit for safekeeping personal property
65 of every description, and to own or control a safety vault and rent
66 the boxes therein;

67 (8) Purchase and hold the stock of one safe deposit company
68 organized and existing under the laws of the state of Missouri and
69 doing a safe deposit business on premises owned or leased by the
70 bank or trust company at the main banking house and any branch
71 operated by the bank or trust company; provided, that the
72 purchasing and holding of the stock is first duly authorized by
73 resolution of the board of directors of the bank or trust company
74 and by the written approval of the director, and that all of the
75 shares of the safe deposit company shall be purchased and held, and
76 shall not be sold or transferred except as a whole and not be
77 pledged at all, all sales or transfers or pledges in violation
78 hereof to be void;

79 (9) Act as the fiscal or transfer agent of the United States,
80 of any state, municipality, body politic or corporation and in such
81 capacity to receive and disburse money, to transfer, register and
82 countersign certificates of stock, bonds and other evidences of
83 indebtedness;

84 (10) Acquire or convey real property for the following
85 purposes:

86 (a) Real property conveyed to it in satisfaction or part

87 satisfaction of debts previously contracted in the course of its
88 business;

89 (b) Real property purchased at sales under judgment, decrees
90 or liens held by it; and

91 (c) Real property purchased or leased by a bank for the
92 purpose of leasing or subleasing that property to a public entity
93 including, but not limited to, government buildings, municipal
94 buildings, school buildings and grounds, and public hospitals.
95 The bank shall only lease the property to a public entity that has
96 sufficient resources to make all rental payments as the payments
97 become due. The lease agreement shall provide that, upon the
98 expiration of the lease, the public entity will become the owner of
99 the real property and any building or facility located thereon. No
100 bank shall purchase or lease real estate for this purpose if the
101 purchase or lease will exceed the bank's lending limit under
102 section 362.170;

103 (11) Purchase, hold and become the owner and lessor of
104 personal property acquired upon the specific request of and for use
105 of a customer; and, in addition, leases that neither anticipate
106 full purchase price repayment on the leased asset, nor require the
107 lease to cover the physical life of the asset, other than those for
108 motor vehicles which will not be used by bank or trust company
109 personnel, and may incur such additional obligations as may be
110 incident to becoming an owner and lessor of the property, subject
111 to the following limitations:

112 (a) Lease transactions do not result in loans for the purpose
113 of section 362.170, but the total amount disbursed under leasing

114 obligations or rentals by any bank to any person, partnership,
115 association, or corporation shall at no time exceed the legal loan
116 limit permitted by statute except upon the written approval of the
117 director of finance; and

118 (b) Lease payments are in the nature of rent rather than
119 interest, and the provisions of chapter 408 are not applicable;

120 (12) Contract with another bank or trust company, bank
121 service corporation or other partnership, corporation, association
122 or person, within or without the state, to render or receive any
123 banking or trust services authorized under this chapter such as
124 check and deposit sorting and posting, computation and posting of
125 interest and other credits and charges, preparation and mailing of
126 checks, statements, notices, and similar items, or any other
127 clerical, bookkeeping, accounting, statistical, financial
128 counseling, or similar services, or the storage, transmitting or
129 processing of any information or data. Any person or entity that
130 provides, by contract or otherwise, such services to a bank or
131 trust company, other than an entity that is a founding member and
132 is represented on the executive committee of the Payment Card
133 Industry Security Standards Council and that is examined and
134 regulated under the Bank Service Company Act (12 U.S.C. Sections
135 1861 to ~~1867(e)~~ 1867) or any successor statute by an appropriate
136 federal banking agency, shall be subject to examination by the
137 division of finance to the same extent as if the service was being
138 performed by the bank or trust company on its own premises. Each
139 bank or trust company under the jurisdiction of the division of
140 finance shall provide a list of all persons or entities providing

141 services to the bank or trust company;

142 (13) Purchase and hold stock in a corporation whose only
143 purpose is to purchase, lease, hold or convey real property of a
144 character which the bank or trust company holding stock in the
145 corporation could itself purchase, lease, hold or convey pursuant
146 to the provisions of subdivision (10) of this subsection;
147 provided, the purchase and holding of the stock is first duly
148 authorized by resolution of the board of directors of the bank or
149 trust company and that all of the shares of the corporation shall
150 be purchased and held by the bank or trust company and shall not be
151 sold or transferred except as a whole;

152 (14) Purchase and sell investment securities, without
153 recourse, solely upon order and for the account of customers; and
154 establish and maintain one or more mutual funds and offer to the
155 public shares or participations therein. Any bank which engages in
156 such activity shall comply with all provisions of chapter 409
157 regarding the licensing and registration of sales personnel for
158 mutual funds so offered, provided that such banks shall register as
159 a broker-dealer with the office of the commissioner of securities
160 and shall consent to supervision and inspection by that office and
161 shall be subject to the continuing jurisdiction of that office;

162 (15) Make debt or equity investments in corporations or
163 projects, whether for profit or not for profit, designed to promote
164 the development of the community and its welfare, provided that the
165 aggregate investment in all such corporations and in all such
166 projects does not exceed five percent of the unimpaired capital of
167 the bank, and provided that this limitation shall not apply to

168 loans made under the authority of other provisions of law, and
169 other provisions of law shall not limit this subdivision; ~~and~~

170 (16) Offer through one or more subsidiaries any products and
171 services which a national bank may offer through its financial
172 subsidiaries, subject to the limitations that are applicable to
173 national bank financial subsidiaries, and provided such bank or
174 trust company meets the division of finance safety and soundness
175 considerations. This subdivision is enacted to provide in part
176 competitive equality with national banks' powers under the Gramm-
177 Leach-Bliley Act of 1999, Public Law 106-102; and

178 (17) Receive the savings of, make loans to, deposit the funds
179 of, and invest funds of customers who operate as a facility
180 licensed or certified under Article XIV, Section 1 of the
181 Constitution of Missouri or who operate as a business licensed
182 under sections 196.3000 to 196.3048. No bank or trust company
183 acting in accordance with this subdivision shall be liable under
184 state law for contracting with a facility licensed or certified
185 under Article XIV, Section 1 of the Constitution of Missouri or a
186 business licensed under sections 196.3000 to 196.3048.

187 2. In addition to the power and authorities granted in
188 subsection 1 of this section, and notwithstanding any limitations
189 therein, a bank or trust company may:

190 (1) Purchase or lease, in an amount not exceeding its legal
191 loan limit, real property and improvements thereto suitable for
192 the convenient conduct of its functions. The bank may derive
193 income from renting or leasing such real property or improvements
194 or both. If the purchase or lease of such real property or

195 improvements exceeds the legal loan limit or is from an officer,
196 director, employee, affiliate, principal shareholder or a related
197 interest of such person, prior approval shall be obtained from the
198 director of finance; and

199 (2) Loan money on real estate as defined in section 442.010,
200 and handle escrows, settlements and closings on real estate for the
201 benefit of the bank's customers, as a core part of the banking
202 business, notwithstanding any other provision of law to the
203 contrary.

204 3. In addition to the powers and authorities granted in
205 subsection 1 of this section, every trust company created under the
206 laws of this state shall be authorized and empowered to:

207 (1) Receive money in trust and to accumulate the same at such
208 rate of interest as may be obtained or agreed upon, or to allow
209 such interest thereon as may be prescribed or agreed;

210 (2) Accept and execute all such trusts and perform such
211 duties of every description as may be committed to it by any person
212 or persons whatsoever, or any corporation, and act as assignee,
213 receiver, trustee and depository, and to accept and execute all
214 such trusts and perform such duties of every description as may be
215 committed or transferred to it by order, judgment or decree of any
216 courts of record of this state or other states, or of the United
217 States;

218 (3) Take, accept and hold, by the order, judgment or decree
219 of any court of this state, or of any other state, or of the United
220 States, or by gift, grant, assignment, transfer, devise or bequest
221 of any person or corporation, any real or personal property in

222 trust, and to execute and perform any and all the legal and lawful
223 trusts in regard to the same upon the terms, conditions,
224 limitations and restrictions which may be declared, imposed,
225 established or agreed upon in and by the order, judgment, decree,
226 gift, grant, assignment, transfer, devise or bequest;

227 (4) Buy, invest in and sell all kinds of stocks or other
228 investment securities;

229 (5) Execute, as principal or surety, any bond or bonds
230 required by law to be given in any proceeding, in law or equity, in
231 any of the courts of this state or other states, or of the United
232 States;

233 (6) Act as trustee, personal representative, or conservator
234 or in any other like fiduciary capacity; and

235 (7) Act as attorney-in-fact or agent of any person or
236 corporation, foreign or domestic, in the management and control of
237 real or personal property, the sale or conveyance of same, the
238 investment of money, and for any other lawful purpose.

239 4. (1) In addition to the powers and authorities granted in
240 this section, the director of finance may, from time to time, with
241 the approval of the state banking and savings and loan board, issue
242 orders granting such other powers and authorities as have been
243 granted to financial institutions subject to the supervision of
244 the federal government to:

245 (a) State-chartered banks and trust companies which are
246 necessary to enable such banks and trust companies to compete;

247 (b) State-chartered banks and trust companies to establish
248 branches to the same extent that federal law permits national banks

249 to establish branches;

250 (c) Subsidiaries of state-chartered banks and trust
251 companies to the same extent powers are granted to national bank
252 subsidiaries to enable such banks and trust companies to compete;
253 and

254 (d) State-chartered banks and trust companies to establish
255 trust representative offices to the same extent national banks are
256 permitted such offices [~~and~~].

257 (2) The orders shall be promulgated as provided in section
258 361.105 and shall not be inconsistent with the constitution and the
259 laws of this state.

260 5. As used in this section, the term "subsidiary" shall
261 include one or more business entities of which the bank or trust
262 company is the owner, provided the owner's liability is limited by
263 the investment in and loans to the subsidiary as otherwise provided
264 for by law.

265 6. A bank or trust company to which authority is granted by
266 regulation in subsection 4 of this section, based on the population
267 of the political subdivision, may continue to exercise such
268 authority for up to five years after the appropriate decennial
269 census indicates that the population of the town in which such bank
270 or trust company is located has exceeded the limits provided for by
271 regulation pursuant to subsection 4 of this section.

369.144. Each association incorporated pursuant to or
2 operating under the provisions of sections 369.010 to 369.369 has
3 all the powers enumerated, authorized, and permitted by sections
4 369.010 to 369.369 and such other rights, privileges, and powers as

5 may be incidental to or reasonably necessary to exercise such
6 powers granted herein. Among others, and except as otherwise
7 limited by the provisions of sections 369.010 to 369.369, each
8 association has the following powers:

9 (1) To have perpetual existence; to adopt and use a corporate
10 seal, which may be affixed by imprint, facsimile, or otherwise; and
11 to adopt and amend bylaws as provided in sections 369.010 to
12 369.369;

13 (2) To sue and be sued, complain and defend in any court of
14 law or equity;

15 (3) To acquire, hold, sell, dispose of and convey real and
16 personal property; and to mortgage, pledge, or lease any real or
17 personal property in the exercise of the powers granted herein;
18 provided, however, that such leasing activities are limited to the
19 extent permitted a federal association;

20 (4) To borrow from sources, individual or corporate. All
21 such loans and advances may be secured by property of the
22 association, and may be evidenced by such notes, bonds,
23 debentures, or other obligations or securities as the director of
24 the division of finance may authorize for all associations;

25 (5) To obtain and maintain insurance of its accounts by the
26 Federal Deposit Insurance Corporation or any successor thereto, or
27 by any agency of this state insuring accounts in associations, or
28 by any other insurer approved by the director of the division of
29 finance, and may comply with conditions necessary to obtain and
30 maintain such insurance;

31 (6) To qualify as and become a member of a Federal Home Loan

32 Bank;

33 (7) In addition to the powers and authorities granted in this
34 section, the director of the division of finance may, from time to
35 time, with the approval of the state banking and savings and loan
36 board, issue regulations granting such other powers and
37 authorities as have been granted to federal associations subject
38 to the supervision of the Office of Thrift Supervision or any
39 successor thereto which are necessary to enable associations to
40 compete. The regulations shall be promulgated as provided in this
41 chapter and shall not be inconsistent with the constitution and
42 laws of this state;

43 (8) To appoint officers, agents, and employees as its
44 business shall require and to provide them suitable compensation;
45 to enter into employment contracts not to exceed five years in
46 duration; to provide for life, health and casualty insurance for
47 officers, employees and directors who are not officers, and to
48 adopt and operate reasonable bonus plans, retirement benefits and
49 deferred compensation plans for such officers and employees; to
50 adopt and operate stock option and similar incentive compensation
51 programs by capital stock associations; and to provide for
52 indemnification of its officers, employees and directors as
53 prescribed or permitted by sections 369.010 to 369.369 whether by
54 insurance or otherwise;

55 (9) To become a member of, deal with, or make reasonable
56 payments or contributions to any organization to the extent that
57 such organization assists in furthering or facilitating the
58 association's purposes, powers or community responsibilities, and

59 to comply with any reasonable conditions of eligibility;

60 (10) To sell money orders, travel checks and similar
61 instruments drawn by it on its commercial bank accounts, accounts
62 it has with the district Federal Home Loan Bank or as agent for any
63 organization empowered to sell such instruments through agents
64 within the state;

65 (11) When an association is a member of a Federal Home Loan
66 Bank, to act as fiscal agent of the United States, and, when so
67 designated by the Secretary of the Treasury, to perform, under such
68 regulations as the Secretary may prescribe, all such reasonable
69 duties as fiscal agents for the United States as the Secretary may
70 require; and to act as agent for any instrumentality of the United
71 States and as agent of this state or any instrumentality thereof;

72 (12) To service loans and investments for others;

73 (13) When an association is insured, to act as trustee of any
74 trust created or organized in the United States and forming part of
75 a stock bonus, pension, or profit-sharing plan which qualifies or
76 qualified for specific tax treatment under section 401(d) of the
77 Internal Revenue Code of 1954 as amended, if the funds of such
78 trust are invested only in accounts or deposits in such association
79 or in obligations or securities issued by such association. All
80 funds held in such fiduciary capacity by any such association may
81 be commingled for appropriate purposes of investment, but
82 individual records shall be kept by the fiduciary for each
83 participant and shall show in proper detail all transactions
84 engaged in under the authority of this subdivision;

85 (14) To act as agent for others in any transaction incidental

86 to the operation of its business;

87 (15) To accept deposits, and to lend and invest its funds as
88 provided in sections 369.010 to 369.369;

89 (16) To use abbreviations, words or symbols in connection
90 with any document of any nature and on checks, proxies, notices and
91 other instruments, which abbreviations, words, or symbols shall
92 have the same force and legal effect as though the respective words
93 and phrases for which they stand were set forth in full;

94 (17) To act as custodian or keeper of microfilm records of
95 other savings associations or place microfilm records of the
96 association for storage and safekeeping with another association;

97 (18) To make donations in reasonable amounts for the public
98 welfare or for charitable, scientific, religious, or educational
99 purposes;

100 (19) To act as agent for any electric, gas, water, telephone
101 or other public utility company operating within this state in
102 receiving moneys due such company for utility services furnished
103 by such company;

104 (20) To enter into agreements with others to supply data
105 processing services and for the use of data processing equipment
106 owned or controlled by the association; and

107 (21) To receive the savings of, make loans to, deposit the
108 funds of, and invest funds of customers who operate as a facility
109 licensed or certified under Article XIV, Section 1 of the
110 Constitution of Missouri or as a business licensed under sections
111 196.3000 to 196.3048. No association acting in accordance with
112 this subdivision shall be liable under state law for contracting

113 with a facility licensed or certified under Article XIV, Section 1
114 of the Constitution of Missouri or a business licensed under
115 sections 196.3000 to 196.3048.

370.070. A credit union has the following powers:

2 (1) To receive the savings of its members in payment for
3 shares; and in addition to membership shares and general shares,
4 there may also be created various classes of special shares, which
5 special shares, notwithstanding any other provisions of this
6 chapter, may be issued upon such terms, rates of interest and
7 conditions as the board of directors may provide;

8 (2) To make loans to members;

9 (3) To deposit its funds and purchase certificates of deposit
10 in state and national banks;

11 (4) To invest its funds in securities as provided in this
12 chapter. The funds of the credit union shall be used first,
13 however, for loans to members in the way and manner hereinafter
14 provided, and preference shall be given to the small loan in the
15 event the available funds do not permit all loans which have been
16 approved by the credit committee;

17 (5) To purchase, hold and dispose of property, real and
18 personal, necessary and incidental to its operation. Any
19 property, real or personal, not used in the business but acquired
20 by way of pledge or foreclosure in the collection of loans or
21 accounts, may be held by the credit union, provided any real estate
22 so acquired shall be sold by it within six years from the date on
23 which it was acquired;

24 (6) To purchase insurance for the benefit of the credit union

25 and its members;

26 (7) To make contracts, sue and be sued;

27 (8) With the approval of the director of the division of
28 credit unions, to make loans to other credit unions, in the total
29 amount not exceeding twenty percent of its capital, surplus and
30 reserve funds;

31 (9) To provide for such special thrift accounts on such terms
32 and conditions as the board of directors may determine not
33 inconsistent with the bylaws;

34 (10) With the prior approval of the director of the division
35 of credit unions, to provide to members fiscal and financial
36 services, including temporary services to bona fide members of
37 other credit unions, and to exercise such other incidental powers
38 as are granted to general business corporations organized under
39 the laws of this state, including such powers as are convenient or
40 useful to enable it to promote and carry on most effectively its
41 purposes, and all at a fee to be determined by the board of
42 directors;

43 (11) To participate with another lender or other lenders in
44 making loans. Such loans may be made on a secured or unsecured
45 basis upon such terms and conditions as the board of directors of
46 the credit union shall authorize;

47 (12) To purchase from or sell to other lenders or holders of
48 loans any loan or loan participation interest in loans made by
49 another lender;

50 (13) To lend, in an amount not to exceed two percent of the
51 shares and deposits of the credit union, to any credit union

52 association of which the credit union is a member or any subsidiary
53 of such credit union association; and

54 (14) To receive the savings of, make loans to, deposit the
55 funds of, and invest funds of members who operate as a facility
56 licensed or certified under Article XIV, Section 1 of the
57 Constitution of Missouri or as a business licensed under sections
58 196.3000 to 196.3048. No credit union acting in accordance with
59 this subdivision shall be liable under state law for contracting
60 with a facility licensed or certified under Article XIV, Section 1
61 of the Constitution of Missouri or a business licensed under
62 sections 196.3000 to 196.3048.

487.205. 1. As used in this section, "medical marijuana"
2 means the use of medical marijuana in compliance with Article XIV
3 of the Constitution of Missouri by a qualified patient with a valid
4 medical marijuana certification.

2. A family court participant shall not be required to
6 refrain from using or consuming marijuana or marijuana products in
7 accordance with sections 196.3000 to 196.3048 or medical marijuana
8 in accordance with Article XIV, Section 1 of the Constitution of
9 Missouri as a term or condition of successful completion of the
10 family court program.

3. A family court participant who is a qualified patient with
12 a valid medical marijuana certification shall not be in violation
13 of the terms or conditions of the family court on the basis of his
14 or her participation in Missouri's medical marijuana program. A
15 family court participant who uses or consumes marijuana or
16 marijuana products in accordance with sections 196.3000 to

17 196.3048 shall not be in violation of the terms or conditions of
18 the family court.

19 4. The status and conduct of a qualified patient who acts in
20 accordance with Article XIV, Section 1 of the Constitution of
21 Missouri or a person who acts in accordance with sections 196.3000
22 to 196.3048 shall not, by itself, be used to restrict or abridge
23 custodial or parental rights to minor children in any action or
24 proceeding under the jurisdiction of a family court under this
25 chapter or a juvenile court under chapter 211.

2 544.186. Notwithstanding any provision of law, the odor of
3 marijuana alone shall not provide a law enforcement officer with
4 probable cause to conduct a warrantless search of a motor vehicle,
5 home, or other private property.

6 557.059. 1. Any conviction, remaining sentence, ongoing
7 supervision, or unpaid court-ordered restitution of any person who
8 on the effective date of this section is or will be serving a
9 sentence of incarceration, probation, parole, or other form of
10 community supervision as a result of the person's conviction of an
11 offense involving marijuana, marijuana products, or marijuana
12 paraphernalia that was committed prior to the enactment of
13 sections 196.3000 to 196.3048 and such offense has been expunged
14 under section 610.135 shall have the conviction, remaining
15 sentence, ongoing supervision, or unpaid court-ordered restitution
16 vacated by operation of law. The office of state courts
17 administrator may take any administrative action necessary to
18 vacate the conviction, remaining sentence, ongoing supervision, or
19 unpaid court-ordered restitution.

15 2. If the court determines, after hearing, that a person has
16 been issued a patient identification card under Article XIV,
17 Section 1 of the Constitution of Missouri or was convicted of an
18 offense or municipal violation that is no longer an offense or
19 violation because of the enactment of sections 196.3000 to
20 196.3048, the offense or municipal violation is a nonviolent
21 marijuana-related offense, and the offense or municipal violation
22 occurred within the state of Missouri prior to the issuance of the
23 patient identification card or the enactment of sections 196.3000
24 to 196.3048, the court shall enter an order vacating the
25 conviction, remaining sentence, ongoing supervision, or unpaid
26 court-ordered restitution.

27 3. The department, in conjunction with the division of
28 workforce development, shall establish a six-week work training
29 program for any person subject to this section. The work training
30 program shall train and educate the person for workforce entry into
31 the marijuana industry.

559.023. Notwithstanding any provision of law, the lawful
2 possession or use of marijuana or marijuana products as authorized
3 under sections 196.3000 to 196.3048 or Article XIV, Section 1 of
4 the Constitution of Missouri shall not result in any punitive
5 action with regard to such person's probation or parole status. No
6 condition of probation or parole shall consist of restricting the
7 possession or use of marijuana or marijuana products, and no
8 revocation or extension of probation or parole shall be imposed as
9 a consequence of the lawful possession or use of marijuana or
10 marijuana products under the laws of this state.

577.001. As used in this chapter, the following terms mean:

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Two or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, or with

28 a seat designed to carry more than one person, and handlebars for
29 steering control; or

30 (b) A width of fifty inches or less, measured from outside of
31 tire rim to outside of tire rim, regardless of seating or steering
32 arrangement;

33 (4) "Court", any circuit, associate circuit, or municipal
34 court, including traffic court, but not any juvenile court or
35 treatment court;

36 (5) "Chronic offender", a person who has been found guilty
37 of:

38 (a) Four or more intoxication-related traffic offenses
39 committed on separate occasions; or

40 (b) Three or more intoxication-related traffic offenses
41 committed on separate occasions where at least one of the
42 intoxication-related traffic offenses is an offense committed in
43 violation of any state law, county or municipal ordinance, any
44 federal offense, or any military offense in which the defendant was
45 operating a vehicle while intoxicated and another person was
46 injured or killed; or

47 (c) Two or more intoxication-related traffic offenses
48 committed on separate occasions where both intoxication-related
49 traffic offenses were offenses committed in violation of any state
50 law, county or municipal ordinance, any federal offense, or any
51 military offense in which the defendant was operating a vehicle
52 while intoxicated and another person was injured or killed;

53 (6) "Chronic boating offender", a person who has been found
54 guilty of:

55 (a) Four or more intoxication-related boating offenses; or
56 (b) Three or more intoxication-related boating offenses
57 committed on separate occasions where at least one of the
58 intoxication-related boating offenses is an offense committed in
59 violation of any state law, county or municipal ordinance, any
60 federal offense, or any military offense in which the defendant was
61 operating a vessel while intoxicated and another person was
62 injured or killed; or
63 (c) Two or more intoxication-related boating offenses
64 committed on separate occasions where both intoxication-related
65 boating offenses were offenses committed in violation of any state
66 law, county or municipal ordinance, any federal offense, or any
67 military offense in which the defendant was operating a vessel
68 while intoxicated and another person was injured or killed;
69 (7) "Continuous alcohol monitoring", automatically testing
70 breath, blood, or transdermal alcohol concentration levels and
71 tampering attempts at least once every hour, regardless of the
72 location of the person who is being monitored, and regularly
73 transmitting the data. Continuous alcohol monitoring shall be
74 considered an electronic monitoring service under subsection 3 of
75 section 217.690;
76 (8) "Controlled substance", a drug, substance, or immediate
77 precursor in schedules I to V listed in section 195.017;
78 (9) "Drive", "driving", "operates" or "operating",
79 physically driving or operating a vehicle or vessel;
80 (10) "Flight crew member", the pilot in command, copilots,
81 flight engineers, and flight navigators;

82 (11) "Habitual offender", a person who has been found guilty
83 of:

84 (a) Five or more intoxication-related traffic offenses
85 committed on separate occasions; or

86 (b) Four or more intoxication-related traffic offenses
87 committed on separate occasions where at least one of the
88 intoxication-related traffic offenses is an offense committed in
89 violation of any state law, county or municipal ordinance, any
90 federal offense, or any military offense in which the defendant was
91 operating a vehicle while intoxicated and another person was
92 injured or killed; or

93 (c) Three or more intoxication-related traffic offenses
94 committed on separate occasions where at least two of the
95 intoxication-related traffic offenses were offenses committed in
96 violation of any state law, county or municipal ordinance, any
97 federal offense, or any military offense in which the defendant was
98 operating a vehicle while intoxicated and another person was
99 injured or killed;

100 (12) "Habitual boating offender", a person who has been found
101 guilty of:

102 (a) Five or more intoxication-related boating offenses; or

103 (b) Four or more intoxication-related boating offenses
104 committed on separate occasions where at least one of the
105 intoxication-related boating offenses is an offense committed in
106 violation of any state law, county or municipal ordinance, any
107 federal offense, or any military offense in which the defendant was
108 operating a vessel while intoxicated and another person was

109 injured or killed; or

110 (c) Three or more intoxication-related boating offenses
111 committed on separate occasions where at least two of the
112 intoxication-related boating offenses were offenses committed in
113 violation of any state law, county or municipal ordinance, any
114 federal offense, or any military offense in which the defendant was
115 operating a vessel while intoxicated and another person was
116 injured or killed; or

117 (d) While boating while intoxicated, the defendant acted
118 with criminal negligence to:

119 a. Cause the death of any person not a passenger in the
120 vessel operated by the defendant, including the death of an
121 individual that results from the defendant's vessel leaving the
122 water; or

123 b. Cause the death of two or more persons; or

124 c. Cause the death of any person while he or she has a blood
125 alcohol content of at least eighteen-hundredths of one percent by
126 weight of alcohol in such person's blood;

127 (13) "Intoxicated" or "intoxicated condition", when a person
128 is under the influence of alcohol, marijuana or a marijuana
129 product, a controlled substance, or drug, or any combination
130 thereof;

131 (14) "Intoxication-related boating offense", operating a
132 vessel while intoxicated; boating while intoxicated; operating a
133 vessel with excessive blood alcohol content or an offense in which
134 the defendant was operating a vessel while intoxicated and another
135 person was injured or killed in violation of any state law, county

136 or municipal ordinance, any federal offense, or any military
137 offense;

138 (15) "Intoxication-related traffic offense", driving while
139 intoxicated, driving with excessive blood alcohol content, driving
140 under the influence of alcohol or drugs in violation of a state
141 law, county or municipal ordinance, any federal offense, or any
142 military offense, or an offense in which the defendant was
143 operating a vehicle while intoxicated and another person was
144 injured or killed in violation of any state law, county or
145 municipal ordinance, any federal offense, or any military offense;

146 (16) "Law enforcement officer" or "arresting officer",
147 includes the definition of law enforcement officer in section
148 556.061 and military policemen conducting traffic enforcement
149 operations on a federal military installation under military
150 jurisdiction in the state of Missouri;

151 (17) "Operate a vessel", to physically control the movement
152 of a vessel in motion under mechanical or sail power in water;

153 (18) "Persistent offender", a person who has been found
154 guilty of:

155 (a) Two or more intoxication-related traffic offenses
156 committed on separate occasions; or

157 (b) One intoxication-related traffic offense committed in
158 violation of any state law, county or municipal ordinance, federal
159 offense, or military offense in which the defendant was operating a
160 vehicle while intoxicated and another person was injured or
161 killed;

162 (19) "Persistent boating offender", a person who has been

163 found guilty of:

164 (a) Two or more intoxication-related boating offenses
165 committed on separate occasions; or

166 (b) One intoxication-related boating offense committed in
167 violation of any state law, county or municipal ordinance, federal
168 offense, or military offense in which the defendant was operating a
169 vessel while intoxicated and another person was injured or killed;

170 (20) "Prior offender", a person who has been found guilty of
171 one intoxication-related traffic offense, where such prior offense
172 occurred within five years of the occurrence of the intoxication-
173 related traffic offense for which the person is charged;

174 (21) "Prior boating offender", a person who has been found
175 guilty of one intoxication-related boating offense, where such
176 prior offense occurred within five years of the occurrence of the
177 intoxication-related boating offense for which the person is
178 charged.

579.015. 1. A person commits the offense of possession of a
2 controlled substance if he or she knowingly possesses a controlled
3 substance, except as authorized by this chapter or chapter 195.

4 2. The offense of possession of any controlled substance
5 except thirty-five grams or less of [~~marijuana or~~] any synthetic
6 cannabinoid is a class D felony.

7 3. The offense of possession of more than ten grams but
8 thirty-five grams or less of [~~marijuana or~~] any synthetic
9 cannabinoid is a class A misdemeanor.

10 4. The offense of possession of not more than ten grams of
11 [~~marijuana or~~] any synthetic cannabinoid is a class D misdemeanor.

12 If the defendant has previously been found guilty of any offense of
13 the laws related to controlled substances of this state, or of the
14 United States, or any state, territory, or district, the offense is
15 a class A misdemeanor. Prior findings of guilt shall be pleaded
16 and proven in the same manner as required by section 558.021.

17 5. In any complaint, information, or indictment, and in any
18 action or proceeding brought for the enforcement of any provision
19 of this chapter or chapter 195, it shall not be necessary to
20 include any exception, excuse, proviso, or exemption contained in
21 this chapter or chapter 195, and the burden of proof of any such
22 exception, excuse, proviso or exemption shall be upon the
23 defendant.

579.020. 1. A person commits the offense of delivery of a
2 controlled substance if, except as authorized in this chapter or
3 chapter 195, he or she:

4 (1) Knowingly distributes or delivers a controlled
5 substance;

6 (2) Attempts to distribute or deliver a controlled
7 substance;

8 (3) Knowingly possesses a controlled substance with the
9 intent to distribute or deliver any amount of a controlled
10 substance; or

11 (4) Knowingly permits a minor to purchase or transport
12 illegally obtained controlled substances.

13 2. Except when the controlled substance is thirty-five grams
14 or less of ~~[marijuana or]~~ synthetic cannabinoid or as otherwise
15 provided under subsection 5 of this section, the offense of

16 delivery of a controlled substance is a class C felony.

17 3. Except as otherwise provided under subsection 4 of this
18 section, the offense of delivery of thirty-five grams or less of
19 ~~[marijuana or]~~ synthetic cannabinoid is a class E felony.

20 4. The offense of delivery of thirty-five grams or less of
21 ~~[marijuana or]~~ synthetic cannabinoid to a person less than
22 seventeen years of age who is at least two years younger than the
23 defendant is a class C felony.

24 5. The offense of delivery of a controlled substance is a
25 class B felony if:

26 (1) The delivery or distribution is any amount of a
27 controlled substance except thirty-five grams or less of
28 ~~[marijuana or]~~ synthetic cannabinoid, to a person less than
29 seventeen years of age who is at least two years younger than the
30 defendant; or

31 (2) The person knowingly permits a minor to purchase or
32 transport illegally obtained controlled substances.

579.030. 1. A person commits the offense of distribution of
2 a controlled substance in a protected location if he or she
3 knowingly distributes, sells, or delivers any controlled
4 substance, except thirty-five grams or less of ~~[marijuana or]~~
5 synthetic cannabinoid, to a person with knowledge that that
6 distribution, delivery, or sale is:

7 (1) In, on, or within two thousand feet of, the real property
8 comprising a public or private elementary, vocational, or
9 secondary school, or on any school bus; or

10 (2) In, on, or within one thousand feet of, the real property

11 comprising a public park, state park, county park, municipal park,
12 or private park designed for public recreational purposes, as park
13 is defined in section 253.010; or

14 (3) In or on the real property comprising public housing or
15 other governmental assisted housing.

16 2. The offense of unlawful distribution of a controlled
17 substance in a protected location is a class A felony.

579.055. 1. A person commits the offense of manufacture of a
2 controlled substance if, except as authorized in this chapter or
3 chapter 195, he or she:

4 (1) Knowingly manufactures, produces, or grows a controlled
5 substance;

6 (2) Attempts to manufacture, produce, or grow a controlled
7 substance; or

8 (3) Knowingly possesses a controlled substance with the
9 intent to manufacture, produce, or grow any amount of controlled
10 substance.

11 2. The offense of manufacturing or attempting to manufacture
12 any amount of controlled substance is a class B felony when
13 committed within two thousand feet of the real property comprising
14 a public or private elementary, vocational, or secondary school,
15 community college, college, or university. It is a class A felony
16 if a person has suffered serious physical injury or has died as a
17 result of a fire or explosion started in an attempt by the
18 defendant to produce methamphetamine.

19 3. The offense of manufacturing or attempting to manufacture
20 any amount of a controlled substance, except thirty-five grams or

21 less of [~~marijuana or~~] synthetic cannabinoid, is a class C felony.

22 4. The offense of manufacturing thirty-five grams or less of

23 [~~marijuana or~~] synthetic cannabinoid is a class E felony.

579.065. 1. A person commits the offense of trafficking
2 drugs in the first degree if, except as authorized by this chapter
3 or chapter 195, such person knowingly distributes, delivers,
4 manufactures, or produces or attempts to distribute, deliver,
5 manufacture, or produce:

6 (1) More than thirty grams of a mixture or substance
7 containing a detectable amount of heroin;

8 (2) More than one hundred fifty grams of a mixture or
9 substance containing a detectable amount of coca leaves, except
10 coca leaves and extracts of coca leaves from which cocaine,
11 ecgonine, and derivatives of ecgonine or their salts have been
12 removed; cocaine salts and their optical and geometric isomers,
13 and salts of isomers; ecgonine, its derivatives, their salts,
14 isomers, and salts of isomers; or any compound, mixture, or
15 preparation which contains any quantity of any of the foregoing
16 substances;

17 (3) More than eight grams of a mixture or substance described
18 in subdivision (2) of this subsection which contains cocaine base;

19 (4) More than five hundred milligrams of a mixture or
20 substance containing a detectable amount of lysergic acid
21 diethylamide (LSD);

22 (5) More than thirty grams of a mixture or substance
23 containing a detectable amount of phencyclidine (PCP);

24 (6) More than four grams of phencyclidine;

25 (7) ~~More than thirty kilograms of a mixture or substance~~
26 ~~containing marijuana;~~

27 ~~(8)~~ More than thirty grams of any material, compound,
28 mixture, or preparation containing any quantity of the following
29 substances having a stimulant effect on the central nervous
30 system: amphetamine, its salts, optical isomers and salts of its
31 optical isomers; methamphetamine, its salts, optical isomers and
32 salts of its optical isomers; phenmetrazine and its salts; or
33 methylphenidate;

34 ~~[(9)]~~ (8) More than thirty grams of any material, compound,
35 mixture, or preparation which contains any quantity of 3,4-
36 methylenedioxymethamphetamine;

37 ~~[(10)]~~ (9) One gram or more of flunitrazepam for the first
38 offense;

39 ~~[(11)]~~ (10) Any amount of gamma-hydroxybutyric acid for the
40 first offense; or

41 ~~[(12)]~~ (11) More than ten milligrams of fentanyl or
42 carfentanil, or any derivative thereof, or any combination
43 thereof, or any compound, mixture, or substance containing a
44 detectable amount of fentanyl or carfentanil, or their optical
45 isomers or analogues.

46 2. The offense of trafficking drugs in the first degree is a
47 class B felony.

48 3. The offense of trafficking drugs in the first degree is a
49 class A felony if the quantity involved is:

50 (1) Ninety grams or more of a mixture or substance containing
51 a detectable amount of heroin; or

52 (2) Four hundred fifty grams or more of a mixture or
53 substance containing a detectable amount of coca leaves, except
54 coca leaves and extracts of coca leaves from which cocaine,
55 ecgonine, and derivatives of ecgonine or their salts have been
56 removed; cocaine salts and their optical and geometric isomers,
57 and salts of isomers; ecgonine, its derivatives, their salts,
58 isomers, and salts of isomers; or any compound, mixture, or
59 preparation which contains any quantity of any of the foregoing
60 substances; or

61 (3) Twenty-four grams or more of a mixture or substance
62 described in subdivision (2) of this subsection which contains
63 cocaine base; or

64 (4) One gram or more of a mixture or substance containing a
65 detectable amount of lysergic acid diethylamide (LSD); or

66 (5) Ninety grams or more of a mixture or substance containing
67 a detectable amount of phencyclidine (PCP); or

68 (6) Twelve grams or more of phencyclidine; or

69 (7) ~~One hundred kilograms or more of a mixture or substance~~
70 ~~containing marijuana; or~~

71 ~~(8)~~ Ninety grams or more of any material, compound, mixture,
72 or preparation containing any quantity of the following substances
73 having a stimulant effect on the central nervous system:

74 amphetamine, its salts, optical isomers and salts of its optical
75 isomers; methamphetamine, its salts, optical isomers and salts of
76 its optical isomers; phenmetrazine and its salts; or
77 methylphenidate; or

78 ~~(9)~~ (8) More than thirty grams of any material, compound,

79 mixture, or preparation containing any quantity of the following
80 substances having a stimulant effect on the central nervous
81 system: amphetamine, its salts, optical isomers, and salts of its
82 optical isomers; methamphetamine, its salts, optical isomers, and
83 salts of its optical isomers; phenmetrazine and its salts; or
84 methylphenidate, and the location of the offense was within two
85 thousand feet of real property comprising a public or private
86 elementary, vocational, or secondary school, college, community
87 college, university, or any school bus, in or on the real property
88 comprising public housing or any other governmental assisted
89 housing, or within a motor vehicle, or in any structure or building
90 which contains rooms furnished for the accommodation or lodging of
91 guests, and kept, used, maintained, advertised, or held out to the
92 public as a place where sleeping accommodations are sought for pay
93 or compensation to transient guests or permanent guests; or

94 ~~[(10)]~~ (9) Ninety grams or more of any material, compound,
95 mixture or preparation which contains any quantity of 3,4-
96 methylenedioxymethamphetamine; or

97 ~~[(11)]~~ (10) More than thirty grams of any material, compound,
98 mixture, or preparation which contains any quantity of 3,4-
99 methylenedioxymethamphetamine and the location of the offense was
100 within two thousand feet of real property comprising a public or
101 private elementary, vocational, or secondary school, college,
102 community college, university, or any school bus, in or on the real
103 property comprising public housing or any other governmental
104 assisted housing, within a motor vehicle, or in any structure or
105 building which contains rooms furnished for the accommodation or

106 lodging of guests, and kept, used, maintained, advertised, or held
107 out to the public as a place where sleeping accommodations are
108 sought for pay or compensation to transient guests or permanent
109 guests; or

110 ~~[(12)]~~ (11) One gram or more of flunitrazepam for a second or
111 subsequent offense; or

112 ~~[(13)]~~ (12) Any amount of gamma-hydroxybutyric acid for a
113 second or subsequent offense; or

114 ~~[(14)]~~ (13) Twenty milligrams or more of fentanyl or
115 carfentanil, or any derivative thereof, or any combination
116 thereof, or any compound, mixture, or substance containing a
117 detectable amount of fentanyl or carfentanil, or their optical
118 isomers or analogues.

579.068. 1. A person commits the offense of trafficking
2 drugs in the second degree if, except as authorized by this chapter
3 or chapter 195, such person knowingly possesses or has under his or
4 her control, purchases or attempts to purchase, or brings into this
5 state:

6 (1) More than thirty grams of a mixture or substance
7 containing a detectable amount of heroin;

8 (2) More than one hundred fifty grams of a mixture or
9 substance containing a detectable amount of coca leaves, except
10 coca leaves and extracts of coca leaves from which cocaine,
11 ecgonine, and derivatives of ecgonine or their salts have been
12 removed; cocaine salts and their optical and geometric isomers,
13 and salts of isomers; ecgonine, its derivatives, their salts,
14 isomers, and salts of isomers; or any compound, mixture, or

15 preparation which contains any quantity of any of the foregoing
16 substances;

17 (3) More than eight grams of a mixture or substance described
18 in subdivision (2) of this subsection which contains cocaine base;

19 (4) More than five hundred milligrams of a mixture or
20 substance containing a detectable amount of lysergic acid
21 diethylamide (LSD);

22 (5) More than thirty grams of a mixture or substance
23 containing a detectable amount of phencyclidine (PCP);

24 (6) More than four grams of phencyclidine;

25 (7) ~~More than thirty kilograms of a mixture or substance~~
26 ~~containing marijuana;~~

27 ~~(8)]~~ More than thirty grams of any material, compound,
28 mixture, or preparation containing any quantity of the following
29 substances having a stimulant effect on the central nervous
30 system: amphetamine, its salts, optical isomers and salts of its
31 optical isomers; methamphetamine, its salts, optical isomers and
32 salts of its optical isomers; phenmetrazine and its salts; or
33 methylphenidate;

34 ~~[(9)]~~ (8) More than thirty grams of any material, compound,
35 mixture, or preparation which contains any quantity of 3,4-
36 methylenedioxymethamphetamine; or

37 ~~[(10)]~~ (9) More than ten milligrams of fentanyl or
38 carfentanil, or any derivative thereof, or any combination
39 thereof, or any compound, mixture, or substance containing a
40 detectable amount of fentanyl or carfentanil, or their optical
41 isomers or analogues.

42 2. The offense of trafficking drugs in the second degree is a
43 class C felony.

44 3. The offense of trafficking drugs in the second degree is a
45 class B felony if the quantity involved is:

46 (1) Ninety grams or more of a mixture or substance containing
47 a detectable amount of heroin; or

48 (2) Four hundred fifty grams or more of a mixture or
49 substance containing a detectable amount of coca leaves, except
50 coca leaves and extracts of coca leaves from which cocaine,
51 ecgonine, and derivatives of ecgonine or their salts have been
52 removed; cocaine salts and their optical and geometric isomers,
53 and salts of isomers; ecgonine, its derivatives, their salts,
54 isomers, and salts of isomers; or any compound, mixture, or
55 preparation which contains any quantity of any of the foregoing
56 substances; or

57 (3) Twenty-four grams or more of a mixture or substance
58 described in subdivision (2) of this subsection which contains
59 cocaine base; or

60 (4) One gram or more of a mixture or substance containing a
61 detectable amount of lysergic acid diethylamide (LSD); or

62 (5) Ninety grams or more of a mixture or substance containing
63 a detectable amount of phencyclidine (PCP); or

64 (6) Twelve grams or more of phencyclidine; or

65 (7) ~~One hundred kilograms or more of a mixture or substance~~
66 ~~containing marijuana; or~~

67 ~~(8) More than five hundred marijuana plants; or~~

68 ~~(9)]~~ Ninety grams or more but less than four hundred fifty

69 grams of any material, compound, mixture, or preparation
70 containing any quantity of the following substances having a
71 stimulant effect on the central nervous system: amphetamine, its
72 salts, optical isomers and salts of its optical isomers;
73 methamphetamine, its salts, optical isomers and salts of its
74 optical isomers; phenmetrazine and its salts; or methylphenidate;
75 or

76 ~~[(10)]~~ (8) Ninety grams or more but less than four hundred
77 fifty grams of any material, compound, mixture, or preparation
78 which contains any quantity of 3,4-methylenedioxymethamphetamine;
79 or

80 ~~[(11)]~~ (9) Twenty milligrams or more of fentanyl or
81 carfentanil, or any derivative thereof, or any combination
82 thereof, or any compound, mixture, or substance containing a
83 detectable amount of fentanyl or carfentanil, or their optical
84 isomers or analogues.

85 4. The offense of trafficking drugs in the second degree is a
86 class A felony if the quantity involved is four hundred fifty grams
87 or more of any material, compound, mixture or preparation which
88 contains:

89 (1) Any quantity of the following substances having a
90 stimulant effect on the central nervous system: amphetamine, its
91 salts, optical isomers and salts of its optical isomers;
92 methamphetamine, its salts, isomers and salts of its isomers;
93 phenmetrazine and its salts; or methylphenidate; or

94 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

95 5. The offense of drug trafficking in the second degree is a

96 class C felony for the first offense and a class B felony for any
97 second or subsequent offense for the trafficking of less than one
98 gram of flunitrazepam.

579.105. 1. A person commits the offense of keeping or
2 maintaining a public nuisance if he or she knowingly keeps or
3 maintains:

4 (1) Any room, building, structure or inhabitable structure,
5 as defined in section 556.061, which is used for the illegal
6 manufacture, distribution, storage, or sale of any amount of a
7 controlled substance, except [~~thirty-five grams or less of~~
8 ~~marijuana or~~] thirty-five grams or less of any synthetic
9 cannabinoid; or

10 (2) Any room, building, structure or inhabitable structure,
11 as defined in section 556.061, where on three or more separate
12 occasions within the period of a year, two or more persons, who
13 were not residents of the room, building, structure, or
14 inhabitable structure, gathered for the principal purpose of
15 unlawfully ingesting, injecting, inhaling, or using any amount of
16 a controlled substance, except [~~thirty-five grams or less of~~
17 ~~marijuana or~~] thirty-five grams or less of any synthetic
18 cannabinoid.

19 2. In addition to any other criminal prosecutions, the
20 prosecuting attorney or circuit attorney may by information or
21 indictment charge the owner or the occupant, or both the owner and
22 the occupant of the room, building, structure, or inhabitable
23 structure with the offense of keeping or maintaining a public
24 nuisance.

25 3. The offense of keeping or maintaining a public nuisance is
26 a class E felony.

27 4. Upon the conviction of the owner pursuant to this section,
28 the room, building, structure, or inhabitable structure is subject
29 to the provisions of sections 513.600 to 513.645.

610.135. 1. Notwithstanding any provisions of law, the court
2 in which a person was convicted of an offense involving marijuana,
3 marijuana products, or marijuana drug paraphernalia committed
4 prior to the enactment of sections 196.3000 to 196.3048 shall
5 automatically expunge the record for such offense if such offense
6 occurred within the state of Missouri and was prosecuted under the
7 jurisdiction of a Missouri court.

8 2. For offenses under subsection 1 of this section that
9 occurred:

10 (1) Before August 28, 2001, the record shall be expunged
11 before August 28, 2024;

12 (2) After August 27, 2001, but before August 28, 2014, the
13 record shall be expunged before August 28, 2026; and

14 (3) After August 27, 2014, but before the effective date of
15 this section, the record shall be expunged before August 28, 2028.

16 3. Upon the court's granting the order of expungement under
17 this section, the records and files maintained in any court
18 proceeding in an associate or a circuit division of the circuit
19 court or in a municipal court under this section shall be
20 confidential and available only to the parties or by order of the
21 court for good cause shown. The effect of expungement under this
22 section shall be to restore such person to the status he or she

23 occupied prior to such arrest, plea, or conviction and as if such
24 event had never taken place. If expungement under this section has
25 been ordered, no such person shall be held thereafter under any
26 provision of any law to be guilty of perjury or otherwise giving a
27 false statement by reason of his or her failure to recite or
28 acknowledge such arrest, plea, trial, conviction, or expungement
29 in response to any inquiry made of him or her for any purpose, and
30 no such inquiry shall be made for information relating to an
31 expungement under this section.

32 4. The provisions of this section shall not be construed to
33 authorize expungement of any conviction or plea of guilty for any
34 offense committed by a commercial driver's license holder that
35 shall result in a violation of 49 CFR 384.226, as amended, or an
36 offense committed by a person while operating a commercial motor
37 vehicle in violation of 49 CFR 391.15.

Section B. Because immediate action is necessary to legalize
2 marijuana in a clear and concise manner prior to the November 2022
3 election, section A of this act is deemed necessary for the
4 immediate preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within the
6 meaning of the constitution, and section A of this act shall be in
7 full force and effect upon its passage and approval.