

Chapter 1

Additional Controlled Substances

Emergency rules are no longer in effect 120 days after filing with the Secretary of State

Section 1. **Purpose.** The purpose of these rules is to add, delete, and reschedule controlled substances in the Wyoming Controlled Substances Act. Some changes will be made to comply with W.S. § 35-7-1011(d), which requires the Commissioner of Drugs and Substances Control to similarly control any substance after publication in the Federal Register of a final rule designating a substance as a controlled substance. Other changes will be made at the discretion of the Commissioner of Drugs and Substances Control, with the advice of the Advisory Board on Drugs and Substances Control.

Section 2. **Authority.** The Commissioner of Drugs and Substances Control's authority to make rules is found at W.S. 35-7-1011(a), which allow the Commissioner, with the advice of the Advisory Board on Drugs and Substances Control, to add, delete, and reschedule substances to the control schedules pursuant to the procedures of the Wyoming Administrative Procedure Act.

Section 3. **First Additional Controlled Substances.** On January 4, 2013, the United States Drug Enforcement Administration published in the Federal Register a final rule controlling twenty-six new substances as Schedule I controlled substances. Pursuant to W.S. § 35-7-1011(d), the Wyoming Attorney General, as Commissioner of Drugs and Substances Control, shall similarly control the substance[s] . . . after the expiration of thirty days from publication in the Federal Register of a final order designating a substance as a controlled substance[.]

The Commissioner incorporates by reference 21 CFR Part 1308, found at Federal Register Vol. 78, No. 3, pages 664-666. That rule adds twenty-six new substances to the federal Schedule I of controlled substances.

The URL for the federal rule is: <http://www.gpo.gov/fdsys/pkg/FR-2013-01-04/pdf/2012-31698.pdf>

This Section does not include any later amendments or additions to the Federal rule for Schedule I controlled substances.

Section 4. **Second Additional Controlled Substances.** The Commissioner, acting with the advice of the Advisory Board on Drugs and Substances Control, adds XLR-11 and UR-144 to Schedule I.