

## Oklahoma Drug Statutes Chart

### Oklahoma Statutes Title 63 Public Health and Safety

SCHEDULE	OFFENSE/PENALTY	ENHANCEMENT/ BENEFIT RESTRICTIONS
<p>2-203. <b>Schedule I</b> <b>Characteristics:</b> (1) High potential for abuse; (2) No accepted med use in US or lacks accepted safety for use in treatment under med supervision</p>	<p>2-401(B)(1) <b>Distribution or possess w/ intent (p.w.i.) to distribute or manufacture a Sched I or II narcotic substance or LSD, GHB (or its chemical alternatives):</b> 5yrs-life; &lt;\$100,000</p>	<p>or subsequent offense: felony under habitual offender statute; 2x fine imposed by penalty and no s.s. or p.p.</p>
<p>2-204 <b>Schedule I Substances:</b> <b>(A) Opiates:</b> e.g., acetylmethadol, dextromoramide <b>(B) Opium derivatives:</b> e.g., codeine and morphine compounds, heroic <b>(C) Hallucinogenic substances:</b> e.g., LSD, marihuana, mescaline, BZP, psilocybin, DMT <b>(D) Depressants and Stimulants:</b> e.g., Qualuudes, GHB, N-ethylamphetamine <b>(F) synthetic cannabinoids</b></p>	<p>2-401(C)(1) <b>Manufacture, cultivation, distribution or p.w.i to distribute a synthetic controlled substances:</b> felony; &lt;Life; &lt;\$25,000</p> <p>2-402(B)(1) <b>Possession of Sched I or II substance (not marihuana or Sched II(D)) w/o valid prescription:</b> felony; 4-20yrs; &lt;\$10,000</p>	<p>or subsequent offense: felony under habitual offender statute &amp; &lt;\$100,000</p>
<p>2-205. <b>Schedule II characteristics:</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>2-401(B)(2) <b>Distribution or possess w/ intent (p.w.i.) to distribute or manufacture other Schedule I, II, III, or IV substances:</b> 2yrs-life; &lt;\$20,000</p>	<p>or subsequent offense: felony under habitual offender statute; 2x fine imposed by penalty and no s.s. or p.p.</p>
<p>2-206. <b>Schedule II substances:</b> <b>(A) 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 (A) (3) Opium poppies and poppy straws (4) Cocaine <b>(B) Other opiates:</b> e.g.,</p>	<p>2-401(G)(3) <b>Aggravated Manufacturing of a controlled substance in the amount listed below:</b> 20yrs-life; &gt;\$50,000</p> <p>a. &gt;1kg of heroin mixture</p> <p>b. &gt;5kg of cocaine mixture</p> <p>c. &gt;50g of chemical precursors containing cocaine base</p> <p>d. &gt;100g of PCP mixture</p> <p>e. &gt;10g of LSD mixture</p> <p>f. &gt;400g of N-phenyl-N-1-(2-pheylethy)-4-piperidiny propanamide mixture</p>	<p>Required to serve 85% of sentence before becoming eligible for parole</p> <p>or subsequent offense: felony under habitual offender statute; 2x fine imposed by penalty and no s.s. or p.p.</p>

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<p>methadone, dihydrocodeine  <b>(C) Other stimulants and hallucinogenic substances:</b> e.g., synthetic THC (nabilone), amphetamine, methamphetamine  <b>(D) Other depressants and stimulants:</b> e.g., amobarbital, glutethimide, Vyvanse, Ritalin</p>	<p>g. &gt;1,000kg/1,000plants of marijuana</p>	
<p>2-207. <b>Schedule III characteristics:</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>2-402(B)(2) <b>Possession of Sched III, IV, V, Sched II(D) substances or marihuana:</b>  Misdemeanor; &lt;1yr; &lt;\$1,000</p>	<p>401(G)(5)Subsequent attempt to acquire pseudoephedrine: &gt;14yrs   or subsequent offense w/in 10yrs: felony; 2-10yrs; &lt;\$5,000  or subsequent offense more than 10yrs later: felony; 1-yr; &lt;\$5,000</p>
<p>2-208. <b>Schedule III substances:</b>  <b>(A) compounds containing stimulants or depressants:</b>  (1) <b>GHB</b> products  (2) <b>Anabolic steroids and hormones</b>  (3) <b>Barbiturates</b>  <b>(B) Nalorphine</b>  <b>(C) Compounds containing limited narcotic quantities:</b> e.g., codeine, opium and morphine compounds</p>		
<p>2-209. <b>Schedule IV characteristics:</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>2-210. <b>Schedule IV Substances:</b>  <b>(1) Prescription medication containing potentially abusive quantities of certain narcotics:</b>  E.g., Klonopin, Ativan, ephedrine, phenobarbital, butorphanol tartate, anti-obesity medication (fenfluramine, etc.)</p>		
<p>2-211. <b>Schedule V</b></p>	<p>2-401(B)(3) <b>Distribution or possess</b></p>	<p>or subsequent</p>

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<p><b>Characteristics:</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><b>w/ intent (p.w.i.) to distribute or manufacture Sched V substance:</b> &lt;5yrs; &lt;\$1,000</p>	<p>offense: felony under habitual offender statute; 2x fine imposed by penalty and no s.s. or p.p.</p>
<p><b>2-212. Schedule V Substances:</b> <b>(1) Narcotics containing nonnarcotic active medicinal ingredients:</b> e.g., limited percentages of codeine, opium, etc. <b>(2) Compounds containing pseudoephedrine or ephedrine</b> <b>(3) compounds containing pregabalin</b></p>	<p><b>2-401(B)(4) Distribution or possess w/ intent (p.w.i.) to distribute or manufacture an imitation controlled substance:</b> misdemeanor; &lt;1yr; &lt;\$1,000</p>	<p>offense: felony; &lt;5yrs; &lt;\$5,000</p>
<p><b>2-322. Chemical Precursors:</b> e.g., d-lysergic acid, ephedrine, pseudoephedrine, methylamine, etc.</p>	<p><b>2-401(G) Manufacture or possession of precursors w/ intent to manufacture controlled substance</b> Felony; 7yrs-life; &gt;\$50,000</p>	
<p><b>ENHANCEMENT OFFENSES/MITIGATING OFFENSES</b></p>		<p><b>ENHANCED/REDUCED PENALTIES</b></p>
<p><b>2-401(E) Use of minor to distribute, dispense, transport w/ intent</b></p>		<p>2x penalty imposed; 2x fine imposed</p>
<p><b>2-419 Use of minors in transport, sale of controlled substances</b></p>		<p>Felony: 2x penalty/fine imposed If minor is &lt;15 years old: &lt;25yrs and/or &lt;\$100,000</p>
<p><b>2-401(F) Distribution, dispensing, possession w/ intent to distribute controlled substance w/in 2000 ft of school, rec center, park, public housing, or child care facility</b></p>		<p>offense: 2x penalty/fine imposed for penalty or subsequent: habitual offender statute &amp; required to serve 85% of sentence before becoming eligible for parole</p>
<p><b>2-402(C) Possession or purchase of a controlled substance w/in 1000 ft of school, rec center, park, public housing, or child care facility, or in presence of child under 12</b></p>		<p>Felony; offense; 2x penalty/fine imposed for penalty &amp; must serve 50% of sentence before parole eligibility or subsequent offense: 3x penalty/fine imposed for penalty &amp; must serve 90% of sentence before parole eligibility &amp; fined &lt;\$10,000</p>
<p><b>2-410 Conditional release for offense</b></p>		<p>Court may s.s. and impose conditional probation; may require drug rehab treatment</p>
<p><b>ADDITIONAL OFFENSES</b></p>		<p><b>PENALTIES/ENHANCEMENTS/BENEFIT RESTRICTIONS</b></p>
<p><b>2-403(A) Larceny, theft or burglary of a controlled substance</b></p>		<p>offense: felony; &lt;10yrs; or subsequent: felony; &gt;10yrs; no s.s. or p. p.</p>

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2-403(B) <b>robbery of controlled substance from practitioner or manufacturer</b>	offense: felony; >5yrs; or subsequent: felony; life imprisonment; no s.s. or p. p.
2-405 <b>Possession/Delivery/Sale of Drug Paraphernalia</b>	offense: <1yr and/or <\$1,000 offense: <1yr and/or <\$5,000 or subsequent: <1yr and/or <\$10,000 Sale to a minor: felony
2-404 <b>Registered Practitioners, distributors, manufactures who:</b>	
(1) dispense a controlled substance in violation of requirements (2) manufacture, distribution of controlled substance not authorized by registration (3) omit, remove, alter symbol required by Federal Controlled substance act (4) refuse or fail to maintain required records (5) refuse entry for authorized inspection (6) maintain place or vehicle which is resorted to by persons using controlled dangerous substances or keeping/selling controlled substances	B. Civil Fine of <\$1,000 If violation committed intentionally: felony; <5yrs; <\$100,000 or subsequent: 2x penalty imposed
2-406 <b>Registered practitioners, distributors, manufacturers who knowingly:</b>	
(1) distributes Sched I or II substances w/o order form (2) use of an invalid registration number (3) Acquire possession of a controlled substance by misrepresentation (4) furnish false information in required documentation (5) Makes counterfeit controlled substances	offense: felony; <20yrs and/or <\$250,000 or subsequent offense: 2x punishment imposed; no s.s. or p. p.
2-407 <b>Obtaining prescription substance by fraud, forgery, misrepresentation; Creation or possession of a counterfeit or invalid prescription form</b>	offense: felony; <10yrs and/or <\$10,000 or subsequent: 4-20yrs and/or <\$20,000; no s.s. or p. p.
2-407.1 <b>Possession, purchase or sale of certain substances causing intoxication, distortion or disturbance of auditory, visual, muscular or mental processes</b> (e.g., ethylchloride, butyl nitrite, etc.)	Misdemeanor; <90days; <\$500.00
3-415 <b>Trafficking Offenses</b>	<b>Enhanced penalties for all trafficking offenses:</b> 1. offense: at least 2x the term imposed by penalty for lesser possession conviction 2. offense: at least 3x the term imposed by

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	penalty for lesser possession conviction 3. or subsequent offense: life w/o parole
<b>Specific Offenses</b>	<b>Specific Penalties</b>
<b>1. Marijuana:</b>	
a. 25-1000lbs	\$25,000-\$100,00
b. >1,000lbs	\$100,00-\$500,000 (15yrs min.)
<b>2. Cocaine</b>	
a. 28-300g	\$25,000-\$100,000
b. 300-450g	\$100,000-\$500,000
c. >450g	\$100,000-\$500,000 (15yrs min)
<b>3. Heroin</b>	
a. 10-28g	\$25,000-\$50,000
b. >28g	\$50,000-\$500,000
<b>4. Amphetamine or methamphetamine</b>	
a. 20-200g	\$25,000-\$200,000
b. 200-450g	\$50,000-\$500,000
c. >450g	\$50,000-\$500,000 (15yrs min)
<b>5. LSD</b>	
a. 1-10g	\$50,000-\$100,000
b. >10g	\$100,000-\$250,000
<b>6. PCP</b>	
a. 20-150g	\$20,000-\$50,000
b. >150g	\$50,000-\$250,000
<b>7. Cocaine base</b>	
a. 5-50g	\$25,000-\$100,000
b. >50g	\$100,000-\$500,000
<b>8. MDMA</b>	
a. 30tablets/10g-100tablet/30g	\$25,000-\$100,000
b. >100tablets/30g	\$100,000-\$500,000