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

1195

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DESTITO, KOON -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the general business law, in relation to prohibiting the sale and purchase of urine with the intent to defraud drug screening tests

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 391-q to read as follows:

S 391-Q. SALE OF URINE. 1. NO PERSON SHALL SELL BY ANY MEANS, DONATE, PURCHASE, OR TRANSPORT URINE IN THIS STATE WITH THE INTENT OF USING SUCH URINE TO DEFRAUD A DRUG SCREENING TEST.

2. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION THE PERSON SHALL BE FINED AN AMOUNT NOT MORE THAN ONE THOUSAND DOLLARS, OR IMPRISONED FOR NOT MORE THAN ONE YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

3. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION AND WHO HAS PREVIOUSLY BEEN CONVICTED OF VIOLATING THIS SECTION WITHIN THE LAST THREE YEARS SHALL BE GUILTY OF A CLASS E FELONY.

S 2. This act shall take effect immediately.

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

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