

# STATE OF NEW YORK

10826--A

## IN ASSEMBLY

May 21, 2018

Introduced by M. of A. LUPARDO, GOTTFRIED -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, except when derived from industrial hemp  
7 pursuant to article twenty-nine of the agriculture and markets law; 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; the seeds thereof; the resin extracted from any  
13 part of the plant; and every compound, manufacture, salt, derivative,  
14 mixture, or preparation of the plant, its seeds or resin. It does not  
15 include: (a) the mature stalks of the plant, fiber produced from the  
16 stalks, oil or cake made from the seeds of the plant, any other  
17 compound, manufacture, salt, derivative, mixture, or preparation of the  
18 mature stalks (except the resin extracted therefrom), fiber, oil, or  
19 cake, or the sterilized seed of the plant which is incapable of germina-  
20 tion; or (b) industrial hemp pursuant to article twenty-nine of the  
21 agriculture and markets law.

22 § 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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