

9133

I N A S S E M B L Y

January 29, 2016

Introduced by M. of A. ORTIZ -- read once and referred 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:

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

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

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

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

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

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

22 S 2. The commissioner of health shall promulgate any rules and regu-
23 lations necessary to implement the provisions of section one of this
24 act, its purpose and intent pursuant to subdivision 7 of section 3308 of
25 the public health law.

26 S 3. This act shall take effect immediately; provided, however that
27 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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1 shall have become a law; provided, further, that the commissioner of
2 health and the division of criminal justice services shall immediately
3 take the actions necessary to ensure that the database created by subdi-
4 vision 7 of section 3308 of the public health law, as added by section
5 one of this act, is operational on or before the effective date of
6 section one of this act.