AN ACT to amend the education law, in relation to restricting access to
dextromethorphan, commonly known as "dxm"

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

Section 1. The education law is amended by adding a new section 6811-c

S 6811-C. RESTRICTED ACCESS TO RETAIL SALE OF DEXTROMETHORPHAN,
COMMONLY KNOWN AS "DXM". 1. ANY RETAIL ESTABLISHMENT OFFERING FOR SALE
ANY PRODUCT OR PRODUCTS CONTAINING AS THE ONLY ACTIVE INGREDIENT DEXTRO-
METHORPHAN, SHALL PLACE SUCH PRODUCT IN A LOCATION SUCH THAT CUSTOMERS
DO NOT HAVE DIRECT ACCESS TO THE PRODUCT BEFORE THE SALE IS MADE,
INCLUDING BUT NOT LIMITED TO BEHIND-THE-COUNTER PLACEMENT.
2. THE SELLER SHALL DELIVER THE PRODUCT DIRECTLY INTO THE CUSTODY OF
THE PURCHASER UPON SHOWING STATE OR FEDERAL IDENTIFICATION.
3. THE SELLER SHALL MAINTAIN, IN ACCORDANCE WITH CRITERIA ISSUED BY
THE COMMISSIONER, A WRITTEN OR ELECTRONIC LIST OF SUCH SALES THAT IDEN-
TIFIES THE PRODUCT PURCHASED, THE QUANTITY SOLD, THE NAMES AND ADDRESSES
OF PURCHASERS, AND THE DATES AND TIMES OF THE SALE.

S 2. This act shall take effect immediately; provided, however, that
the rules and regulations necessary to implement the provisions of this
act shall be promulgated and take effect on or before the one hundred
eightieth day after this act shall have become a law.