

513--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to the disposal of pharmaceutical drugs and controlled substances

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

1 Section 1. Title 27 of article 27 of the environmental conservation
2 law, as added by chapter 625 of the laws of 2008, is amended by adding a
3 new section 27-2705 to read as follows:
4 S 27-2705. DISPOSAL OF PHARMACEUTICAL DRUGS AND CONTROLLED SUBSTANCES.
5 1. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE
6 FOLLOWING MEANINGS:
7 A. "PHARMACEUTICAL DRUGS" SHALL MEAN:
8 (I) ARTICLES RECOGNIZED IN THE OFFICIAL UNITED STATES PHARMACOPOEIA,
9 OFFICIAL NATIONAL FORMULARY OR OFFICIAL HOMEOPATHIC PHARMACOPOEIA OF THE
10 UNITED STATES, OR ANY SUPPLEMENT OF ANY OF THEM;
11 (II) ARTICLES INTENDED FOR USE IN THE DIAGNOSIS, CURE, MITIGATION,
12 TREATMENT OR PREVENTION OF DISEASE IN HUMANS OR OTHER ANIMALS; OR
13 (III) ARTICLES, OTHER THAN FOOD, INTENDED TO AFFECT THE STRUCTURE OR
14 ANY FUNCTION OF THE BODY OF HUMANS OR OTHER ANIMALS.
15 ARTICLES DESCRIBED IN SUBPARAGRAPH (I), (II) OR (III) OF THIS PARA-
16 GRAPH SHALL NOT INCLUDE DEVICES OR THEIR COMPONENT PARTS OR ACCESSORIES.
17 B. "CONTROLLED SUBSTANCES" SHALL MEAN ANY CONTROLLED SUBSTANCE LISTED
18 IN THE SCHEDULE OF CONTROLLED SUBSTANCES SET FORTH IN SECTION
19 THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW.

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

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1 2. ON AND AFTER APRIL NINETEENTH, TWO THOUSAND THIRTEEN, EVERY COUNTY
2 IN THIS STATE SHALL PROVIDE A PERMANENT PROGRAM FOR THE ACCEPTANCE AND
3 COLLECTION OF PHARMACEUTICAL DRUGS FROM RESIDENTIAL CITIZENS, EXCLUDING
4 HOSPITALS, HEALTH CARE FACILITIES AND PHARMACIES, FOR PROPER DISPOSAL.
5 SUCH PROGRAM SHALL BE IMPLEMENTED AND OPERATED BY THE SHERIFFS DEPART-
6 MENT OF EACH COUNTY. SUCH PROGRAM SHALL PROVIDE THAT THE PROPER DISPOSAL
7 OF PHARMACEUTICAL DRUGS BE MADE AT A DEPARTMENT REGULATED SOLID WASTE
8 INCINERATOR.

9 S 2. This act shall take effect immediately.