

696--A

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to restricting access to dextromethorphan, commonly known as "dxm"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The general business law is amended by adding a new section  
2     391-s to read as follows:  
3     S 391-S.   RESTRICTED ACCESS TO RETAIL SALE OF DEXTROMETHORPHAN,  
4     COMMONLY KNOWN AS "DXM". 1. NO RETAIL ESTABLISHMENT OFFERING FOR SALE  
5     ANY PRODUCT OR PRODUCTS CONTAINING AS AN ACTIVE INGREDIENT DEXTROMETHOR-  
6     PHAN, SHALL PERMIT THE SALE OF SUCH PRODUCTS TO PERSONS UNDER THE AGE OF  
7     EIGHTEEN. RETAIL ESTABLISHMENTS SHALL REQUIRE PROOF OF LEGAL AGE FOR  
8     PURCHASE OF SUCH PRODUCTS. ANY RETAIL ESTABLISHMENT WHICH VIOLATES THE  
9     PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A FINE OF TWO HUNDRED  
10    FIFTY DOLLARS FOR EACH SUCH VIOLATION.  
11    2. THIS SECTION SHALL SUPERSEDE ANY LOCAL LAWS OR ORDINANCES REGULAT-  
12    ING THE SALES OF PRODUCTS CONTAINING DEXTROMETHORPHAN.  
13    S 2. This act shall take effect on the ninetieth day after it shall  
14    have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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