STATE OF NEW YORK

5280

2017-2018 Regular Sessions

IN ASSEMBLY

February 7, 2017

Introduced by M. of A. NORRIS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to exempting tension pneumothorax decompression needles from criminal possession of a hypodermic instrument

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

Section 1. Section 220.45 of the penal law, as amended by section 3 of part I of chapter 57 of the laws of 2015, is amended to read as follows:

§ 220.45 Criminally possessing a hypodermic instrument.

A person is guilty of criminally possessing a hypodermic instrument when he or she knowingly and unlawfully possesses or sells a hypodermic syringe or hypodermic needle. It shall not be a violation of this section when a person obtains and possesses a hypodermic syringe or hypodermic needle pursuant to section thirty-three hundred eighty-one of the public health law, which includes the state's syringe exchange and pharmacy and medical provider-based expanded syringe access programs**, or when a paramedic, emergency-medical technician or other person trained in tactical first aid is in possession of a tension pneumothorax decompression needle in the course of their official duties**.

Criminally possessing a hypodermic instrument is a class A misdemeanor.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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