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

5232

2013-2014 Regular Sessions

I N S E N A T E

May 14, 2013

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to adulterated drugs

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

Section 1. Section 6815 of the education law is amended by adding a new subdivision 3 to read as follows:

3. A VIOLATION OF SUBDIVISION NINE, TEN OR ELEVEN OF SECTION SIXTY-EIGHT HUNDRED ELEVEN OF THIS ARTICLE OR ANY RULES OR REGULATIONS PROMULGATED PURSUANT TO SUCH SECTION OR THIS SECTION SHALL, IN ADDITION TO ANY OTHER CRIMINAL FINE OR PENALTY IMPOSED UNDER THE LAWS OF THIS STATE, BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS, AND FOR THE SECOND AND EACH SUCCEEDING VIOLATION, A CIVIL PENALTY OF NOT LESS THAN TWO HUNDRED DOLLARS NOR MORE THAN TWO THOUSAND DOLLARS. WHERE THE VIOLATION IS OF A CONTINUING NATURE, EACH DAY DURING WHICH IT CONTINUES, AFTER THE DATE GIVEN BY WHICH THE VIOLATION MUST BE ELIMINATED BY THE ENFORCEMENT AUTHORITY DESIGNATED BY THE STATE, SHALL CONSTITUTE AN ADDITIONAL, SEPARATE AND DISTINCT OFFENSE, EXCEPT DURING THE TIME AN APPEAL OF SAID VIOLATION MAY BE TAKEN OR IS PENDING. ANY PRODUCT ASSOCIATED WITH SUCH VIOLATION SHALL BE SUBJECT TO SEIZURE BY SUCH ENFORCEMENT AUTHORITY.

S 2. This act shall take effect immediately.

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

LBD10886-03-3