

STATE OF NEW YORK

6084

2023-2024 Regular Sessions

IN SENATE

March 28, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of xylazine

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
2 392-k to read as follows:

3 § 392-k. Sale of xylazine. 1. For purposes of this section, the term
4 "xylazine" shall mean a pharmaceutical drug used for sedation, anes-
5 thesia, muscle relaxation, and analgesia in animals such as horses,
6 cattle, and other non-human mammals.

7 2. No person, corporation, partnership, limited liability company,
8 firm, online platform, or any other business entity doing business with-
9 in this state shall sell, offer for sale, or deliver xylazine to indi-
10 viduals without proof of its intended use for institutional or scientif-
11 ic purposes.

12 3. No person, corporation, partnership, limited liability company,
13 firm, online platform, or other business entity doing business within
14 this state shall sell, offer for sale, or deliver xylazine to individ-
15 uals under the age of twenty-one.

16 4. Any person, corporation, partnership, limited liability company,
17 firm, online platform or other business entity doing business within
18 this state which sells, offers for sale, or distributes xylazine, shall
19 require and retain sales records, proof of age, and proof of use from
20 all purchasers.

21 5. Any individual harmed by a violation of this section shall have a
22 private right of action for compensatory and actual damages, punitive
23 damages, attorneys' fees and costs.

24 § 2. This act shall take effect immediately.

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

LBD10463-01-3