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

6496

I N S E N A T E

January 21, 2016

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to directing the commissioner of health to establish an electronic database of known synthetic cannabinoids

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

Section 1. Section 3308 of the public health law is amended by adding a new subdivision 7 to read as follows:

7. THE COMMISSIONER SHALL, IN CONJUNCTION WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES, ESTABLISH AND MAINTAIN AN ELECTRONIC DATABASE OF KNOWN SYNTHETIC CANNABINOIDS, A HALLUCINOGENIC CONTROLLED SUBSTANCE DEFINED IN SUBDIVISION (G) OF SCHEDULE I OF SECTION THIRTY-THREE HUNDRED SIX OF THIS TITLE. SUCH DATABASE SHALL BE PUBLISHED ON THE DEPARTMENT'S WEBSITE SO THAT CONSUMERS, RETAILERS AND LAW ENFORCEMENT AGENCIES CAN ACCESS INFORMATION INCLUDING, BUT NOT LIMITED TO:

(A) A LIST OF COMPOUNDS KNOWN TO BELONG TO THE CLASSES OF CHEMICALS LISTED IN SUCH SUBDIVISION AND THEIR TRADE NAMES;

(B) A PHYSICAL DESCRIPTION OF PRODUCTS KNOWN TO CONTAIN SUCH COMPOUNDS, AND THEIR EFFECTS; AND

(C) A LIST OF THE BRAND NAMES OF PRODUCTS KNOWN TO CONTAIN SUCH COMPOUNDS, AND IMAGES OF THEIR PACKAGING.

THE WEBSITE SHALL INCLUDE A STATEMENT INDICATING THAT SUCH INFORMATION IS BEING PROVIDED AS A RESOURCE FOR CONSUMERS, RETAILERS AND LAW ENFORCEMENT. NEITHER THE DEPARTMENT NOR THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL BE LIABLE FOR ANY ECONOMIC HARM, PERSONAL INJURY OR DEATH THAT MAY RESULT FROM INFORMATION INCLUDED IN OR OMITTED FROM THE DATABASE.

S 2. The commissioner of health shall promulgate any rules and regulations necessary to implement the provisions of section one of this act, its purpose and intent pursuant to subdivision 7 of section 3308 of the public health law.

S 3. This act shall take effect immediately; provided, however that section one of this act shall take effect on the ninetieth day after it

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

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shall have become a law; provided, further, that the commissioner of health and the division of criminal justice services shall immediately take the actions necessary to ensure that the database created by subdivision 7 of section 3308 of the public health law, as added by section one of this act, is operational on or before the effective date of section one of this act.