

# STATE OF NEW YORK

10826

## IN ASSEMBLY

May 21, 2018

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the definitions of concentrated cannabis and marihuana

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 4 of section 3302 of the  
2 public health law, as added by chapter 878 of the laws of 1972 and as  
3 renumbered by chapter 537 of the laws of 1998, is amended to read as  
4 follows:

5 (a) the separated resin, whether crude or purified, obtained from a  
6 plant of the genus Cannabis with a delta-9 tetrahydrocannabinol concen-  
7 tration greater than 0.3 percent on a dry weight basis; or

8 § 2. Subdivision 21 of section 3302 of the public health law, as added  
9 by chapter 878 of the laws of 1972 and as renumbered by chapter 537 of  
10 the laws of 1998, is amended to read as follows:

11 21. "Marihuana" means all parts of the plant of the genus Cannabis,  
12 whether growing or not, with a delta-9 tetrahydrocannabinol concen-  
13 tration greater than 0.3 percent on a dry weight basis; the seeds there-  
14 of; the resin extracted from any part of the plant; and every compound,  
15 manufacture, salt, derivative, mixture, or preparation of the plant, its  
16 seeds or resin. It does not include: (a) the mature stalks of the plant,  
17 fiber produced from the stalks, oil or cake made from the seeds of the  
18 plant, any other compound, manufacture, salt, derivative, mixture, or  
19 preparation of the mature stalks (except the resin extracted therefrom),  
20 fiber, oil, or cake, or the sterilized seed of the plant which is inca-  
21 pable of germination; or (b) industrial hemp as defined in section five  
22 hundred five of the agriculture and markets law.

23 § 3. This act shall take effect immediately.

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

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