

Oklahoma Drug Statutes (listed in numerical order)

§ 2-203. Schedule I characteristics

- Schedule I includes substances with the following characteristics:
 - 1. High potential for abuse;
 - 2. No accepted medical use in the United States or lacks accepted safety for use in treatment under medical supervision.

§ 2-204. Schedule I

- The controlled substances listed in this section are included in Schedule I.
 - A. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, when the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - 1. Acetylmethadol;
 - 2. Allylprodine;
 - 3. Alphacetylmethadol;
 - 4. Alphameprodine;
 - 5. Alphamethadol;
 - 6. Benzethidine;
 - 7. Betacetylmethadol;
 - 8. Betameprodine;
 - 9. Betamethadol;
 - 10. Betaprodine;
 - 11. Clonitazene;
 - 12. Dextromoramide;
 - 13. Dextrorphan (except its methyl ether);
 - 14. Diampromide;
 - 15. Diethylthiambutene;
 - 16. Dimenoxadol;
 - 17. Dimepheptanol;
 - 18. Dimethylthiambutene;
 - 19. Dioxaphetyl butyrate;
 - 20. Dipipanone;
 - 21. Ethylmethylthiambutene;
 - 22. Etonitazene;
 - 23. Etoxeridine;
 - 24. Furethidine;
 - 25. Hydroxypethidine;
 - 26. Ketobemidone;
 - 27. Levomoramide;
 - 28. Levophenacymorphan;
 - 29. Morpheridine;
 - 30. Noracymethadol;
 - 31. Norlevorphanol;
 - 32. Normethadone;
 - 33. Norpipanone;
 - 34. Phenadoxone;
 - 35. Phenampromide;
 - 36. Phenomorphan;
 - 37. Phenoperidine;

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- 38. Piritramide;
- 39. Proheptazine;
- 40. Properidine;
- 41. Racemoramide; or
- 42. Trimeperidine.
- **B.** Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:
 - 1. Acetorphine;
 - 2. Acetyldihydrocodeine;
 - 3. Benzylmorphine;
 - 4. Codeine methylbromide;
 - 5. Codeine-N-Oxide;
 - 6. Cyprenorphine;
 - 7. Desomorphine;
 - 8. Dihydromorphine;
 - 9. Etorphine;
 - 10. Heroin;
 - 11. Hydromorphanol;
 - 12. Methyl-desorphine;
 - 13. Methylhydromorphine;
 - 14. Morphine methylbromide;
 - 15. Morphine methylsulfonate;
 - 16. Morphine-N-Oxide;
 - 17. Myrophine;
 - 18. Nicocodeine;
 - 19. Nicomorphine;
 - 20. Normorphine;
 - 21. Phoclo-dine; or
 - 22. Thebacon.
- **C.** Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, unless specifically excepted, when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:
 - 1. Methcathinone;
 - 2. 3, 4-methylenedioxy amphetamine;
 - 3. 3, 4-methylenedioxy methamphetamine;
 - 4. 5-methoxy-3, 4-methylenedioxy amphetamine;
 - 5. 3, 4, 5-trimethoxy amphetamine;
 - 6. Bufotenine;
 - 7. Diethyltryptamine;
 - 8. Dimethyltryptamine;
 - 9. 4-methyl-2, 5-dimethoxyamphetamine;
 - 10. Ibogaine;
 - 11. Lysergic acid diethylamide;
 - 12. Marihuana;
 - 13. Mescaline;
 - 14. N-benzylpiperazine;
 - 15. N-ethyl-3-piperidyl benzilate;
 - 16. N-methyl-3-piperidyl benzilate;
 - 17. Psilocybin;

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- 18. Psilocyn;
- 19. 2, 5 dimethoxyamphetamine;
- 20. 4 Bromo-2, 5-dimethoxyamphetamine;
- 21. 4 methoxyamphetamine;
- 22. Cyclohexamine;
- 23. Salvia Divinorum;
- 24. Salvinorin A;
- 25. Thiophene Analog of Phencyclidine. Also known as: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TCP, TCP;
- 26. Phencyclidine (PCP);
- 27. Pyrrolidine Analog for Phencyclidine. Also known as 1-(1-Phencyclohexyl) -- Pyrrolidine, PCPy, PHP;
- 28. 1-(3-trifluoromethylphenyl) piperazine;
- 29. Flunitrazepam;
- 30. B-hydroxy-amphetamine;
- 31. B-ketoamphetamine;
- 32. 2,5-dimethoxy-4-nitroamphetamine;
- 33. 2,5-dimethoxy-4-bromophenethylamine;
- 34. 2,5-dimethoxy-4-chlorophenethylamine;
- 35. 2,5-dimethoxy-4-iodoamphetamine;
- 36. 2,5-dimethoxy-4-iodophenethylamine;
- 37. 2,5-dimethoxy-4-methylphenethylamine;
- 38. 2,5-dimethoxy-4-ethylphenethylamine;
- 39. 2,5-dimethoxy-4-fluorophenethylamine;
- 40. 2,5-dimethoxy-4-nitrophenethylamine;
- 41. 2,5-dimethoxy-4-ethylthio-phenethylamine;
- 42. 2,5-dimethoxy-4-isopropylthio-phenethylamine;
- 43. 2,5-dimethoxy-4-propylthio-phenethylamine;
- 44. 2,5-dimethoxy-4-cyclopropylmethylthio-phenethylamine;
- 45. 2,5-dimethoxy-4-tert-butylthio-phenethylamine;
- 46. 2,5-dimethoxy-4-(2-fluoroethylthio)-phenethylamine;
- 47. 5-methoxy-N, N-dimethyltryptamine;
- 48. N-methyltryptamine;
- 49. A-ethyltryptamine;
- 50. A-methyltryptamine;
- 51. N, N-diethyltryptamine;
- 52. N, N-diisopropyltryptamine;
- 53. N, N-dipropyltryptamine;
- 54. 5-methoxy-a-methyltryptamine;
- 55. 4-hydroxy-N, N-diethyltryptamine;
- 56. 4-hydroxy-N, N-diisopropyltryptamine;
- 57. 5-methoxy-N, N-diisopropyltryptamine;
- 58. 4-hydroxy-N-isopropyl-N-methyltryptamine;
- 59. 3,4-Methylenedioxymethcathinone (Mephedrone);
- 60. 3,4-Methylenedioxypyrovalerone (MDPV);
- 61. 4-Methylmethcathinone (Mephedrone);
- 62. 4-methoxymethcathinone;
- 63. 4-Fluoromethcathinone;
- 64. 3-Fluoromethcathinone;
- 65. 1-(8-bromobenzo[1,2-b:4,5-b'difuran-4-yl])-2-aminopropane;
- 66. 2,5-Dimethoxy-4-chloroamphetamine;

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- 67. 4-Methylmethcathinone;
- 68. Pyrovalerone;
- 69. N,N-diallyl-5-methoxytryptamine;
- 70. 3,4-Methylenedioxy-N-ethylcathinone (Ethylone);
- 71. B-keto-N-Methylbenzodioxolylbutanamine (Butylone); or
- 72. B-keto-Methylbenzodioxolylpentanamine (Pentylone).
- **D.** Unless specifically excepted or unless listed in a different schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having stimulant or depressant effect on the central nervous system:
 - 1. Fenethylamine;
 - 2. Mefenorex;
 - 3. N-ethylamphetamine;
 - 4. Methamphetamine;
 - 5. Gamma-Hydroxybutyric Acid, also known as GHB, gamma-hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium oxybate, and sodium oxybutyrate;
 - 6. Gamma-Butyrolactone (GBL) as packaged, marketed, manufactured or promoted for human consumption, with the exception of legitimate food additive and manufacturing purposes;
 - 7. Gamma Hydroxyvalerate (GHV) as packaged, marketed, or manufactured for human consumption, with the exception of legitimate food additive and manufacturing purposes;
 - 8. Gamma Valerolactone (GVL) as packaged, marketed, or manufactured for human consumption, with the exception of legitimate food additive and manufacturing purposes; or
 - 9. 1,4 Butanediol (1,4 BD or BDO) as packaged, marketed, manufactured, or promoted for human consumption with the exception of legitimate manufacturing purposes.
- **E.** 1. The following industrial uses of Gamma-Butyrolactone, Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol are excluded from all schedules of controlled substances under this title:
 - a. pesticides,
 - b. photochemical etching,
 - c. electrolytes of small batteries or capacitors,
 - d. viscosity modifiers in polyurethane,
 - e. surface etching of metal coated plastics,
 - f. organic paint disbursements for water soluble inks,
 - g. pH regulators in the dyeing of wool and polyamide fibers,
 - h. foundry chemistry as a catalyst during curing,
 - i. curing agents in many coating systems based on urethanesand
 - amides,
 - j. additives and flavoring agents in food, confectionary, and beverage products,
 - k. synthetic fiber and clothing production,
 - l. tetrahydrofuran production,
 - m. gamma butyrolactone production,
 - n. polybutylene terephthalate resin production,
 - o. polyester raw materials for polyurethane elastomers and foams,
 - p. coating resin raw material, and

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- q. as an intermediate in the manufacture of other chemicals and pharmaceuticals.
 - 2. At the request of any person, the Director may exempt any other product containing Gamma-Butyrolactone, Gamma Hydroxyvalerate, Gamma Valerolactone, or 1,4 Butanediol from being included as a Schedule I controlled substance if such product is labeled, marketed, manufactured and distributed for legitimate industrial use in a manner that reduces or eliminates the likelihood of abuse.
 - 3. In making a determination regarding an industrial product, the Director, after notice and hearing, shall consider the following:
 - a. the history and current pattern of abuse,
 - b. the name and labeling of the product,
 - c. the intended manner of distribution, advertising and promotion of the product, and
 - d. other factors as may be relevant to and consistent with the public health and safety.
 - 4. The hearing shall be held in accordance with the procedures of the Administrative Procedures Act.
- F. Any quantity of a synthetic chemical compound that is a cannabinoid receptor agonist and mimics the pharmacological effect of naturally occurring substances including:
 - 1. JWH-004;
 - 2. JWH-007;
 - 3. JWH-009;
 - 4. JWH-015;
 - 5. JWH-016;
 - 6. JWH-018;
 - 7. JWH-019;
 - 8. JWH-020;
 - 9. JWH-030;
 - 10. JWH-046;
 - 11. JWH-047;
 - 12. JWH-048;
 - 13. JWH-049;
 - 14. JWH-050;
 - 15. JWH-070;
 - 16. JWH-071;
 - 17. JWH-072;
 - 18. JWH-073;
 - 19. JWH-076;
 - 20. JWH-079;
 - 21. JWH-080;
 - 22. JWH-081;
 - 23. JWH-082;
 - 24. JWH-094;
 - 25. JWH-096;
 - 26. JWH-098;
 - 27. JWH-116;

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- 28. JWH-120;
- 29. JWH-122;
- 30. JWH-145;
- 31. JWH-146;
- 32. JWH-147;
- 33. JWH-148;
- 34. JWH-149;
- 35. JWH-150;
- 36. JWH-156;
- 37. JWH-167;
- 38. JWH-175;
- 39. JWH-180;
- 40. JWH-181;
- 41. JWH-182;
- 42. JWH-184;
- 43. JWH-185;
- 44. JWH-189;
- 45. JWH-192;
- 46. JWH-193;
- 47. JWH-194;
- 48. JWH-195;
- 49. JWH-196;
- 50. JWH-197;
- 51. JWH-198;
- 52. JWH-199;
- 53. JWH-200;
- 54. JWH-201;
- 55. JWH-202;
- 56. JWH-203;
- 57. JWH-204;
- 58. JWH-205;
- 59. JWH-206;
- 60. JWH-207;
- 61. JWH-208;
- 62. JWH-209;
- 63. JWH-210;
- 64. JWH-211;
- 65. JWH-212;
- 66. JWH-213;
- 67. JWH-234;
- 68. JWH-235;
- 69. JWH-236;
- 70. JWH-237;
- 71. JWH-239;
- 72. JWH-240;
- 73. JWH-241;
- 74. JWH-242;
- 75. JWH-243;
- 76. JWH-244;
- 77. JWH-245;
- 78. JWH-246;
- 79. JWH-248;
- 80. JWH-249;

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- 81. JWH-250;
- 82. JWH-251;
- 83. JWH-252;
- 84. JWH-253;
- 85. JWH-262;
- 86. JWH-292;
- 87. JWH-293;
- 88. JWH-302;
- 89. JWH-303;
- 90. JWH-304;
- 91. JWH-305;
- 92. JWH-306;
- 93. JWH-307;
- 94. JWH-308;
- 95. JWH-311;
- 96. JWH-312;
- 97. JWH-313;
- 98. JWH-314;
- 99. JWH-315;
- 100. JWH-316;
- 101. JWH-346;
- 102. JWH-348;
- 103. JWH-363;
- 104. JWH-364;
- 105. JWH-365;
- 106. JWH-367;
- 107. JWH-368;
- 108. JWH-369;
- 109. JWH-370;
- 110. JWH-371;
- 111. JWH-373;
- 112. JWH-386;
- 113. JWH-387;
- 114. JWH-392;
- 115. JWH-394;
- 116. JWH-395;
- 117. JWH-397;
- 118. JWH-398;
- 119. JWH-399;
- 120. JWH-400;
- 121. JWH-412;
- 122. JWH-413;
- 123. JWH-414;
- 124. JWH-415;
- 125. CP-55, 940;
- 126. CP-47, 497;
- 127. HU-210;
- 128. HU-211;
- 129. WIN-55, 212-2;
- 130. AM-2201;
- 131. AM-2233; and
- 132. JWH-018 adamantyl-carboxamide.

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§ 2-205. Schedule II characteristics

- Schedule II includes substances with the following characteristics:
 - 1. High potential for abuse;
 - 2. Currently accepted medical use in the United States, or currently accepted medical use with severe restrictions; and
 - 3. The abuse of the substance may lead to severe psychic or physical dependence.

§ 2-206. Schedule II

- The controlled substances listed in this section are included in Schedule II.
 - **A.** Any of the following substances except those narcotic drugs listed in other schedules whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:
 - 1. Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;
 - 2. Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph 1 of this subsection, but not including the isoquinoline alkaloids of opium;
 - 3. Opium poppy and poppy straw; or
 - 4. Coca leaves except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine, its salts, optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers and salts of isomers; or any compound, mixture or preparation which contains any quantity of any of the substances referred to in this paragraph.
 - **B.** Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, when the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - 1. Alphaprodine;
 - 2. Anileridine;
 - 3. Bezitramide;
 - 4. Dihydrocodeine;
 - 5. Diphenoxylate;
 - 6. Fentanyl;
 - 7. Hydromorphone;
 - 8. Isomethadone;
 - 9. Levomethorphan;
 - 10. Levorphanol;
 - 11. Metazocine;
 - 12. Methadone;
 - 13. Methadone -- Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
 - 14. Moramide -- Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid;
 - 15. Oxycodone;
 - 16. Oxymorphone;

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- 17. Pethidine (Meperidine);
- 18. Pethidine -- Intermediate -- A, 4-cyano-1-methyl-4-phenylpiperidine;
- 19. Pethidine -- Intermediate -- B, ethyl-4-phenylpiperidine-4-carboxylate;
- 20. Pethidine -- Intermediate -- C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 21. Phenazocine;
- 22. Piminodine;
- 23. Racemethorphan;
- 24. Racemorphan;
- 25. Etorphine Hydrochloride salt only;
- 26. Alfentanil hydrochloride;
- 27. Levo-alphaacetylmethadol;
- 28. Codeine;
- 29. Hydrocodone;
- 30. Morphine;
- 31. Remifentanil; or
- 32. Sufentanil.
- C. Any substance which contains any quantity of:
 - 1. Methamphetamine, including its salts, isomers, and salts of isomers;
 - 2. Amphetamine, its salts, optical isomers, and salts of its optical isomers; or
 - 3. Nabilone.
- D. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances having stimulant or depressant effect on the central nervous system:
 - 1. Phenmetrazine and its salts;
 - 2. Methylphenidate;
 - 3. Amobarbital;
 - 4. Pentobarbital; or
 - 5. Secobarbital.

§ 2-207. Schedule III characteristics

- Schedule III includes substances with the following characteristics:
 - 1. A potential for abuse less than the substances listed in Schedules I and II;
 - 2. Currently accepted medical use in treatment in the United States; and
 - 3. Abuse may lead to moderate or low physical dependence or high psychological dependence.

§ 2-208. Schedule III

- The controlled substances listed in this section are included in Schedule III.
 - A. Unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances or any other substance having a potential for abuse associated with a stimulant or depressant effect on the central nervous system:

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- 1. Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act;
- 2. Any material, compound, mixture, or preparation which contains any quantity of the following hormonal substances or steroids, including their salts, isomers, esters and salts of isomers and esters, when the existence of these salts, isomers, esters, and salts of isomers and esters is possible within the specific chemical designation:
 - a. Boldenone,
 - b. Chlorotestosterone,
 - c. Clostebol,
 - d. Dehydrochlormethyltestosterone,
 - e. Dihydrotestosterone,
 - f. Drostanolone,
 - g. Ethylestrenol,
 - h. Fluoxymesterone,
 - i. Formebolone,
 - j. Mesterolone,
 - k. Methandienone,
 - l. Methandranone,
 - m. Methandriol,
 - n. Methandrostenolone,
 - o. Methenolone,
 - p. Methyltestosterone, except as provided in subsection E of this section,
 - q. Mibolerone,
 - r. Nandrolone,
 - s. Norethandrolone,
 - t. Oxandrolone,
 - u. Oxymesterone,
 - v. Oxymetholone,
 - w. Stanolone,
 - x. Stanozolol,
 - y. Testolactone,
 - z. Testosterone, except as provided in subsection E of this section, and
- aa. Trenbolone;
- 3. Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid;
- 4. Benzphetamine and its salts;
- 5. Buprenorphine;
- 6. Butalbital/acetaminophen/caffeine;
- 7. Chlorhexadol;
- 8. Chlorphentermine and its salts;
- 9. Clortermine;
- 10. Glutethimide;
- 11. Hydrocodone with another active ingredient;
- 12. Ketamine, its salts, isomers, and salts of isomers;
- 13. Lysergic acid;
- 14. Lysergic acid amide;

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- 15. Mazindol;
- 16. Methyprylon;
- 17. Phendimetrazine;
- 18. Phenylacetone (P2P);
- 19. Sulfondiethylmethane;
- 20. Sulfonethylmethane;
- 21. Sulfonmethane;
- 22. Tetrahydrocannabinols;
- 23. 1-Phenycyclohexylamine; or
- 24. 1-Piperidinocyhexanecarbo nitrile (PCC).

Livestock implants as regulated by the Federal Food and Drug Administration shall be exempt.

- B. Nalorphine.
- C. Unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
 - 1. Not more than one and eight-tenths (1.8) grams of codeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
 - 2. Not more than one and eight-tenths (1.8) grams of codeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - 3. Not more than one and eight-tenths (1.8) grams of dihydrocodeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - 4. Not more than three hundred (300) milligrams of ethylmorphine or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;
 - 5. Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or
 - 6. Not more than fifty (50) milligrams of morphine or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
- D. The Board of Pharmacy may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections A and B of this section from the application of all or any part of the Uniform Controlled Dangerous Substances Act if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.
- E. The following hormonal substances or steroids are exempt from classification as Schedule III controlled dangerous substances:

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- 1. Estratest, containing 1.25 mg esterified estrogens and 2.5 mg methyltestosterone;
- 2. Estratest HS, containing 0.625 mg esterified estrogens and 1.25 mg methyltestosterone;
- 3. Premarin with Methyltestosterone, containing 1.25 mg conjugated estrogens and 10.0 mg methyltestosterone;
- 4. Premarin with Methyltestosterone, containing 0.625 mg conjugated estrogens and 5.0 mg methyltestosterone;
- 5. Testosterone Cypionate -- Estradiol Cypionate injection, containing 50 mg/ml Testosterone Cypionate; and
- 6. Testosterone Enanthate -- Estradiol Valerate injection, containing 90 mg/ml Testosterone Enanthate and 4 mg/ml Estradiol Valerate.

§ 2-208. Schedule III

- The controlled substances listed in this section are included in Schedule III.
 - **A.** Unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances or any other substance having a potential for abuse associated with a stimulant or depressant effect on the central nervous system:
 - 1. Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act;
 - 2. Any material, compound, mixture, or preparation which contains any quantity of the following hormonal substances or steroids, including their salts, isomers, esters and salts of isomers and esters, when the existence of these salts, isomers, esters, and salts of isomers and esters is possible within the specific chemical designation:
 - a. Boldenone,
 - b. Chlorotestosterone,
 - c. Clostebol,
 - d. Dehydrochlormethyltestosterone,
 - e. Dihydrotestosterone,
 - f. Drostanolone,
 - g. Ethylestrenol,
 - h. Fluoxymesterone,
 - i. Formebolone,
 - j. Mesterolone,
 - k. Methandienone,
 - l. Methandranone,
 - m. Methandriol,
 - n. Methandrostenolone,
 - o. Methenolone,
 - p. Methyltestosterone, except as provided in subsection E of this section,
 - q. Mibolerone,
 - r. Nandrolone,
 - s. Norethandrolone,
 - t. Oxandrolone,

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- u. Oxymesterone,
- v. Oxymetholone,
- w. Stanolone,
- x. Stanozolol,
- y. Testolactone,
- z. Testosterone, except as provided in subsection E of

this

section, and

- aa. Trenbolone;
- 3. Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid;
- 4. Benzphetamine and its salts;
- 5. Buprenorphine;
- 6. Butalbital/acetaminophen/caffeine;
- 7. Chlorhexadol;
- 8. Chlorphentermine and its salts;
- 9. Clortermine;
- 10. Glutethimide;
- 11. Hydrocodone with another active ingredient;
- 12. Ketamine, its salts, isomers, and salts of isomers;
- 13. Lysergic acid;
- 14. Lysergic acid amide;
- 15. Mazindol;
- 16. Methyprylon;
- 17. Phendimetrazine;
- 18. Phenylacetone (P2P);
- 19. Sulfondiethylmethane;
- 20. Sulfonethylmethane;
- 21. Sulfonmethane;
- 22. Tetrahydrocannabinols;
- 23. 1-Phenycyclohexylamine; or
- 24. 1-Piperidinocyclohexanecarbo nitrile (PCC).

Livestock implants as regulated by the Federal Food and Drug Administration shall be exempt.

- B. Nalorphine.
- C. Unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
 - 1. Not more than one and eight-tenths (1.8) grams of codeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
 - 2. Not more than one and eight-tenths (1.8) grams of codeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
 - 3. Not more than one and eight-tenths (1.8) grams of dihydrocodeine or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

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- 4. Not more than three hundred (300) milligrams of ethylmorphine or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;
- 5. Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; or
- 6. Not more than fifty (50) milligrams of morphine or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
- **D.** The Board of Pharmacy may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections A and B of this section from the application of all or any part of the Uniform Controlled Dangerous Substances Act if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.
- **E.** The following hormonal substances or steroids are exempt from classification as Schedule III controlled dangerous substances:
 - 1. Estratest, containing 1.25 mg esterified estrogens and 2.5 mg methyltestosterone;
 - 2. Estratest HS, containing 0.625 mg esterified estrogens and 1.25 mg methyltestosterone;
 - 3. Premarin with Methyltestosterone, containing 1.25 mg conjugated estrogens and 10.0 mg methyltestosterone;
 - 4. Premarin with Methyltestosterone, containing 0.625 mg conjugated estrogens and 5.0 mg methyltestosterone;
 - 5. Testosterone Cypionate -- Estradiol Cypionate injection, containing 50 mg/ml Testosterone Cypionate; and
 - 6. Testosterone Enanthate -- Estradiol Valerate injection, containing 90 mg/ml Testosterone Enanthate and 4 mg/ml Estradiol Valerate.

§ 2-209. Schedule IV characteristics

- Schedule IV includes substances with the following characteristics:
 - 1. Low potential for abuse relative to substances listed in Schedule III;
 - 2. Currently accepted medical use in treatment in use in the United States; and
 - 3. Abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances listed in Schedule III.

§ 2-210. Schedule IV

- **A.** Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant or depressant effect on the central nervous system:

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- 1. Chloral betaine;
- 2. Chloral hydrate;
- 3. Ethchlorvynol;
- 4. Ethinamate;
- 5. Meprobamate;
- 6. Paraldehyde;
- 7. Petrichloral;
- 8. Diethylpropion;
- 9. Phentermine;
- 10. Pemoline;
- 11. Chlordiazepoxide;
- 12. Chlordiazepoxide and its salts, but not including chlordiazepoxide hydrochloride and clidinium bromide or chlordiazepoxide and water-soluble esterified estrogens;
- 13. Diazepam;
- 14. Oxazepam;
- 15. Clorazepate;
- 16. Flurazepam and its salts;
- 17. Clonazepam;
- 18. Barbitol;
- 19. Mebutamate;
- 20. Methohexital;
- 21. Methylphenobarbital;
- 22. Phenobarbital;
- 23. Fenfluramine;
- 24. Pentazocine;
- 25. Propoxyphene;
- 26. Butorphanol;
- 27. Alprazolam;
- 28. Halazepam;
- 29. Lorazepam;
- 30. Prazepam;
- 31. Temazepam;
- 32. Triazolam;
- 33. Carisoprodol;
- 34. Ephedrine, its salts, optical isomers, and salts of optical isomers as the only active ingredient, or in combination with other active ingredients;
- 35. Dichloralphenazone;
- 36. Estazolam;
- 37. Eszopiclone;
- 38. Midazolam;
- 39. Modafinil;
- 40. Zaleplon;
- 41. Zolpidem; or
- 42. Tramadol.
- **B.** 1. The following nonnarcotic substances, which may, under the Federal Food, Drug, and Cosmetic Act ([21 U.S.C., Section 301](#)), be lawfully sold over the counter without a prescription, are excluded from all schedules of controlled substances under this title:
 - **a.** Breathe-Aid,
 - **b.** BronCare,
 - **c.** Bronchial Congestion,
 - **d.** Bronkaid Tablets,

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- e. Bronkaid Dual Action Caplets,
- f. Bronkotabs,
- g. Bronkolixir,
- h. NeoRespin,
- i. Pazo Hemorrhoid Ointment and Suppositories,
- j. Primatene Tablets,
- k. Primatene "Dual Action" Formula,
- l. Quelidrine,
- m. Resp, and
- n. Vatronal Nose Drops.
- **2.** At the request of any person, the Director may exempt any other drug product containing ephedrine from being included as a Schedule IV controlled substance if such product:
 - **a.** is labeled and marketed in a manner consistent with the pertinent OTC tentative final or final monograph issued by the FDA, and
 - **b.** is manufactured and distributed for legitimate medicinal use and in a manner that reduces or eliminates the likelihood of abuse.
- **3.** In making a determination regarding a drug product, the Director, after notice and hearing, shall consider the following:
 - **a.** the history and current pattern of abuse,
 - **b.** the name and labeling of the product,
 - **c.** the intended manner of distribution, advertising and promotion of the product, and
 - **d.** other factors as may be relevant to and consistent with the public health and safety.
- **4.** The hearing shall be held in accordance with the Administrative Procedures Act.
- **5.** A list of current drug products meeting exemption requirements under this subsection may be obtained from the Bureau upon written request.
- **C.** The Board of Pharmacy may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection A of this section from the application of all or any part of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, 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 therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

§ 2-211. Schedule V characteristics

- Schedule V includes substances with the following characteristics:
 - **1.** Low potential for abuse relative to the controlled substances listed in Schedule IV;

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- 2. Currently accepted medical use in treatment in the United States; and
- 3. Limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

§ 2-212. Schedule V

- **A.** The controlled substances listed in this section are included in Schedule V.
 - **1.** Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone:
 - **a.** not more than two hundred (200) milligrams of codeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams,
 - **b.** not more than one hundred (100) milligrams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams,
 - **c.** not more than one hundred (100) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams,
 - **d.** not more than two and five-tenths (2.5) milligrams of diphenoxylate and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit, or
 - **e.** not more than one hundred (100) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams.
 - **2.** Any compound, mixture, or preparation containing any detectable quantity of base pseudoephedrine or ephedrine, its salts or optical isomers, or salts of optical isomers. If any compound, mixture, or preparation as specified in this paragraph is dispensed, sold, or distributed in a pharmacy:
 - **a.** it shall be dispensed, sold, or distributed only by, or under the supervision of, a licensed pharmacist or a registered pharmacy technician,
 - **b.** a service charge not to exceed the purchase price of the product, mixture or preparation may be assessed and collected by the licensed pharmacist or registered pharmacy technician at the point of sale from the person seeking to purchase, receive or otherwise acquire a pseudoephedrine product or products. Upon receipt of payment of the service charge, the licensed pharmacist or registered pharmacy technician shall access the methamphetamine offender registry and verify whether the person is an individual who is listed on the methamphetamine offender registry. Upon verification that the person is an individual who is not listed on the methamphetamine offender registry, the service charge shall be deducted from the total purchase price of the pseudoephedrine product or products. Upon verification that the person is an individual who is listed on the methamphetamine offender registry, the person shall be prohibited from purchasing the pseudoephedrine

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product or products and shall be required to forfeit the service charge previously collected by the licensed pharmacist or registered pharmacy technician. Any pharmacy that requires the assessment and collection of a service charge for pseudoephedrine products shall post a clear and conspicuous sign at each public entrance to the place of business and at each register within the pharmacy that provides notice to customers of the pharmacy that a service charge shall be assessed and collected for pseudoephedrine products and, upon verification that the person is listed on the methamphetamine offender registry, the service charge shall be forfeited and retained by the pharmacy, and

- c. any person who is not an individual listed on the methamphetamine offender registry that is purchasing, receiving, or otherwise acquiring any compound, mixture, or preparation shall produce a driver license, passport, military identification, or other state-issued identification card and shall sign a written or electronic log, receipt, or other program or mechanism approved by the Oklahoma Bureau of Narcotics and Dangerous Drugs Control, showing:
 - (1) the date and time of the transaction,
 - (2) name, address and date of birth of the purchaser,
 - (3) driver license number, passport, military identification, or state-issued identification number and state of residence of the purchaser,
 - (4) name and initials of the pharmacist or pharmacy technician conducting the transaction,
 - (5) the product being sold, and
 - (6) total quantity, in grams, of base pseudoephedrine or ephedrine purchased.

No person shall purchase, receive, or otherwise acquire more than three and six-tenths (3.6) grams of any product, mixture, or preparation per day or more than seven and two-tenths (7.2) grams of any product, mixture, or preparation within any thirty-day period, or sixty (60) grams of any product, mixture, or preparation within a twelve-month period. Once a person has purchased, received or otherwise acquired the daily limit of three and six-tenths (3.6) grams of any product, mixture or preparation, the person shall be prohibited from purchasing, receiving or otherwise acquiring any additional product, mixture or preparation containing any detectable quantity of base pseudoephedrine or ephedrine for a period of not less than seventy-two (72) hours following the last permitted purchase. The requirements of this paragraph shall not apply to any quantity of such product, mixture or preparation dispensed pursuant to a valid prescription. There shall be no protocol or procedure mandated by any individual or corporate entity that interferes with the professional duty of a pharmacist to counsel and evaluate the appropriate pharmaceutical needs of a patient and the exercise of the professional judgment of a pharmacist as to whether it is appropriate to dispense medication as set forth in this paragraph or otherwise.

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- 3. Any compound, mixture, or preparation containing any detectable quantity of pregabalin.
- **B.** The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, by rule, may exempt other products from this Schedule which the Director finds are not used in the illegal manufacture of methamphetamine or other controlled dangerous substances. A manufacturer of a drug product may apply for removal of the product from the Schedule if the product is determined by the Director to have been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine.

§ 2-322. Precursor substances--License or permit

- **A.** No person or business shall possess, sell, manufacture, transfer, or otherwise furnish any of the following precursor substances without first having a permit or license issued by the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, except as provided in Section 2-327 of this title:
 - 1. D-Lysergic acid;
 - 2. Ergotamine and its salts;
 - 3. Ergonovine and its salts;
 - 4. Methylamine;
 - 5. Ethylamine;
 - 6. Phenyl-2-Propanone;
 - 7. Phenylacetic acid and its salts;
 - 8. Ephedrine, its salts, optical isomers and salts of optical isomers;
 - 9. Norpseudoephedrine, its salts, optical isomers, and salts of optical isomers;
 - 10. Phenylpropanolamine, its salts, optical isomers and salts of optical isomers;
 - 11. Benzyl cyanide;
 - 12. N-methylephedrine, its salts, optical isomers and salts of optical isomers;
 - 13. Pseudoephedrine, its salts, optical isomers and salts of optical isomers;
 - 14. Chloroephedrine, its salts, optical isomers and salts of optical isomers;
 - 15. Piperidine and its salts;
 - 16. Pyrrolidine and its salts;
 - 17. Propionic anhydride;
 - 18. Isosafrole;
 - 19. Safrole;
 - 20. Piperonal; and
 - 21. Red Phosphorus.
- **B.** Upon completion of an application for a license pursuant to Section 2-323 of this title, or a permit pursuant to Section 2-324 of this title, the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall either grant or deny such license or permit. A denial of an application for a permit or license shall be handled as provided by Section 2-325 of this title.

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§ 2-401. Prohibited acts A--Penalties

- **A.** Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person:
 - **1.** To distribute, dispense, transport with intent to distribute or dispense, possess with intent to manufacture, distribute, or dispense, a controlled dangerous substance or to solicit the use of or use the services of a person less than eighteen (18) years of age to cultivate, distribute or dispense a controlled dangerous substance;
 - **2.** To create, distribute, transport with intent to distribute or dispense, or possess with intent to distribute, a counterfeit controlled dangerous substance; or
 - **3.** To distribute any imitation controlled substance as defined by Section 2-101 of this title, except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services.
- **B.** Any person who violates the provisions of this section with respect to:
 - **1.** A substance classified in Schedule I or II which is a narcotic drug, lysergic acid diethylamide (LSD), gamma butyrolactone, gamma hydroxyvalerate, gamma valerolactone, 1,4 butanediol, or gamma-hydroxybutyric acid as defined in Sections 2-204 and 2-208 of this title, upon conviction, shall be guilty of a felony and shall be sentenced to a term of imprisonment for not less than five (5) years nor more than life and a fine of not more than One Hundred Thousand Dollars (\$ 100,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. Any sentence to the custody of the Department of Corrections shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation except when the conviction is for a first offense;
 - **2.** Any other controlled dangerous substance classified in Schedule I, II, III, or IV, upon conviction, shall be guilty of a felony and shall be sentenced to a term of imprisonment for not less than two (2) years nor more than life and a fine of not more than Twenty Thousand Dollars (\$ 20,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. Any sentence to the custody of the Department of Corrections shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation except when the conviction is for a first offense;
 - **3.** A substance classified in Schedule V, upon conviction, shall be guilty of a felony and shall be sentenced to a term of imprisonment for not more than five (5) years and a fine of not more than One Thousand Dollars (\$ 1,000. 00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment; or
 - **4.** An imitation controlled substance as defined by Section 2-101 of this title, upon conviction, shall be guilty of a misdemeanor and shall be sentenced to a term of imprisonment in the county jail for a period of not more than one (1) year and a fine of not more than One Thousand Dollars (\$ 1,000.00). A person convicted of a second violation of the provisions of this paragraph shall be guilty of a felony and shall be sentenced to a term of imprisonment for not more than five (5) years and a fine of not more than Five Thousand Dollars (\$ 5,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

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- C.
 - 1. Except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services, it shall be unlawful for any person to manufacture, cultivate, distribute, or possess with intent to distribute a synthetic controlled substance.
 - 2. Any person convicted of violating the provisions of this paragraph is guilty of a felony and shall be punished by imprisonment for a term not to exceed life and a fine of not more than Twenty-five Thousand Dollars (\$ 25,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.
 - 3. A second or subsequent conviction for the violation of the provisions of this paragraph is a felony punishable as a habitual offender pursuant to [51.1 of Title 21 of the Oklahoma Statutes](#).
 - 4. In addition, the violator shall be fined an amount not more than One Hundred Thousand Dollars (\$ 100,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.
- D.
 - 1. Any person convicted of a second or subsequent felony violation of the provisions of this section, except for paragraph 4 of subsection B of this section, shall be punished as a habitual offender pursuant to [51.1 of Title 21 of the Oklahoma Statutes](#).
 - 2. In addition, the violator shall be fined twice the fine otherwise authorized, which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.
 - 3. Convictions for second or subsequent violations of the provisions of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation.
- E. Any person who is at least eighteen (18) years of age and who violates the provisions of this section by using or soliciting the use of services of a person less than eighteen (18) years of age to distribute, dispense, transport with intent to distribute or dispense or cultivate a controlled dangerous substance or by distributing a controlled dangerous substance to a person under eighteen (18) years of age, is punishable by twice the fine and by twice the imprisonment otherwise authorized.
- F. Any person who violates any provision of this section by transporting with intent to distribute or dispense, distributing or possessing with intent to distribute a controlled dangerous substance to a person, or violation of subsection G of this section, in or on, or within two thousand (2,000) feet of the real property comprising a public or private elementary or secondary school, public vocational school, public or private college or university, or other institution of higher education, recreation center or public park, including state parks and recreation areas, public housing project, or child care facility as defined by [402 of Title 10 of the Oklahoma Statutes](#), shall be punished by:
 - 1. For a first offense, a term of imprisonment, or by the imposition of a fine or by both, not exceeding twice that authorized by the appropriate provision of this section and shall serve a minimum of fifty percent (50%) of the sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of the sentence; or
 - 2. For a second or subsequent offense, a term of imprisonment as provided for a habitual offender pursuant to [51.1 of Title 21 of the Oklahoma Statutes](#). In addition, the violator shall serve eighty-five percent (85%) of the

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sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of the sentence or eligibility for parole.

- **G.**
 - **1.** Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person to manufacture or attempt to manufacture any controlled dangerous substance or possess any substance listed in Section 2-322 of this title or any substance containing any detectable amount of pseudoephedrine or its salts, optical isomers or salts of optical isomers, iodine or its salts, optical isomers or salts of optical isomers, hydriodic acid, sodium metal, lithium metal, anhydrous ammonia, phosphorus, or organic solvents with the intent to use that substance to manufacture a controlled dangerous substance.
 - **2.** Any person violating the provisions of this subsection with respect to the unlawful manufacturing or attempting to unlawfully manufacture any controlled dangerous substance, or possessing any substance listed in this subsection or Section 2-322 of this title, upon conviction, is guilty of a felony and shall be punished by imprisonment for not less than seven (7) years nor more than life and by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. The possession of any amount of anhydrous ammonia in an unauthorized container shall be prima facie evidence of intent to use such substance to manufacture a controlled dangerous substance.
 - **3.** Any person violating the provisions of this subsection with respect to the unlawful manufacturing or attempting to unlawfully manufacture any controlled dangerous substance in the following amounts:
 - **a.** one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin,
 - **b.** five (5) kilograms or more of a mixture or substance containing a detectable amount of:
 - **(1)** coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed,
 - **(2)** cocaine, its salts, optical and geometric isomers, and salts of isomers,
 - **(3)** ecgonine, its derivatives, their salts, isomers, and salts of isomers, or
 - **(4)** any compound, mixture, or preparation which contains any quantity of any of the substances referred to in divisions (1) through (3) of this subparagraph,
 - **c.** fifty (50) grams or more of a mixture or substance described in division (2) of subparagraph b of this paragraph which contains cocaine base,
 - **d.** one hundred (100) grams or more of phencyclidine (PCP) or

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kilogram or more of a mixture or substance containing a detectable amount of phencyclidine (PCP),

- e. ten (10) grams or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD),
- f. four hundred (400) grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-1-(2-pheylethy)-4-piperidinyl propanamide or 100 grams or more of a mixture or substance containing a detectable amount of any analogue of N-phenyl-N-1-(2-phenylethyl)-4-piperidinyl propanamide,
- g. one thousand (1,000) kilograms or more of a mixture or substance containing a detectable amount of marihuana or one thousand (1000) or more marihuana plants regardless of weight, or
- h. fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers,

upon conviction, is guilty of aggravated manufacturing a controlled dangerous substance punishable by imprisonment for not less than twenty (20) years nor more than life and by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. Any person convicted of a violation of the provisions of this paragraph shall be required to serve a minimum of eighty-five percent (85%) of the sentence received prior to becoming eligible for state correctional earned credits towards the completion of the sentence or eligible for parole.

- 4. Any sentence to the custody of the Department of Corrections for any violation of paragraph 3 of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation. A person convicted of a second or subsequent violation of the provisions of paragraph 3 of this subsection shall be punished as a habitual offender pursuant to [51.1 of Title 21 of the Oklahoma Statutes](#) and shall be required to serve a minimum of eighty-five percent (85%) of the sentence received prior to becoming eligible for state correctional earned credits or eligibility for parole.
- 5. Any person who has been convicted of manufacturing or attempting to manufacture methamphetamine pursuant to the provisions of this subsection and who, after such conviction, purchases or attempts to purchase, receive or otherwise acquire any product, mixture, or preparation containing any detectable quantity of base pseudoephedrine or ephedrine shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term in the range of twice the minimum term provided for in paragraph 2 of this subsection.
- H. Any person convicted of any offense described in the Uniform Controlled Dangerous Substances Act may, in addition to the fine imposed, be assessed an amount not to exceed ten percent (10%) of the fine imposed. Such assessment shall be paid into a revolving fund for enforcement of controlled dangerous substances created pursuant to Section 2-506 of this title.

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- **I.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.
- **J.** For purposes of this section, "public housing project" means any dwelling or accommodations operated as a state or federally subsidized multifamily housing project by any housing authority, nonprofit corporation or municipal developer or housing projects created pursuant to the Oklahoma Housing Authorities Act.
- **K.** When a person is found guilty of a violation of the provisions of this section, the court shall order, in addition to any other penalty, the defendant to pay a one-hundred-dollar assessment to be deposited in the Drug Abuse Education and Treatment Revolving Fund created in Section 2-503.2 of this title, upon collection.

§ 2-402. Prohibited acts B--Penalties

- **A.**
 - **1.** It shall be unlawful for any person knowingly or intentionally to possess a controlled dangerous substance unless such substance was obtained directly, or pursuant to a valid prescription or order from a practitioner, while acting in the course of his or her professional practice, or except as otherwise authorized by this act.
 - **2.** It shall be unlawful for any person to purchase any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in an amount or within a time interval other than that permitted by Section 2-313 of this title.
 - **3.** It shall be unlawful for any person or business to sell, market, advertise or label any product containing ephedrine, its salts, optical isomers, or salts of optical isomers, for the indication of stimulation, mental alertness, weight loss, appetite control, muscle development, energy or other indication which is not approved by the pertinent federal OTC Final Monograph, Tentative Final Monograph, or FDA-approved new drug application or its legal equivalent. In determining compliance with this requirement, the following factors shall be considered:
 - **a.** the packaging of the product,
 - **b.** the name of the product, and
 - **c.** the distribution and promotion of the product, including verbal representations made at the point of sale.
- **B.** Any person who violates this section with respect to:
 - **1.** Any Schedule I or II substance, except marihuana or a substance included in subsection D of Section 2-206 of this title, is guilty of a felony punishable by imprisonment for not less than two (2) years nor more than ten (10) years and by a fine not exceeding Five Thousand Dollars (\$ 5,000.00). A second or subsequent violation of this section with respect to Schedule I or II substance, except marijuana or a substance included in subsection D of Section 2-206 of this title, is a felony punishable by imprisonment for not less than four (4) years nor more than twenty (20) years and by a fine not exceeding Ten Thousand Dollars (\$ 10,000.00);
 - **2.** Any Schedule III, IV or V substance, marihuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous

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- Substances Act is guilty of a misdemeanor punishable by confinement for not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$ 1,000.00);
- **3.** Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act and who, during the period of any court-imposed probationary term or within ten (10) years of the date following the completion of the execution of any sentence or deferred judgment for a violation of this section, commits a second or subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not less than two (2) years nor more than ten (10) years and by a fine not exceeding Five Thousand Dollars (\$ 5,000.00); or
 - **4.** Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act and who, ten (10) or more years following the date of completion of the execution of any sentence or deferred judgment for a violation of this section, commits a second or subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years and by a fine not exceeding Five Thousand Dollars (\$ 5,000.00).
 - **C.** Any person who violates any provision of this section by possessing or purchasing a controlled dangerous substance from any person, in or on, or within one thousand (1,000) feet of the real property comprising a public or private elementary or secondary school, public vocational school, public or private college or university, or other institution of higher education, recreation center or public park, including state parks and recreation areas, or in the presence of any child under twelve (12) years of age, shall be guilty of a felony and punished by:
 - **1.** For a first offense, a term of imprisonment, or by the imposition of a fine, or by both, not exceeding twice that authorized by the appropriate provision of this section. In addition, the person shall serve a minimum of fifty percent (50%) of the sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of said sentence; or
 - **2.** For a second or subsequent offense, a term of imprisonment not exceeding three times that authorized by the appropriate provision of this section and the person shall serve a minimum of ninety percent (90%) of the sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of said sentence, and imposition of a fine not exceeding Ten Thousand Dollars (\$ 10,000.00).
 - **D.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title.

§ 2-403. Prohibited acts C--Penalties

- **A.** Any person found guilty of larceny, burglary or theft of controlled dangerous substances is guilty of a felony punishable by imprisonment for a period not to exceed ten (10) years. A second or subsequent offense under this subsection is a felony punishable by imprisonment for not less than ten

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(10) years. Convictions for second or subsequent violations of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation.

- **B.** Any person found guilty of robbery or attempted robbery of controlled dangerous substances from a practitioner, manufacturer, distributor or agent thereof as defined in Section 2-101 of this title is guilty of a felony punishable by imprisonment for a period of not less than five (5) years, and such sentence shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation. A second or subsequent offense under this subsection is a felony punishable by life imprisonment. Convictions for second or subsequent offenses of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation.

§ 2-404. Prohibited acts D--Penalties

- **A.** It shall be unlawful for any person:
 - **1.** Who is subject to the requirements of Article III of this act to distribute or dispense a controlled dangerous substance in violation of Section 2-308 of this title;
 - **2.** Who is a registrant to manufacture, distribute, or dispense a controlled dangerous substance not authorized by his registration to another registrant or other authorized person;
 - **3.** To omit, remove, alter, or obliterate a symbol required by the Federal Controlled Substances Act or this act;
 - **4.** To refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under this act;
 - **5.** To refuse any entry into any premises or inspection authorized by this act; or
 - **6.** To keep or maintain any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by persons using controlled dangerous substances in violation of this act for the purpose of using such substances, or which is used for the keeping or selling of the same in violation of this act.
- **B.** Any person who violates this section is punishable by a civil fine of not more than One Thousand Dollars (\$ 1,000.00); provided, that, if the violation is prosecuted by an information or indictment which alleges that the violation was committed knowingly or intentionally, and the trier of fact specifically finds that the violation was committed knowingly or intentionally, such person is guilty of a felony punishable by imprisonment for not more than five (5) years, and a fine of not more than Ten Thousand Dollars (\$ 10,000.00), except that if such person is a corporation it shall be subject to a civil penalty of not more than One Hundred Thousand Dollars (\$ 100,000.00). The fine provided for in this subsection shall be in addition to other punishments provided by law and shall not be in lieu of other punishment.
- **C.** Any person convicted of a second or subsequent violation of this section is punishable by a term of imprisonment twice that otherwise authorized and by twice the fine otherwise authorized. The fine provided for in this subsection shall be in addition to other punishments provided by law and shall not be in lieu of other punishment.
- **D.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

§ 2-405. Prohibited acts E--Penalties

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- **A.** No person shall use tincture of opium, tincture of opium camphorated, or any derivative thereof, by the hypodermic method, either with or without a medical prescription therefor.
- **B.** No person shall use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act, except those persons holding an unrevoked license in the professions of podiatry, dentistry, medicine, nursing, optometry, osteopathy, veterinary medicine or pharmacy.
- **C.** No person shall deliver, sell, possess or manufacture drug paraphernalia knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act.
- **D.** Any person eighteen (18) years of age or over who violates subsection C of this section by delivering or selling drug paraphernalia to a person under eighteen (18) years of age shall, upon conviction, be guilty of a felony.
- **E.** Any person who violates subsections A, B or C of this section shall, upon conviction, be guilty of a misdemeanor punishable as follows:
 - **1.** For a first offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$ 1,000.00), or both such fine and imprisonment;
 - **2.** For a second offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than Five Thousand Dollars (\$ 5,000.00), or both such fine and imprisonment; and
 - **3.** For a third or subsequent offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than Ten Thousand Dollars (\$ 10,000.00), or both such fine and imprisonment.
- **F.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

§ 2-406. Prohibited acts F--Penalties

- **A.** It shall be unlawful for any registrant knowingly or intentionally:
 - **1.** To distribute, other than by dispensing or as otherwise authorized by this act, a controlled dangerous substance classified in Schedules I or II, in the course of his legitimate business, except pursuant to an order form as required by Section 2-308 of this title;
 - **2.** To use in the course of the manufacture or distribution of a controlled dangerous substance a registration number which is fictitious, revoked, suspended or issued to another person;
 - **3.** To acquire or obtain possession of a controlled dangerous substance by misrepresentation, fraud, forgery, deception or subterfuge;
 - **4.** To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this act, or any record required to be kept by this act; and

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- **5.** To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render such drug a counterfeit controlled dangerous substance.
- **B.** Any person who violates this section is guilty of a felony punishable by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$ 250,000.00), or both.
- **C.** Any person convicted of a second or subsequent violation of this section is punishable by a term of imprisonment twice that otherwise authorized and by twice the fine otherwise authorized. Convictions for second or subsequent violations of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation.
- **D.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

§ 2-407. Prohibited acts G--Penalties

- **A.** No person shall obtain or attempt to obtain any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in a manner inconsistent with the provisions of paragraph 1 of subsection B of Section 2-313 of this title, or a controlled dangerous substance or procure or attempt to procure the administration of a controlled dangerous substance:
 - **1.** By fraud, deceit, misrepresentation, or subterfuge;
 - **2.** By the forgery of, alteration of, adding any information to or changing any information on a prescription or of any written order;
 - **3.** By the concealment of a material fact; or
 - **4.** By the use of a false name or the giving of a false address.
- **B.** Except as authorized by this act, a person shall not manufacture, create, deliver, or possess with intent to manufacture, create, or deliver or possess a prescription form, an original prescription form, or a counterfeit prescription form. This shall not apply to the legitimate manufacture or delivery of prescription forms, or a person acting as an authorized agent of the practitioner.
- **C.** Information communicated to a physician in an effort unlawfully to procure a controlled dangerous substance, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.
- **D.** Any person who violates this section is guilty of a felony punishable by imprisonment for not more than ten (10) years, by a fine of not more than Ten Thousand Dollars (\$ 10,000.00), or by both such fine and imprisonment. A second or subsequent offense under this section is a felony punishable by imprisonment for not less than four (4) years nor more than twenty (20) years, by a fine of not more than Twenty Thousand Dollars (\$ 20,000.00), or by both such fine and imprisonment.
- **E.** Convictions for second or subsequent violations of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation.
- **F.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One

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Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

§ 2-407.1. Certain substances causing intoxication, distortion or disturbances of auditory, visual, muscular or mental processes prohibited--Exemptions--Penalties

- **A.** For the purpose of inducing intoxication or distortion or disturbance of the auditory, visual, muscular, or mental process, no person shall ingest, use, or possess any compound, liquid, or chemical which contains ethylchloride, butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, amyl nitrite, isopropyl nitrite, isopentyl nitrite, or mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, amyl nitrite, isopropyl nitrite, isopentyl nitrite, or any of their esters, isomers, or analogues, or any other similar compound.
- **B.** No person shall possess, buy, sell, or otherwise transfer any substance specified in subsection A of this section for the purpose of inducing or aiding any other person to inhale or ingest such substance or otherwise violate the provisions of this section.
- **C.** The provisions of subsections A and B of this section shall not apply to:
 - **1.** The possession and use of a substance specified in subsection A of this section which is used as part of the care or treatment by a licensed physician of a disease, condition or injury or pursuant to a prescription of a licensed physician; and
 - **2.** The possession of a substance specified in subsection A of this section which is used as part of a known manufacturing process or industrial operation when the possessor has obtained a permit from the State Department of Health.
- **D.** The State Board of Health shall promulgate rules and regulations establishing procedures for the application, form and issuance of a permit to legitimate manufacturing and industrial applicants as provided for in subsection C of this section.
- **E.** Any person convicted of violating any provision of subsection A or B of this section shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed ninety (90) days or by the imposition of a fine not to exceed Five Hundred Dollars (\$ 500.00), or by both such imprisonment and fine. Each violation shall be considered a separate offense.
- **F.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

§ 2-410. Conditional release for first offense--Effect of expungement--Persons not covered by section

- **A.** Whenever any person who has not previously been convicted of any offense under this act or under any statute of the United States or of any state relating to narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs, pleads guilty or nolo contendere to or is found guilty of a violation of the Uniform Controlled Dangerous Substances Act, the court may, unless otherwise prohibited by law, without entering a judgment of guilt and with the consent of such person, defer further proceedings and place the person on probation upon such reasonable terms and conditions as it may require including the requirement

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that such person cooperate in a treatment and rehabilitation program of a state-supported or state-approved facility, if available. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge such person and dismiss the proceedings against the person. Discharge and dismissal under this section shall be without court adjudication of guilt and shall not be deemed a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. Discharge and dismissal under this section may occur only once with respect to any person.

- **B.** Any expunged arrest or conviction shall not thereafter be regarded as an arrest or conviction for purposes of employment, civil rights, or any statute, regulation, license, questionnaire or any other public or private purpose; provided, that, any plea of guilty or nolo contendere or finding of guilt to a violation of the Uniform Controlled Dangerous Substances Act shall constitute a conviction of the offense for the purpose of the Uniform Controlled Dangerous Substances Act or any other criminal statute under which the existence of a prior conviction is relevant for a period of ten (10) years following the completion of any court imposed probationary term; provided, the person has not, in the meantime, been convicted of a misdemeanor involving moral turpitude or a felony.
- **C.** The provisions of this section shall not apply to any person who pleads guilty or nolo contendere to or is found guilty of a violation of the Trafficking in Illegal Drugs Act or the Drug Money Laundering and Wire Transmitter Act.

§ 2-415. Application--Fines and penalties

- **A.** The provisions of the Trafficking in Illegal Drugs Act shall apply to persons convicted of violations with respect to the following substances:
 - **1.** Marihuana;
 - **2.** Cocaine or coca leaves;
 - **3.** Heroin;
 - **4.** Amphetamine or methamphetamine;
 - **5.** Lysergic acid diethylamide (LSD);
 - **6.** Phencyclidine (PCP);
 - **7.** Cocaine base, commonly known as "crack" or "rock"; or
 - **8.** 3,4-Methylenedioxy methamphetamine, commonly known as "ecstasy" or MDMA.
- **B.** Except as otherwise authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person to:
 - **1.** Knowingly distribute, manufacture, bring into this state or possess a controlled substance specified in subsection A of this section in the quantities specified in subsection C of this section;
 - **2.** Possess any controlled substance with the intent to manufacture a controlled substance specified in subsection A of this section in quantities specified in subsection C of this section; or
 - **3.** Use or solicit the use of services of a person less than eighteen (18) years of age to distribute or manufacture a controlled dangerous substance specified in subsection A of this section in quantities specified in subsection C of this section.

Violation of this section shall be known as "trafficking in illegal drugs". Separate types of controlled substances described in subsection A of this

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section when possessed at the same time in violation of any provision of this section shall constitute a separate offense for each substance.

Any person who commits the conduct described in paragraph 1, 2 or 3 of this subsection and represents the quantity of the controlled substance to be an amount described in subsection C of this section shall be punished under the provisions appropriate for the amount of controlled substance represented, regardless of the actual amount.

- **C.** In the case of a violation of the provisions of subsection B of this section, involving:
 - **1.** Marihuana:
 - **a.** twenty-five (25) pounds or more of a mixture or substance containing a detectable amount of marihuana, such violation shall be punishable by a fine of not less than Twenty-five Thousand Dollars (\$ 25,000.00) and not more than One Hundred Thousand Dollars (\$ 100,000.00), or
 - **b.** one thousand (1,000) pounds or more of a mixture or substance containing a detectable amount of marihuana, such violation shall be deemed aggravated trafficking punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00);
 - **2.** Cocaine or coca leaves:
 - **a.** twenty-eight (28) grams or more of a mixture or substance containing a detectable amount of cocaine or coca leaves, such violation shall be punishable by a fine of not less than Twenty-five Thousand Dollars (\$ 25,000.00) and not more than One Hundred Thousand Dollars (\$ 100,000.00),
 - **b.** three hundred (300) grams or more of a mixture or substance containing a detectable amount of cocaine or coca leaves, such violation shall be punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00), or
 - **c.** four hundred fifty (450) grams or more of a mixture or substance containing a detectable amount of cocaine or coca leaves, such violation shall be deemed aggravated trafficking punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00);
 - **3.** Heroin:
 - **a.** ten (10) grams or more of a mixture or substance containing a detectable amount of heroin, such violation shall be punishable by a fine of not less than Twenty-five Thousand Dollars (\$ 25,000.00) and not more than Fifty Thousand Dollars (\$ 50,000.00), or
 - **b.** twenty-eight (28) grams or more of a mixture or substance containing a detectable amount of heroin, such violation shall be punishable by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00);

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- **4. Amphetamine or methamphetamine:**
 - **a.** twenty (20) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine, such violation shall be punishable by a fine of not less than Twenty-five Thousand Dollars (\$ 25,000.00) and not more than Two Hundred Thousand Dollars (\$ 200,000.00),
 - **b.** two hundred (200) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine, such violation shall be punishable by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00), or
 - **c.** four hundred fifty (450) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine, such violation shall be deemed aggravated trafficking punishable by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00);
- **5. Lysergic acid diethylamide (LSD):**
 - **a.** one (1) gram or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD), such violation shall be punishable by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00) and not more than One Hundred Thousand Dollars (\$ 100,000.00), or
 - **b.** ten (10) grams or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD), such violation shall be punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Two Hundred Fifty Thousand Dollars (\$ 250,000. 00);
- **6. Phencyclidine (PCP):**
 - **a.** twenty (20) grams or more of a substance containing a mixture or substance containing a detectable amount of phencyclidine (PCP), such violation shall be punishable by a fine of not less than Twenty Thousand Dollars (\$ 20,000.00) and not more than Fifty Thousand Dollars (\$ 50,000.00), or
 - **b.** one hundred fifty (150) grams or more of a substance containing a mixture or substance containing a detectable amount of phencyclidine (PCP), such violation shall be punishable by a fine of not less than Fifty Thousand Dollars (\$ 50,000.00) and not more than Two Hundred Fifty Thousand Dollars (\$ 250,000.00);
- **7. Cocaine base:**
 - **a.** five (5) grams or more of a mixture or substance described in paragraph 2 of this subsection which contains cocaine base, such violation shall be punishable by a fine of not less than

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- Twenty-five Thousand Dollars (\$ 25,000.00) and not more than One Hundred Thousand Dollars (\$ 100,000.00), or
- **b.** fifty (50) grams or more of a mixture or substance described in paragraph 2 of this subsection which contains cocaine base, such violation shall be punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00); and
 - **8.** Methylenedioxy methamphetamine:
 - **a.** thirty (30) tablets or ten (10) grams of a mixture or substance containing a detectable amount of 3,4-Methylenedioxy methamphetamine, such violation shall be punishable by a fine of not less than Twenty-five Thousand Dollars (\$ 25,000.00) and not more than One Hundred Thousand Dollars (\$ 100,000.00), or
 - **b.** one hundred (100) tablets or thirty (30) grams of a mixture or substance containing a detectable amount of 3,4-Methylenedioxy methamphetamine, such violation shall be punishable by a fine of not less than One Hundred Thousand Dollars (\$ 100,000.00) and not more than Five Hundred Thousand Dollars (\$ 500,000.00).
 - **D.** Any person who violates the provisions of this section with respect to a controlled substance specified in subsection A of this section in a quantity specified in subsection C of this section shall, in addition to any fines specified by this section, be punishable by a term of imprisonment as follows:
 - **1.** Not less than twice the term of imprisonment provided for in Section 2-401 of this title;
 - **2.** If the person has previously been convicted of one violation of this section or has been previously convicted of a felony violation of the Uniform Controlled Dangerous Substances Act arising from separate and distinct transactions, not less than three times the term of imprisonment provided for in Section 2-401 of this title;
 - **3.** If the person has previously been convicted of two or more violations of this section or any provision of the Uniform Controlled Dangerous Substances Act which constitutes a felony, or a combination of such violations arising out of separate and distinct transactions, life without parole; and
 - **4.** If the person is convicted of aggravated trafficking as provided in subparagraph b of paragraph 1 of subsection C of this section, subparagraph c of paragraph 2 of subsection C of this section or subparagraph c of paragraph 4 of subsection C of this section, a mandatory minimum sentence of imprisonment in the custody of the Department of Corrections for a term of fifteen (15) years of which the person shall serve eighty-five percent (85%) of such mandatory sentence before being eligible for parole consideration or any earned credits.

The terms of imprisonment specified in this subsection shall not be subject to statutory provisions for suspension, deferral or probation, or state correctional institution earned credits accruing from and after November 1, 1989, except for the achievement earned credits authorized by subsection H of [138 of Title 57 of the Oklahoma Statutes](#). To qualify for such achievement credits, such inmates must also be in compliance with the standards for Class level 2 behavior, as defined in subsection D of [138 of Title 57 of the Oklahoma Statutes](#).

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Persons convicted of violations of this section shall not be eligible for appeal bonds.

- **E.** Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$ 100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title and the assessment pursuant to Section 2-503.2 of this title.

§ 2-419.1. Use of minors in transportation, sale, etc. of controlled dangerous substances--Penalties

- **A.** It shall be unlawful for any individual eighteen (18) years of age or older to solicit, employ, hire, or use an individual under eighteen (18) years of age to unlawfully transport, carry, sell, give away, prepare for sale, or peddle any controlled dangerous substance.
- **B.** A person who violates subsection A of this section shall be guilty of a felony and, upon conviction, shall be punishable by a term of imprisonment, or fine, or both, not exceeding twice that authorized by [2-401 of Title 63 of the Oklahoma Statutes](#).
- **C.** A person who violates subsection A of this section after a previous conviction pursuant to that subsection which has become final, shall be punishable by a term of imprisonment not exceeding three times that authorized by [2-401 of Title 63 of the Oklahoma Statutes](#).
- **D.** A person who violates subsection A of this section by employing, hiring, or using an individual under fifteen (15) years of age, may be imprisoned for not more than twenty-five (25) years, fined not more than One Hundred Thousand Dollars (\$ 100,000.00), or both, in addition to any other punishment authorized by this section.
- **E.** It shall not be a defense to this section that a person did not know the age of an individual.