S T A T E O F N E W Y O R K

3768

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. WEPRIN, GALEF -- Multi-Sponsored by -- M. of A. MAGEE, POWELL -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to candy packaged as tobacco products or drug paraphernalia

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

Section 1. The general business law is amended by adding a new section 399-i to read as follows:

S 399-I. CANDY PACKAGED AS TOBACCO PRODUCTS OR DRUG PARAPHERNALIA. 1. NO CANDY OR CONFECTION SHALL BE SOLD IN THIS STATE WHICH SHALL BE PACKAGED, SHAPED OR MANUFACTURED TO RESEMBLE ANY TYPE OF TOBACCO PRODUCTS INCLUDING, BUT NOT LIMITED TO, CIGARETTES, CIGARS OR CHEWING TOBACCO OR ANY DRUG PARAPHERNALIA INCLUDING, BUT NOT LIMITED TO, GELATINE CAPSULES, GLASSINE ENVELOPES, VIALS, CAPSULES OR ANY OTHER MATERIAL SUITABLE FOR THE PACKAGING OF NARCOTIC DRUGS OR STIMULANTS.

2. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS.

S 2. This act shall take effect on the first of November next succeeding the date on which 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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