

HEALTH & SAFETY CODE
SUBTITLE C. SUBSTANCE ABUSE REGULATION AND CRIMES
CHAPTER 481. TEXAS CONTROLLED SUBSTANCES ACT
SUBCHAPTER A. GENERAL PROVISIONS
SUBCHAPTER D. OFFENSES AND PENALTIES

§ 481.101. CRIMINAL CLASSIFICATION. For the purpose of establishing criminal penalties for violations of this chapter, controlled substances, including a material, compound, mixture, or preparation containing the controlled substance, are divided into Penalty Groups 1 through 4.

§ 481.102. PENALTY GROUP 1. Penalty Group 1 consists of:

(1) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

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| 1. Alfentanil | 20. Levophenacymorphan |
| 2. Allyprodine | 21. Meprodine |
| 3. Alphacetylmethadol | 22. Methadol |
| 4. Benzethidine | 23. Moramide |
| 5. Betaprodine | 24. Morpheridine |
| 6. Clonitazene | 25. Noracymethadol |
| 7. Diampromide | 26. Norlevorphanol |
| 8. Diethylthiambutene | 27. Normethadone |
| 9. Difenoxin not listed in Penalty Group 3 or 4 | 28. Norpipanone |
| 10. Dimenoxadol | 29. Phenadoxone |
| 11. Dimethylthiambutene | 30. Phenampromide |
| 12. Dioxaphetyl butyrate | 31. Phenomorphan |
| 13. Dipipanone | 32. Phenoperidine |
| 14. Ethylmethylthiambutene | 33. Piritramide |
| 15. Etonitazene | 34. Proheptazine |
| 16. Etoxidine | 35. Properidine |
| 17. Furethidine | 36. Propiram |
| 18. Hydroxypethidine | 37. Sufentanil |
| 19. Ketobemidone | 38. Tilidine |
| | 39. Trimeperidine |

(2) the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

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| 1. Acetorphine | 11. Methyldesorphine |
| 2. Acetyldihydrocodeine | 12. Methyldihydromorphine |
| Benzylmorphine | 13. Monoacetylmorphine |
| 3. Codeine methylbromide | 14. Morphine methylbromide |
| 4. Codeine-N-Oxide | 15. Morphine methylsulfonate |
| 5. Cyprenorphine | 16. Morphine-N-Oxide |
| 6. Desomorphine | 17. Myrophine |
| Dihydromorphine | 18. Nicocodeine |
| 7. Drotebanol | 19. Nicomorphine |
| 8. Etorphine, except hydrochloride salt | 20. Normorphine |
| 9. Heroin | 21. Pholcodine |
| 10. Hydromorphanol | 22. Thebacon |

(3) the following substances, however produced, except those narcotic drugs listed in another group:

(A) Opium and opiate not listed in Penalty Group 3 or 4, and a salt, compound, derivative, or preparation of opium or opiate, other than thebaine derived butorphanol, nalmeferne and its salts, naloxone and its salts, and naltrexone and its salts, but including:

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| <ol style="list-style-type: none">1. Codeine not listed in Penalty Group 3 or 42. Dihydroetorphine3. Ethylmorphine not listed in Penalty Group 3 or 44. Granulated opium5. Hydrocodone not listed in Penalty Group 36. Hydromorphone7. Metopon8. Morphine not listed in Penalty Group 3 | <ol style="list-style-type: none">9. Opium extracts10. Opium fluid extracts11. Oxycodone12. Oxymorphone13. Powdered opium14. Raw opium15. Thebaine16. Tincture of opium; |
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(B) a salt, compound, isomer, derivative, or preparation of a substance that is chemically equivalent or identical to a substance described by Paragraph (A), other than the isoquinoline alkaloids of opium;

(C) Opium poppy and poppy straw;

(D) Cocaine, including:

- (i) its salts, its optical, position, and geometric isomers, and the salts of those isomers;
- (ii) coca leaves and a salt, compound, derivative, or preparation of coca leaves;
- (iii) a salt, compound, derivative, or preparation of a salt, compound, or derivative that is chemically equivalent or identical to a substance described by Subparagraph (i) or (ii), other than decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine; and

(E) concentrate of poppy straw, meaning the crude extract of poppy straw in liquid, solid, or powder form that contains the phenanthrine alkaloids of the opium poppy;

(4) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

1. Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl) -4-piperidinyl]-N-phenylacetamide)
2. Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide)
3. Alphaprodine
4. Anileridine
5. Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl] -N-phenylpropanamide)
6. Beta-hydroxy-3-methylfentanyl
7. Bezitramide
8. Carfentanil
9. Dihydrocodeine not listed in Penalty Group 3 or 4
10. Diphenoxylate not listed in Penalty Group 3 or 4
11. Fentanyl or alpha-methylfentanyl, or any other derivative of Fentanyl
12. Isomethadone
13. Levomethorphan
14. Levorphanol
15. Metazocine
16. Methadone

17. Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane
18. 3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)- 4-piperidyl]-N- phenylpropanamide)
19. 3-methylthiofentanyl(N-[3-methyl-1-(2-thienyl) ethyl-4-piperidiny]-N - phenylpropanamide)
20. Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane- carboxylic acid
21. Para-fluorofentanyl(N-(4-fluorophenyl)-N-1-(2-phenylethyl)-4- piperidinypropanamide)
22. PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)
23. Pethidine (Meperidine)
24. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine Pethidine - Intermediate-B , ethyl-4-phenylpiperidine-4 carboxylate
25. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
26. Phenazocine
27. Piminodine
28. Racemethorphan
29. Racemorphan
30. Remifentanil
31. Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4- piperidiny]- propanamide)

- (5) Flunitrazepam (trade or other name: Rohypnol);
- (6) Methamphetamine, including its salts, optical isomers, and salts of optical isomers;
- (7) Phenylacetone and methylamine, if possessed together with intent to manufacture methamphetamine;
- (8) Phencyclidine, including its salts;
- (9) Gamma hydroxybutyric acid (some trade or other names: gamma hydroxybutyrate, GHB), including its salts; and
- (10) Ketamine.

§ 481.1021. PENALTY GROUP 1-A. Penalty Group 1-A consists of:

lysergic acid diethylamide (LSD), including its salts, isomers, and salts of isomers.

§ 481.103. PENALTY GROUP 2. (a) Penalty Group 2 consists of:

- (1) any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:
 1. alpha-ethyltryptamine;
 2. 4-bromo-2, 5-dimethoxyamphetamine (some trade or other names: 4-bromo- 2, 5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2, 5-DMA);
 3. 4-bromo-2, 5-dimethoxyphenethylamine;
 4. Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl) -5-hydroxyindole;
 5. 3-(2-dimethylaminoethyl)-5- indolol; N, N- dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);
 6. Diethyltryptamine (some trade and other names: N, N-Diethyltryptamine, DET);
 7. 2, 5-dimethoxyamphetamine (some trade or other names: 2, 5-dimethoxy- alpha-methylphenethylamine; 2, 5-DMA);
 8. 2, 5-dimethoxy-4-ethylamphetamine (trade or other name : DOET);
 9. 2, 5-dimethoxy-4-(n)-propylthiophenethylamine (trade or other name: 2C-T-7);
 10. Dimethyltryptamine (trade or other name : DMT);

11. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product (some trade or other names for Dronabinol: (a6aR-trans)-6a,7,8,10a-tetrahydro- 6,6, 9-trimethyl-3-pentyl-6H- dibenzo [b,d]pyran-1-ol or (-)-delta-9-(trans)- tetrahydrocannabinol);
 12. Ethylamine Analog of Phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1- phenylcyclohexyl) ethylamine, cyclohexamine, PCE);
 13. Ibogaine (some trade or other names: 7-Ethyl-6, 6, beta 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1', 2':1, 2] azepino [5, 4-b] indole; tabernanthe iboga.);
 14. Mescaline;
 15. 5-methoxy-3, 4-methylenedioxy amphetamine;
 16. 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);
 17. 1-methyl- 4-phenyl-4-propionoxypiperidine (MPPP, PPMP);
 18. 4-methyl-2, 5-dimethoxyamphetamine (some trade and other names: 4- methyl-2, 5-dimethoxy-alpha-methylphenethylamine; "DOM"; "STP");
 19. 3,4-methylenedioxy methamphetamine (MDMA, MDM);
 20. 3,4-methylenedioxy amphetamine;
 21. 3,4-methylenedioxy N-ethylamphetamine (Also known as N-ethyl MDA);
 22. Nabilone (Another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)- 6,6a, 7,8,10,10a-hexahydro-1- hydroxy-6,6- dimethyl-9H-dibenzo[b,d] pyran-9-one);
 23. N-benzylpiperazine (some trade or other names: BZP; 1-benzylpiperazine);
 24. N-ethyl-3-piperidyl benzilate;
 25. N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy MDA);
 26. 4-methylaminorex;
 27. N-methyl-3-piperidyl benzilate;
 28. Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10- tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d] pyran; Synhexyl);
 29. 1-Phenylcyclohexylamine;
 30. 1-Piperidinocyclohexanecarbonitrile (PCC);
 31. Psilocin;
 32. Psilocybin;
 33. Pyrrolidine Analog of Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);
 34. Tetrahydrocannabinols, other than marihuana, and synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:
 - delta-1 cis or trans tetrahydrocannabinol, and their optical isomers;
 - delta-6 cis or trans tetrahydrocannabinol, and their optical isomers;
 - delta-3, 4 cis or trans tetrahydrocannabinol, and its optical isomers;
 - compounds of these structures, regardless of numerical designation of atomic positions, since nomenclature of these substances is not internationally standardized;
 35. Thiophene Analog of Phencyclidine (some trade or other names: 1-[1-(2-thienyl) cyclohexyl] piperidine; 2-Thienyl Analog of Phencyclidine; TPCP, TCP);
 38. 1-pyrrolidine (some trade or other name : TCPy);
 39. 1-(3-trifluoromethylphenyl)piperazine (trade or other name: TFMPP); and
 40. 3,4,5-trimethoxy amphetamine;
- (2) Phenylacetone (some trade or other names: Phenyl-2-propanone; P2P, Benzylmethyl ketone, methyl benzyl ketone); and
- (3) unless specifically excepted or unless listed in another Penalty Group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant or stimulant effect on the central nervous system:

1. Aminorex (some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine);
2. Amphetamine, its salts, optical isomers, and salts of optical isomers;
3. Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone);
4. Etorphine Hydrochloride;
5. Fenethylamine and its salts;
6. Mecloqualone and its salts;
7. Methaqualone and its salts;
8. Methcathinone (some trade or other names: 2-methylamino-propiofenone; alpha-(methylamino)propiofenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiofenone; monomethylpropion; ephedrone, N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; and UR 1431);
9. N-Ethylamphetamine, its salts, optical isomers, and salts of optical isomers; and
10. N,N-dimethylamphetamine (some trade or other names: N,N,alpha-trimethylbenzeneethaneamine; N,N,alpha-trimethylphenethylamine), its salts, optical isomers, and salts of optical isomers.

(b) For the purposes of Subsection (a)(1) only, the term "isomer" includes an optical, position, or geometric isomer.

§ 481.104. PENALTY GROUP 3. (a) Penalty Group 3 consists of:

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

Methylphenidate and its salts; and

Phenmetrazine and its salts;

(2) a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

1. a substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid not otherwise described by this subsection;
2. a compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt of any of these, and one or more active medicinal ingredients that are not listed in any penalty group;
3. a suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs, and approved by the United States Food and Drug Administration for marketing only as a suppository;

1. Alprazolam
2. Amobarbital
3. Bromazepam
4. Camazepam
5. Chlordiazepoxide
6. Chlorhexadol
7. Clobazam
8. Clonazepam
9. Clorazepate
10. Clotiazepam
11. Cloxazolam
12. Delorazepam

13. Diazepam
14. Estazolam
15. Ethyl loflazepate
16. Fludiazepam
17. Flurazepam
18. Glutethimide
19. Halazepam
20. Haloxzolam
21. Ketazolam
22. Loprazolam
23. Lorazepam
24. Lormetazepam
25. Lysergic acid, including its salts, isomers, and salts of isomers
26. Lysergic acid amide, including its salts, isomers, and salts of isomers
27. Mebutamate
28. Medazepam
29. Methyprylon
30. Midazolam
31. Nimetazepam
32. Nitrazepam
33. Nordiazepam
34. Oxazepam
35. Oxazolam
36. Pentazocine, its salts, derivatives, or compounds or mixtures thereof
37. Pentobarbital
38. Pinazepam
39. Prazepam
40. Quazepam
41. Secobarbital
42. Sulfondiethylmethane
43. Sulfonethylmethane
44. Sulfonmethane
45. Temazepam
46. Tetrazepam
47. Tiletamine and zolazepam in combination, and its salts. (some trade or other names for a tiletamine-zolazepam combination product: Telazol, for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, and for zolazepam: 4-(2-fluorophenyl)-6, 8-dihydro-1,3,8,-trimethylpyrazolo-[3,4-e](1,4)-d diazepin-7(1H)-one, flupyrazapon)
48. Triazolam
49. Zaleplon
50. Zolpidem

(3) Nalorphine;

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

- * not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
- * not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

- * not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;
- * not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- * not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- * not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- * not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- * not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- * not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) a material, compound, mixture, or preparation that contains any quantity of the following substances:

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| <ol style="list-style-type: none"> 1. Barbital; 2. Chloral betaine; 3. Chloral hydrate; 4. Ethchlorvynol; 5. Ethinamate; 6. Meproamate; | <ol style="list-style-type: none"> 7. Methohexital; 8. Methylphenobarbital (Mephobarbital); 9. Paraldehyde; 10. Petrichloral; and 11. Phenobarbital; |
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(6) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora*, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;

(7) unless listed in another penalty group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including the substance's salts, optical, position, or geometric isomers, and salts of the substance's isomers, if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

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| <ol style="list-style-type: none"> 1. Benzphetamine 2. Cathine [(+)-norpseudoephedrine] 3. Chlorphentermine 4. Clortermine 5. Diethylpropion 6. Fencamfamin 7. Fenfluramine 8. Fenproporex 9. Mazindol | <ol style="list-style-type: none"> 10. Mefenorex 11. Modafinil 12. Pemoline (including organometallic complexes and their chelates) 13. Phendimetrazine 14. Phentermine 15. Pipradrol 16. Sibutramine 17. SPA [(-)-1-dimethylamino-1,2-diphenylethane] |
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- (8) unless specifically excepted or unless listed in another penalty group, a material, compound, mixture, or preparation that contains any quantity of the following substance, including its salts:

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

- (9) an anabolic steroid or any substance that is chemically or pharmacologically related to testosterone, other than an estrogen, progestin, or corticosteroid, and promotes muscle growth, including:

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| 1. Boldenone | 14. Methandrostenolone |
| 2. Chlorotestosterone (4-chlortestosterone) | 15. Methenolone |
| 3. Clostebol | 16. Methyltestosterone |
| 4. Dehydrochloromethyltestosterone | 17. Mibolerone |
| 5. Dihydrotestosterone (4-dihydrotestosterone) | 18. Nandrolone |
| 6. Drostanolone | 19. Norethandrolone |
| 7. Ethylestrenol | 20. Oxandrolone |
| 8. Fluoxymesterone | 21. Oxymesterone |
| 9. Formebolone | 22. Oxymetholone |
| 10. Mesterolone | 23. Stanolone |
| 11. Methandienone | 24. Stanozolol |
| 12. Methandranone | 25. Testolactone |
| 13. Methandriol | 26. Testosterone |
| | 27. Trenbolone. |

- (b) Penalty Group 3 does not include a compound, mixture, or preparation containing a stimulant substance listed in Subsection (a)(1) if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant effect on the central nervous system and if the admixtures are included in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances that have a stimulant effect on the central nervous system.
- (c) Penalty Group 3 does not include a compound, mixture, or preparation containing a depressant substance listed in Subsection (a)(2) or (a)(5) if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system and if the admixtures are included in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances that have a depressant effect on the central nervous system.

§ 481.105. PENALTY GROUP 4. Penalty Group 4 consists of:

- (1) a compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs that includes one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer on the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:
- o not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
 - o not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;
 - o not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;
 - o not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;
 - o not more than 15 milligrams of opium per 29.5729 milliliters or per 28.35 grams; and
 - o not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;
- (2) unless specifically excepted or unless listed in another penalty group, a material, compound, mixture, or preparation containing any quantity of the narcotic drug Buprenorphine or Butorphanol or a salt of either; and
- (3) unless specifically exempted or excluded or unless listed in another penalty group, any material, compound, mixture, or preparation that contains any quantity of pyrovalerone, a substance having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers.