

# STATE OF NEW YORK

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5280

2017-2018 Regular Sessions

## IN ASSEMBLY

February 7, 2017

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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:

1 Section 1. Section 220.45 of the penal law, as amended by section 3 of  
2 part I of chapter 57 of the laws of 2015, is amended to read as follows:  
3 § 220.45 Criminally possessing a hypodermic instrument.

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

14 Criminally possessing a hypodermic instrument is a class A misdemea-  
15 nor.

16 § 2. This act shall take effect on the first of November next succeed-  
17 ing 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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