



**DEPARTMENT OF LAW ENFORCEMENT  
REPORT TO THE 2026 LEGISLATURE**

**NARCOTICS ENFORCEMENT DIVISION**

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ANNUAL REPORT TO THE 2026 LEGISLATURE  
SECTION 329-11, HRS, REPORTING REQUIREMENTS**

**NOTICE OF FEDERAL SCHEDULING ACTIONS**

Chapter 329-11(d) of the Hawaii Revised Statutes (“HRS”) states that if a substance is added, deleted or rescheduled under federal law and notice of the designation is given to the Department of Law Enforcement, then the Department of Law Enforcement shall recommend to the legislature that a corresponding change in Hawaii law be made. The Department of Law Enforcement shall similarly designate the substance as added, deleted, or rescheduled under this chapter, after the expiration of thirty days from publication in the Federal Register of a final order, and this change shall have the effect of law. If a substance is added, deleted, or rescheduled under this subsection, the control shall be temporary and, if the next regular session of the state legislature has not made the corresponding changes in this chapter, the temporary designation of the added, deleted, or rescheduled substance shall be nullified.

During 2025, the Department of Law Enforcement was given notices via several different publications in the Federal Register of a final order, or interim final order, that the following substances were placed into the federal controlled substances schedules by the United States Drug Enforcement Administration (“DEA”). Consequently, the Department issued and posted an order making the temporary changes required by statute at the Office of the Lieutenant Governor, Both the Senate and House Sergeant at Arms Offices at the State Capitol Building, and on the Department’s website. The order added several controlled substances to the lists contained with section of chapter 329, HRS.

The new changes are as follows:

**Schedule I**

**Additions to Section 329-14 subsection (b) Opioids<sup>1</sup>**

- *N* -phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)acetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *beta* -methylacetyl fentanyl

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<sup>1</sup> 89 FR 106311 12-31-2024

- *N* -(3-fluorophenyl)- *N* -(1-phenethylpiperidin-4-yl)furan-2-carboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *meta* -Fluorofuranyl fentanyl)
- *N* -(2-chlorophenyl)- *N* -(1-phenethylpiperidin-4-yl)propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *ortho* -Chlorofentanyl)
- *N* -(2-methylphenyl)- *N* -(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *ortho* -methylcyclopropylfentanyl)
- *N* -(4-chlorophenyl)- *N* -(1-phenethylpiperidin-4-yl)propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *para* -Chlorofentanyl)
- *N* -(4-fluorophenyl)- *N* -(1-phenethylpiperidin-4-yl)pentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other name: *para* -fluoro valeryl fentanyl
- *N* -(1-phenethylpiperidin-4-yl)- *N* -phenyltetrahydrothiophene-2-carboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers; other names: tetrahydrothiofuryl fentanyl; tetrahydrothiophene fentanyl

**Additions to Section 329-14 subsection (e) Depressants<sup>2</sup>:**

- Clonazolam
- Diclazepam

**Additions to Section 329-14 subsection (f) Stimulants<sup>3</sup>:**

- Ethylphenidate

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<sup>2</sup> 90 FR 35236 07-25-2025

<sup>3</sup> 89 FR 84281 10-22-24

### **Emergency Scheduling Authority**

Section 329-11(e) of the Hawaii Revised Statutes authorizes the Administrator of the Department of Law Enforcement, Narcotics Enforcement Division (NED), to make an emergency scheduling by placing a substance into schedules I, II, III, IV, or V, if the administrator determines the action is necessary to address or avoid an imminent hazard or the possibility of an imminent hazard to the health and safety of the public. The Department shall post a public notice thirty days prior to the effective date of the emergency scheduling action, at the State Capitol, in the Office of the Lieutenant Governor, and on the Department's website for public inspection. If a substance is added or rescheduled under this subsection, the control shall be temporary and, if the next regular session of the State Legislature has not enacted the corresponding changes in this chapter, the temporary designation of the added or rescheduled substance shall be nullified.

As of October 2025, the Narcotics Enforcement Division Administrator had not used emergency scheduling authority since the previous session of the Legislature.

### **Suggested Changes to Statute:**

Based on the above, the Department is recommending the following changes to statute:

By amending subsection (b) to read as follows:

"(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-

piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

- (3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide), its optical, positional, and geometric isomers, salts, and salts of isomers;
- (4) Acryl fentanyl [N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide] (Other name: acryloylfentanyl);
- (5) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide);
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo-alphacetylmethadol, levomethadyl acetate, or LAAM);
- (8) Alphameprodine;
- (9) Alphamethadol;
- (10) Alpha'-methyl butyryl fentanyl (2-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide);
- (11) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine);
- (12) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (13) Benzethidine;
- (14) Benzylfentanyl (N-[1-benzyl-4-piperidyl]-N- phenylpropanamide), its optical isomers, salts, and salts of isomers;
- (15) Betacetylmethadol;

(16) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(17) Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

(18) Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide);

(19) Betameprodine;

(20) Betamethadol;

(21) Beta-methyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide) (Other name: [beta]-methyl fentanyl);

(22) Beta-methylacetyl fentanyl N -phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)acetamide;

[22] (23) Beta'-phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide) (Other names: [beta]'-phenyl fentanyl; 3-phenylpropanoyl fentanyl);

[23] (24) Betaprodine;

[24] (25) Brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one);

[25] (26) Butonitazene (2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine);

[26] (27) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);

[27] (28) Clonitazene;

[~~(28)~~] (29) Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide);

[~~(29)~~] (30) Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);

[~~(30)~~] (31) Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);

[~~(31)~~] (32) Dextromoramide;

[~~(32)~~] (33) Diampromide;

[~~(33)~~] (34) Diethylthiambutene;

[~~(34)~~] (35) Difenoxin;

[~~(35)~~] (36) Dimenoxadol;

[~~(36)~~] (37) Dimepheptanol;

[~~(37)~~] (38) 2',5'-dimethoxyfentanyl (N-(1-(2,5-dimethoxyphenethyl)piperidin-4-yl)-N-phenylpropionamide);

[~~(38)~~] (39) Dimethylthiambutene;

[~~(39)~~] (40) Dioxaphetyl butyrate;

[~~(40)~~] (41) Dipipanone;

[~~(41)~~] (42) Ethylmethylthiambutene;

[~~(42)~~] (43) Etodesnitazene (2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine) (Other name: etazene);

[~~(43)~~] (44) Etonitazene;

[~~(44)~~] (45) Etoxeridine;

[(45)] [(46)] Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate);

[(46)] [(47)] Flunitazene (N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);

[(47)] [(48)] 4-fluoroisobutyryl fentanyl [N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide] (Other name: para-fluoroisobutyryl fentanyl);

[(48)] [(49)] 2'-fluoro ortho-fluorofentanyl (N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)propionamide) (Other name: 2'-fluoro 2-fluorofentanyl);

[(49)] [(50)] Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide);

[(50)] [(51)] 3-furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-3-carboxamide);

[(51)] [(52)] Furethidine;

[(52)] [(53)] Hydroxypethidine;

[(53)] [(54)] Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide);

[(54)] [(55)] Isotonitazene (N,N-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);

[(55)] [(56)] Isovaleryl fentanyl (3-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide);

[(56)] (57) Ketobemidone;

[(57)] (58) Levomoramide;

[(58)] (59) Levophenacylmorphan;

[(59)] (60) Meta-fluorofentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide);

(61) Meta-Fluorofuranyl fentanyl N-(3-fluorophenyl)- N -(1-phenethylpiperidin-4-yl)furan-2-carboxamide;

[(60)] (62) Meta-fluoroisobutyryl fentanyl (N-(3-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

[(61)] (63) Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

[(62)] (64) 2-methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one);

~~[(63)] (65) 4'-methyl acetyl fentanyl (N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide);~~

[(64)] (66) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

[(65)] (67) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

[(66)] (68) Metodesnitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine);

[(67)] (69) Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);

[~~(68)~~] (70) Morpheridine;

[~~(69)~~] (71) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

[~~(70)~~] (72) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);

[~~(71)~~] (73) Noracymethadol;

[~~(72)~~] (74) Norlevorphanol;

[~~(73)~~] (75) Normethadone;

[~~(74)~~] (76) Norpipanone;

[~~(75)~~] (77) N-pyrrolidino etonitazene (2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole) (Other name: etonitazepyne);

(78) N-pyrrolidino metonitazene 2-(4-methoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole (Other name: Metonitazepyne);

(79) 5-nitro-2-(4-propoxybenzyl)-1-(2-(pyrrolidin-1-yl)ethyl)-1 H - benzimidazole (Other name: Protonitazepyne);

[~~(76)~~] (80) Ocfentanil [N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide];

(81) Ortho-Chlorofentanyl N-(2-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide;

[~~(77)~~] (82) Ortho-fluoroacryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)acrylamide);

[~~78~~] (83) Ortho-fluorobutyryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide) (Other name: 2-fluorobutyryl fentanyl);

[~~79~~] (84) Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);

[~~80~~] (85) Ortho-fluorofuranyl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

[~~81~~] (86) Ortho-fluoroisobutyryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

[~~82~~] (87) Ortho-methyl acetylentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl acetylentanyl);

[~~83~~] (88) Ortho-methyl methoxyacetyl fentanyl (2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl methoxyacetyl fentanyl);

(89) Ortho-methylcyclopropylfentanyl N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide;

(90) Para-Chlorofentanyl N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide;

[~~84~~] (91) Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

[(85)] (92) Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

[(86)] (93) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide[;]);

[(87)] (94) Para-fluoro furanyl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

(95) Para-fluoro valeryl fentanyl N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide;

[(88)] (96) Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

[(89)] (97) Para-methoxyfuranyl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

[(90)] (98) Para-methylcyclopropyl fentanyl (N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);

[(91)] (99) Para-methylfentanyl (N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 4-methylfentanyl);

[(92)] (100) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

[(93)] (101) Phenadoxone;

[(94)] (102) Phenampromide;

[(95)] (103) Phenomorphan;

[(96)] (104) Phenoperidine;

[(97)] (105) Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide) (Other name: benzoyl fentanyl);

[(98)] (106) Piritramide;

[(99)] (107) Proheptazine;

[(100)] (108) Properidine;

[(101)] (109) Propiram;

[(102)] (110) Protonitazene (N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine);

[(103)] (111) Racemoramide;

[(104)] (112) Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);

(113) Tetrahydrothiofuryl fentanyl N -(1-phenethylpiperidin-4-yl)- N -phenyltetrahydrothiophene-2-carboxamide;

[(105)] (114) Thenylfentanyl (N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide), its optical isomers, salts, and salts of isomers;

[(106)] (115) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);

[(107)] (116) Thiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide) (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl);

[(108)] (117) Tilidine;

[(109)] (118) Trimeperidine;

[(110)] (119) U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide); and

[(111)] (120) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide)."

(2) By amending subsection (e) to read as follows:

"(e) Depressants. Unless specifically excepted, the schedule shall include any material, compound, mixture, or preparation [which] that contains any quantity of the substance:

(1) Mecloqualone;

(2) Methaqualone;]

(1) Clonazolam;

(2) Diclazepam;

(3) Etizolam (including its optical, positional, and geometric isomers, salts, and salts of isomers, where possible); [or]

(4) Flualprazolam (including its optical, positional, and geometric isomers, salts, and salts of isomers, where possible)[;]

(5) Flubromazolam;

(6) Mecloqualone; or

(7) Methaqualone."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act, upon its approval, shall take effect on July 1, 2026.