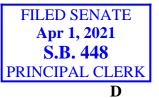
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021



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SENATE BILL DRS45227-MG-117B

Short Title:	Amendments to Schedule VI of the CSA.	(Public)
Sponsors:	Senators Burgin, Krawiec, and Perry (Primary Sponsors).	
Referred to:		

1	A BILL TO BE ENTITLED
2	AN ACT PROVIDING, IN THE ABSENCE OF ANY OBJECTION BY THE COMMISSION
3	FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE
4	ABUSE SERVICES, FOR THE AUTOMATIC REMOVAL FROM SCHEDULE VI OF
5	THE CONTROLLED SUBSTANCES ACT PRESCRIPTION DRUGS APPROVED BY
6	THE FEDERAL FOOD AND DRUG ADMINISTRATION.
7	The General Assembly of North Carolina enacts:
8	SECTION 1. G.S. 90-94 reads as rewritten:
9	"§ 90-94. Schedule VI controlled substances.
10	(a) This schedule includes the controlled substances listed or to be listed by whatever
11	official name, common or usual name, chemical name, or trade name designated. In determining
12	that such substance comes within this schedule, the Commission shall find: no currently accepted
13	medical use in the United States, or a relatively low potential for abuse in terms of risk to public
14	health and potential to produce psychic or physiological dependence liability based upon present
15	medical knowledge, or a need for further and continuing study to develop scientific evidence of
16	its pharmacological effects.
17	(b) The following controlled substances are included in this schedule:
18	(1) Marijuana.
19	(2) Tetrahydrocannabinols.
20	(3) Repealed by Session Laws 2017-115, s. 8, effective December 1, 2017, and
21	applicable to offenses committed on or after that date.
22	(c) Notwithstanding the provisions of this section, any prescription drug approved by the
23	federal Food and Drug Administration under Section 505 of the federal Food, Drug, and
24	Cosmetic Act that is designated, rescheduled, or deleted as a controlled substance under federal
25	law by the United States Drug Enforcement Administration shall be excluded from Schedule VI
26	and may be prescribed, distributed, dispensed, and used in accordance with federal law upon the
27	issuance of a notice, final rule, or interim final rule by the United States Drug Enforcement
28	Administration that designates, reschedules, or deletes such prescription drug as a controlled
29	substance under federal law, unless the Commission objects to such action as provided under
30	G.S. 90-88(d). If the Commission does not object as provided under G.S. 90-88(d), the
31	prescription drug shall be deemed to be designated, rescheduled, or deleted as a controlled
32	substance in accordance with federal law and in compliance with this Chapter."
33	SECTION 2. This act is effective when it becomes law and applies to prescription
34	drugs approved by the federal Food and Drug Administration on or after that date.

