

# Tennessee Drug Statutes Chart

Tennessee Code: Title 39 Criminal Code

SCHEDULE I	OFFENSES/PENALTIES (*All sentences are for standard offenders. Enhancement/mitigating factors may increase/reduce sentence. See sentencing statutes in appendix)	ENHANCEMENTS/ BENEFIT RESTRICTIONS
<p>39-17-405 <b>Criteria</b> (1) High potential for abuse; (2) No accepted med. Use in US or lacks accepted safety for med use</p>	<p>39-17-417(b) <b>Manufacture, delivery, sale, possession w/ intent (p.w.i.) of Schedule I</b> Class B felony: 8-12yrs; &lt;\$100,000</p>	
<p>39-17-406 <b>Substances</b> <b>(b) Opiates</b> <b>(c) Opium derivatives:</b> E.g., heroin, codeine compounds, morphine compounds, etc. <b>(d) Hallucinogenic substances:</b> E.g., MDMA, mescaline, DMT, peyote, LSD, psilocybin, synthetic THC, etc. <b>(e) Depressants:</b> e.g., GHB, Qualuudes <b>(f) Stimulants:</b> E.g., fenethylamine, BZP</p>	<p>3-17-417(i) <b>Manufacture, delivery, p.w.i. of heroin (&gt;15g); morphine (&gt;15g); hydromorphone (&gt;5g); LSD (&gt;5g); cocaine (&gt;26g); pentazocine &amp; tripeleennamine (&gt;5g); PCP (&gt;30g); barbiturates (&gt;100g); phenmetrazine (&gt;50g); amphetamine/ methamphetamine (&gt;26g); peyote (&gt;1000g); Other Schedule I or II substances (&gt;200g)</b> Class B felony: 8-12yrs; &lt;\$200,000</p>	
SCHEDULE II		

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<p><b>39-17-407 Criteria</b>                  (1) high potential for abuse; (2) accepted med use in US w/ severe restrictions; and (3) abuse may lead to severe psych or phys dependence</p>	<p><b>3-17-417(j) Manufacture, delivery, p.w.i. of heroin (&gt;150g); morphine (&gt;150g); hydromorphone (&gt;50g); LSD (&gt;50g); cocaine (&gt;300g); pentazocine &amp; tripeleennamine (&gt;50g); PCP (&gt;300g); barbiturates (&gt;1000g); phenmetrazine (&gt;500g); amphetamine/ methamphetamine (&gt;300g); peyote (&gt;10000g); Other Schedule I or II substances (&gt;2000g)</b>                  Class A felony; 15-25yrs; &lt;\$500,000</p>	
<p><b>39-17-408 Substances</b>  <b>(b) Narcotics derived from vegetable origin or chemical synthesis:</b>                  (1) Opium and opiates: e.g., raw opium, codeine, morphine and derived painkillers                  (2) chemical equivalents to those listed in (1)                  (3) Opium poppies and poppy straws                  (4) Cocaine                  (5) Poppy straw concentrate  <b>(c) Other opiates:</b> e.g., methadone, dihydrocodeine  <b>(d) Stimulants:</b> e.g., Ritalin, Vyvanse, amphetamine, methamphetamine  <b>(e) depressants:</b> e.g., PCP, amobarbital, glutethimide  <b>(f) Nabilone</b>  <b>(g) Precursors to</b> amphetamine, methamphetamine, PCP, fentanyl</p>	<p><b>39-17-417(c)(1) Manufacture, delivery, p.w.i. of cocaine or methamphetamine</b>                  &gt; .5g:                  Class B felony: 8-12yrs; &lt;\$100,000                  &lt; .5g: Class C felony; 3-6yrs; &lt;\$100,000</p>	<p>w/ deadly weapon: Class B felony; 8-12yrs</p>
<p><b>SCHEDULE III</b></p>		

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<p><b>39-17-409 Criteria</b>                  (1) abuse potential less than Schedule I and II; (2) accepted med use in US; and (3) abuse may lead to moderate/low phys dependence or high psych dependence</p>	<p>39-17-417(d)  <b>Manufacture, delivery, p.w.i. of Schedule III</b>                  Class D felony; 2-4yrs; &lt;\$50,000</p>	<p>Anabolic steroids: eligible for pretrial diversion</p>
<p><b>39-17-410 Substances</b>  <b>(b) Stimulants:</b> e.g., appetite suppressants  <b>(c) Depressants:</b> e.g., barbiturates, sedatives, anesthetics, Ketamine, GHA  <b>(d) Nalorphine</b>  <b>(e) Limited narcotic drugs:</b> Compounds w/ limited percentages of codeine, hydrocodone, dihydrocodone, opium, morphine  <b>(f) Anabolic Steroids and hormones</b> (except those exempted)  <b>(g) Hallucinogenic substances:</b> Dronabinol</p>		
<b>SCHEDULE IV</b>		
<p><b>39-17-411 Criteria</b>                  (1) low abuse potential relative to Schedule III; (2) accepted med use in US; and (3) abuse may lead to limited phys dependence or psych dependence relative to Schedule III</p>	<p>39-17-417(e)  <b>Manufacture, delivery, p.w.i. of flunitrazepam</b>                  Class C felony; 3-6yrs; &lt;\$100,000  <b>Other Schedule IV:</b>                  Class D felony; 2-4yrs; &lt;\$50,000</p>	
<p><b>39-17-412 Substances</b>  <b>(b) Compounds containing limited narcotic quantities:</b> e.g., difenoxin, dextropropoxyphene  <b>(c) Depressants:</b> e.g., Klonopin, Ativan, <b>flunitrazepam</b>  <b>(d) Fenfluramine</b>  <b>(e) Stimulants:</b> e.g., appetite suppressants  <b>(f) Pentazocine &amp; butorphanol</b></p>		
<b>SCHEDULE V</b>		

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<p><b>39-17-413 Criteria</b>                  (1) low abuse potential relative to Schedule IV; (2) accepted med use is US; and (3) abuse may lead to limited phys dependence or psych dependence relative to Schedule IV</p>	<p>39-17-417(f)  <b>Manufacture, delivery, p.w.i. of Schedule V</b>                  Class E felony; 1-2yrs; &lt;\$5,000</p>	
<p><b>39-17-414 Substances</b>  <b>(b) Narcotics containing nonnarcotic active medicinal ingredients:</b> e.g., limited percentages of codeine, opium, etc.  <b>(c) Pyrovalerone</b>  <b>(d) Lacosamide &amp; Pregabalin</b></p>		
<p><b>39-17-415 SCHEDULE VI</b></p>		
<p><b>Substances: Marijuana, THC, and synthetic equivalents</b></p>	<p>39-17-417(g)  <b>Manufacture, delivery, p.w.i. of Schedule VI</b></p>	<p>39-17-418(b) <b>Distribution of &lt;1/2 oz of marijuana</b>                  Class A misdemeanor: &lt;1yr and/or &lt;\$2,500</p>
	<p><b>(1)</b> 1/2 oz – 10lbs of marijuana/&lt;2lbs of hashish: Class E felony; 1-2yrs; &lt;\$5,000</p>	
	<p><b>(2)</b> 10-70lbs of marijuana/2-4lbs of hashish/10-19plants: Class D felony; 2-4yrs; &lt;\$50,000</p>	
	<p><b>(3)</b> 4-8lbs of hashish/20-99plants: Class C felony; 3-6yrs; &lt;\$100,000</p>	
	<p>4-17-417(i)(13)                  70-300lbs of marijuana/8-15lbs of hashish/100-499plants: Class B felony; 8-12yrs; &lt;\$200,000</p>	
	<p>4-17-417(j)(13)                  &gt;300lbs of marijuana/&gt;15lbs of hashish/&gt;500plants: Class A felony; 15-25yrs; &lt;\$500,000</p>	
<p><b>39-17-416 SCHEDULE VII</b></p>		
<p><b>Substances: Butyl nitrite</b></p>	<p>39-17-417(h)</p>	

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	<b>Manufacture, delivery, p.w.i. of Schedule VII</b> Class E felony; 1-2yrs; <\$1,000	
<b>OTHER OFFENSES/PENALTIES</b>		<b>ENHANCEMENTS/ BENEFIT RESTRICTIONS</b>
39-17-418 <b>Simple possession or casual exchange:</b> Class A misdemeanor; <1yr and/or <\$2,500		Drug offender school, rehab, community service may be required or subsequent offense: Class E felony; 1-2yrs; <\$50,000
39-17-421 <b>substitution of drugs in filling prescriptions:</b> Class C misdemeanor; <30days and/or <\$50.00		
39-17-422 <b>inhaling, selling, giving or possessing glue, paint, gas, etc. for unlawful purposes:</b> Class A misdemeanor; <1yr and/or <\$2,500		Sale w/ knowledge of unlawful use: Class E felony; 1-2yrs; <\$50,000
39-17-423 <b>Sale, delivery, distribution of counterfeit controlled substance:</b> Class E felony; 1-2yrs; <\$50,000		Recipient: Class A misdemeanor; <1yr and/or <\$2,500
39-17-425 <b>Unlawful drug paraphernalia use/advertisement:</b> Class A misdemeanor; <1yr and/or <\$2,500		Sale w/ knowledge of unlawful use: Class E felony; 1-2yrs; <\$50,000
39-17-430 <b>Prescription of steroids for performance enhancement w/o medical necessity:</b> Class D felony; 2-4yrs; <\$50,000		
39-17-431 <b>Violation of methamphetamine precursor regulations:</b> Class A misdemeanor; <1yr and/or <\$2,500		
39-17-435 <b>Initiation of a process intended to result in methamphetamine manufacture:</b> Class B felony; 8-12yrs; <\$200,000		
39-17-437 <b>Possession of substance designed to falsify drug test:</b> Class A misdemeanor; <1yr and/or <\$2,500 <b>Sale of synthetic urine:</b> Class C misdemeanor; <30days and/or <\$50.00		
39-17-438 <b>Manufacture, distribution or possession of salvia divinorum:</b> Class D felony; 2-4yrs; <\$50,000		or subsequent violation: Class C felony; 3-6yrs; <\$100,000
39-17-452 <b>Manufacture, distribution, or possession of methcathinone:</b> Class A misdemeanor; <1yr and/or <\$2,500		
39-17-452 <b>Manufacture, distribution or p.w.i.</b>		

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<p><b>of imitation controlled substances:</b> Class E felony; 1-2yrs; \$2,000-\$5,000</p> <p><b>Use of imitation controlled substances:</b> Class A misdemeanor; &lt;1yr; \$250-\$2,500</p>	
<p>39-17-454(c) <b>Manufacture, delivery, sale of a controlled substance analogue:</b> Class D felony; 2-4yrs; &lt;\$50,000</p> <p>39-17-454(d) <b>Possession or casual exchange of &lt;1g of a controlled substance analogue:</b> Class A misdemeanor; &lt;1yr and/or &lt;\$2,500</p>	<p>or subsequent violation: Class C felony; 3-6yrs; &lt;\$100,000</p> <p>If delivery to minor: 1 degree higher</p>
<p>39-17-454(f) <b>representation that a controlled substance analogue is a controlled substance:</b> Class A misdemeanor ; &lt;1yr and/or &lt;\$2,500</p>	
<b>ENHANCEMENT OFFENSES</b>	<b>ENHANCED PENALTIES</b>
<p>39-17-417(k) <b>Manufacture, delivery, or p.w.i. to a minor</b></p>	One penalty classification higher
<p>39-17-432 <b>Violations w/in 1,000 ft of a school, library, rec center or park</b></p>	One penalty classification higher and higher fine <b>No s.s. or p. p.</b>