

P.L. 2025, CHAPTER 249, *approved January 12, 2026*
Assembly, No. 4814

1 AN ACT establishing tianeptine as a Schedule II controlled
2 dangerous substance, and amending P.L.1970, c.226.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 6 of P.L.1970, c.226 (C.24:21-6) is amended to read
8 as follows:

9 6. Schedule II.

10 a. Tests. The director shall place a substance in Schedule II if
11 he finds that the substance: (1) has high potential for abuse; (2) has
12 currently accepted medical use in treatment in the United States, or
13 currently accepted medical use with severe restrictions; and (3)
14 abuse may lead to severe psychic or physical dependence.

15 b. The controlled dangerous substances listed in this section are
16 included in Schedule II, subject to any revision and republishing by
17 the director pursuant to subsection d. of section 3 of P.L.1970,
18 c.226 (C.24:21-3), and except to the extent provided in any other
19 schedule.

20 c. Any of the following substances except those narcotic drugs
21 listed in other schedules whether produced directly or indirectly by
22 extraction from substances of vegetable origin, or independently by
23 means of chemical synthesis, or by combination of extraction and
24 chemical synthesis:

25 (1) Opium and opiate, and any salt, compound, derivative, or
26 preparation of opium or opiate.

27 (2) Any salt, compound, derivative, or preparation thereof which
28 is chemically equivalent or identical with any of the substances
29 referred to in clause 1, except that these substances shall not include
30 the isoquinoline alkaloids of opium.

31 (3) Opium poppy and poppy straw.

32 (4) Coca leaves and any salt, compound, derivative, or
33 preparation of coca leaves, and any salt, compound, derivative, or
34 preparation thereof which is chemically equivalent or identical with
35 any of these substances, except that the substances shall not include
36 decocainized coca leaves or extractions which do not contain
37 cocaine or ecogine.

38 d. Any of the following opiates, including their isomers, esters,
39 ethers, salts, and salts of isomers, esters and ethers, unless
40 specifically excepted, whenever the existence of such isomers,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 esters, ethers, and salts is possible within the specific chemical
2 designation:

- 3 (1) Alphaprodine
- 4 (2) Anileridine
- 5 (3) Bezitramide
- 6 (4) Dihydrocodeine
- 7 (5) Diphenoxylate
- 8 (6) Fentanyl
- 9 (7) Isomethadone
- 10 (8) Levomethorphan
- 11 (9) Levorphanol
- 12 (10) Metazocine
- 13 (11) Methadone
- 14 (12) Methadone--Intermediate, 4-cyano-2-dimethylamino-4, 4-
15 diphenyl butane
- 16 (13) Moramide--Intermediate, 2-methyl-3-morpholino-1, 1-
17 diphenyl-propane-carboxylic acid
- 18 (14) Pethidine
- 19 (15) Pethidine--Intermediate--A, 4-cyano-1-methyl-4-
20 phenylpiperidine
- 21 (16) Pethidine--Intermediate--B, ethyl-4-phenylpiperidine-4-
22 carboxylate
- 23 (17) Pethidine--Intermediate--C, 1-methyl-4-phenylpiperidine-4-
24 carboxylic acid
- 25 (18) Phenazocine
- 26 (19) Piminodine
- 27 (20) Racemethorphan
- 28 (21) Racemorphan
- 29 (22) Tianeptine and any salt, sulfate, free acid, or other
30 preparation of tianeptine, and any salt, sulfate, free acid, compound,
31 derivative, precursor, or other preparation thereof that is
32 substantially chemically equivalent or identical with tianeptine.
33 (cf: P.L.2007, c.244, s.4)

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35 2. This act shall take effect on the 30th day after the date of
36 enactment.

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STATEMENT

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41 This bill would classify tianeptine, an antidepressant drug that can
42 produce opioid-like effects and be similarly addicting to opioids, as a
43 Schedule II controlled dangerous substance. Specifically, it would be
44 placed on the Schedule II list as a form of "opiate," which is defined
45 similarly in both the "Comprehensive Drug Reform Act of 1987,"
46 N.J.S.2C:35-1 et seq., and the "New Jersey Controlled Dangerous
47 Substances Act," P.L.1970, c.226 (C.24:21-1 et seq.), as any
48 dangerous substance having addiction-forming or addiction-sustaining

1 capabilities similar to morphine or being capable of conversion into a
2 drug having such capabilities. See N.J.S.2C:35-2 and P.L.1970, c.226,
3 s.2 (C.24:21-2).

4 By categorizing tianeptine as a Schedule II opiate, it would be
5 considered an illegal narcotic drug, see N.J.S.2C:35-2 (definition of
6 “narcotic drug”), for which its manufacturing, distribution, or
7 possession with intent to manufacture or distribute would be
8 punishable as either a crime of the second degree if the act involved a
9 quantity of one ounce or more or a crime of the third degree if the act
10 involved less than one ounce. See N.J.S.2C:35-5, subsection b.,
11 paragraphs (4) and (5). A crime of the second degree is punishable by
12 a term of imprisonment of five to 10 years, a fine of up to \$150,000, or
13 both. A crime of the third degree is punishable by a term of
14 imprisonment of three to five years, or ordinarily a fine of up to
15 \$15,000, but the relevant provisions of N.J.S.2C:35-5 would permit the
16 imposition of a fine of up to \$75,000, and both imprisonment and a
17 fine could be imposed.

18 It would also be illegal to possess, be under the influence of, or fail
19 to voluntarily deliver to a law enforcement officer any amount of
20 tianeptine. See N.J.S.2C:35-10. Possession of the drug would be
21 punishable as a crime of the third degree, with a term of imprisonment
22 of three to five years, an enhanced fine of up to \$35,000, or both.
23 Being under the drug’s influence and failing to turn over the drug to a
24 law enforcement officer would both be graded as a disorderly persons
25 offense, with a potential term of imprisonment of up to six months, a
26 fine of up to \$1,000, or both.

27 The bill would take effect on the 30th day after the date of
28 enactment.

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33 Establishes tianeptine as Schedule II controlled dangerous
34 substance.