STATE OF NEW YORK

7720

2025-2026 Regular Sessions

IN ASSEMBLY

April 8, 2025

Introduced by M. of A. VANEL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to making the possession of certain amounts of a controlled substance a violation

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

Section 1. Section 220.03 of the penal law, as amended by section 4 of part I of chapter 57 of the laws of 2015, the opening paragraph as amended by chapter 433 of the laws of 2021, is amended to read as follows:

§ 220.03 [~~Criminal~~] **Unlawful** possession of a controlled substance [~~in the seventh degree~~].

A person is guilty of [~~criminal~~] **unlawful** possession of a controlled substance [~~in the seventh degree~~] when [~~he or she~~] **such person** knowingly and unlawfully possesses a controlled substance; provided, however, that it shall not be a violation of this section when a person possesses a residual amount of a controlled substance and that residual amount is in or on a hypodermic syringe or hypodermic needle; nor shall it be a violation of this section when a person's unlawful possession of a controlled substance is discovered as a result of seeking immediate health care as defined in paragraph (b) of subdivision three of section 220.78 of this article, for either another person or [~~him or herself~~] **for such principal person** because such person is experiencing a drug or alcohol overdose or other life threatening medical emergency as defined in paragraph (a) of subdivision three of section 220.78 of this article.

[~~Criminal~~] **Unlawful** possession of a controlled substance [~~in the seventh degree~~] is a [~~class A misdemeanor~~] **violation**.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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