

5441

2013-2014 Regular Sessions

I N A S S E M B L Y

February 27, 2013

Introduced by M. of A. BARCLAY, OAKS, WALTER, DUPREY, HAWLEY, FINCH, GRAF, MONTESANO, CORWIN, RIVERA, P. LOPEZ, LOSQUADRO, GIGLIO, BLANKENBUSH, RAIA, MALLIOTAKIS, McLAUGHLIN, McKEVITT, COLTON, PALMESANO, GABRYSZAK, CROUCH, CASTRO, STEVENSON, GOODELL, TITONE, JORDAN -- Multi-Sponsored by -- M. of A. ARROYO, CERETTO, COOK, GALEF, KOLB, MAGEE, REILICH -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the penal law, in relation to synthetic cannabinoids

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

- 1 Section 1. Section 3302 of the public health law is amended by adding
2 two new subdivisions 42 and 43 to read as follows:
3 42. "SYNTHETIC CANNABINOID" MEANS ANY CHEMICAL COMPOUND THAT IS CHEMI-
4 CALLY SYNTHESIZED AND:
5 (A) HAS BEEN DEMONSTRATED TO HAVE A BINDING ACTIVITY AT ONE OR MORE
6 CANNABINOID RECEPTORS; OR
7 (B) IS A CHEMICAL ISOMER, SALT OR SALT OF AN ISOMER OF A COMPOUND THAT
8 HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY AT ONE OR MORE CANNABI-
9 NOID RECEPTORS.
10 "SYNTHETIC CANNABINOID" DOES NOT INCLUDE ANY PRODUCTS THAT HAVE BEEN
11 APPROVED FOR MEDICAL USE BY THE UNITED STATES FOOD AND DRUG ADMINIS-
12 TRATION.
13 43. "SYNTHETIC CANNABINOID ANALOG" MEANS ANY CHEMICAL THAT IS SUBSTAN-
14 Tially SIMILAR IN CHEMICAL STRUCTURE TO A CHEMICAL COMPOUND THAT HAS
15 BEEN DETERMINED TO HAVE BINDING ACTIVITY AT ONE OR MORE CANNABINOID
16 RECEPTORS. IT DOES NOT INCLUDE ANY PRODUCTS THAT HAVE BEEN APPROVED FOR
17 MEDICAL USE BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION.
18 S 2. Subdivision 6 of section 220.00 of the penal law, as amended by
19 chapter 1051 of the laws of 1973, is amended to read as follows:
20 6. "Marihuana" means "marihuana" [or], "concentrated cannabis",
21 "SYNTHETIC CANNABINOID" OR "SYNTHETIC CANNABINOID ANALOG" as those terms
22 are defined in section thirty-three hundred two of the public health
23 law.
24 S 3. This act shall take effect immediately.

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

LBD04867-01-3