

STATE OF NEW YORK

8148

IN SENATE

April 9, 2018

Introduced by Sens. SAVINO, BAILEY -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to the approval of
laboratories and dispensing sites for medical marihuana

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 3364 of the public health law, as
2 added by chapter 90 of the laws of 2014, is amended to read as follows:

3 3. Each registered organization shall contract with an independent
4 laboratory to test the medical marihuana produced by the registered
5 organization. The commissioner shall approve the laboratory and require
6 that the laboratory report testing results in a manner determined by the
7 commissioner. The commissioner shall approve at least three such labora-
8 tories by January 1, 2019. The commissioner is authorized to issue regu-
9 lation requiring ~~[the]~~ each laboratory to perform certain tests and
10 services.

11 § 2. Subdivision 9 of section 3365 of the public health law, as added
12 by chapter 90 of the laws of 2014, is amended to read as follows:

13 9. The commissioner shall register no more than ~~[five]~~ ten registered
14 organizations that manufacture medical marihuana with no more than
15 ~~[four]~~ twenty-five dispensing sites wholly owned and operated by each
16 such registered organization. The commissioner shall ensure that such
17 registered organizations and dispensing sites are geographically
18 distributed across the state~~[-The commission may register additional~~
19 ~~registered organizations]~~, with each registered organization allowed to
20 operate:

21 a. no more than seven dispensing sites in total in the Binghamton
22 region, the Capital district-Champlain region, the Elmira region, the
23 Mid-Hudson region, the Mohawk Valley region, the Niagara-southwestern
24 region, the Northern region, the Rochester region, and the Syracuse
25 region, where such regions are defined in section two hundred eleven of
26 the banking law;

27 b. no more than two dispensing sites in the county of Nassau;

28 c. no more than one dispensing site in the county of Suffolk;

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

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- d. no more than two dispensing sites in the county of Westchester;
- e. no more than one dispensing site in the county of Rockland;
- f. no more than three dispensing sites in the county of New York;
- g. no more than three dispensing sites in the county of Kings;
- h. no more than three dispensing sites in the county of Queens;
- i. no more than two dispensing sites in the county of Bronx; and
- j. no more than one dispensing site in the county of Richmond.

No dispensing site shall be located within one thousand feet of another dispensing site. The commissioner shall approve the location of a dispensing site upon verifying that it is not located within one thousand feet of another dispensing site, and upon receipt of a statement of non-opposition from the appropriate local government entity responsible for land use approval.

§ 3. This act shall take effect immediately; provided, however that the amendments to subdivision 3 of section 3364 of the public health law made by section one of this act shall not affect the expiration of such section and shall be deemed to be repealed therewith; provided, further, that the amendments to subdivision 9 of section 3365 of the public health law made by section two of this act shall not affect the expiration of such section and shall be deemed to be repealed therewith.