

5441

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 27, 2013

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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.

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