

3931

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 28, 2015

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Introduced by M. of A. McKEVITT, GRAF, ZEBROWSKI, OAKS, TENNEY, FINCH,  
SALADINO, CORWIN -- Multi-Sponsored by -- M. of A. CERETTO, CROUCH,  
McLAUGHLIN, TITONE, WALTER -- read once and referred to the Committee  
on Codes

AN ACT to amend the penal law, in relation to increasing penalties for  
the crimes of criminal diversion of prescription medications and  
prescriptions in the first, second, third and fourth degrees and crim-  
inal sale of a prescription

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

1     Section 1. The closing paragraph of section 178.10 of the penal law,  
2     as added by chapter 81 of the laws of 1995, is amended to read as  
3     follows:  
4     Criminal diversion of prescription medications and prescriptions in  
5     the fourth degree is a class [A misdemeanor] E FELONY.  
6     S 2. The closing paragraph of section 178.15 of the penal law, as  
7     added by chapter 81 of the laws of 1995, is amended to read as follows:  
8     Criminal diversion of prescription medications and prescriptions in  
9     the third degree is a class [E] D felony.  
10    S 3. The closing paragraph of section 178.20 of the penal law, as  
11    added by chapter 81 of the laws of 1995, is amended to read as follows:  
12    Criminal diversion of prescription medications and prescriptions in  
13    the second degree is a class [D] C felony.  
14    S 4. The closing paragraph of section 178.25 of the penal law, as  
15    added by chapter 81 of the laws of 1995, is amended to read as follows:  
16    Criminal diversion of prescription medications and prescriptions in  
17    the first degree is a class [C] B felony.  
18    S 5. The closing paragraph of section 220.65 of the penal law, as  
19    added by chapter 31 of the laws of 2014, is amended to read as follows:

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

LBD02160-01-5

1 Criminal sale of a prescription for a controlled substance or of a  
2 controlled substance by a practitioner or pharmacist is a class [C] B  
3 felony.  
4 S 6. This act shall take effect on the first of November next succeed-  
5 ing the date on which it shall have become a law.