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I N   S E N A T E

February 1, 2016

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Introduced by Sens. CROCI, MURPHY -- 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 designating certain substances as schedule I or schedule II opiates; and to amend the penal law, in relation to the sale of preparations, compounds mixtures and substances containing heroin and an opiate

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

1     Section 1. Subdivision (b) of schedule I of section 3306 of the public  
2 health law is amended by adding two new paragraphs 56 and 57 to read as  
3 follows:

4     (56) ACETYLFENTANYL (N-(1-PHENETHYLPIPERIDIN-4-YL)-N-PHENYLACETAMIDE).  
5     (57) BUTYRFENTANYL (N-(1-(2-PHENYLETHYL)-4-PIPERIDINYL) -N-PHENYLBUTYR-  
6 TYRAMIDE).

7     S2. Subdivision (c) of schedule II of section 3306 of the public  
8 health law is amended by adding two new paragraphs 29 and 30 to read as  
9 follows:

10     (29) REMIFENTANIL (ALSO KNOWN AS ULTIVA) (METHYL  
11 1-(3-METHOXY-3-OXOPROPYL)-4-(N-PHENYLPROPANAMIDO) PIPERIDINE-4-CARBOXY-  
12 LATE).

13     (30) SUFENTANIL (ALSO KNOWN AS SUFENTA) (N-[4-METHOXYMETHYL]-1-(2  
14 -THIOFURAN-2-YLETHYL)-4-PIPERIDYL]-N-PHENYLPROPANAMIDE).

15     S 3. Subdivision 7 of section 220.41 of the penal law, as amended by  
16 chapter 75 of the laws of 1995, is amended and a new subdivision 8 is  
17 added to read as follows:

18     7. methadone and the methadone weighs three hundred sixty milligrams  
19 or more[.]; OR

20     8. ONE OR MORE PREPARATIONS, COMPOUNDS, MIXTURES OR SUBSTANCES  
21 CONTAINING HEROIN AND AN OPIATE, DEFINED IN SUBDIVISION (B) OF SCHEDULE  
22 I OF SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW, AND THE  
23 PREPARATIONS, COMPOUNDS, MIXTURES OR SUBSTANCES ARE OF AN AGGREGATE  
24 WEIGHT OF ONE-QUARTER OUNCE OR MORE.

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

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1 S 4. Subdivision 2 of section 220.43 of the penal law, as amended by  
2 chapter 75 of the laws of 1995, is amended and a new subdivision 3 is  
3 added to read as follows:

4 2. methadone and the methadone weighs two thousand eight hundred  
5 eighty milligrams or more[.]; OR

6 3. ONE OR MORE PREPARATIONS, COMPOUNDS, MIXTURES OR SUBSTANCES  
7 CONTAINING HEROIN AND AN OPIATE, DEFINED IN SUBDIVISION (B) OF SCHEDULE  
8 I OF SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW, AND THE  
9 PREPARATIONS, COMPOUNDS, MIXTURES OR SUBSTANCES ARE OF AN AGGREGATE  
10 WEIGHT OF ONE OUNCE OR MORE.

11 S 5. This act shall take effect on the ninetieth day after it shall  
12 have become a law.