

# STATE OF NEW YORK

9654

## IN ASSEMBLY

January 30, 2018

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

AN ACT to amend the penal law, in relation to criminal sale and possession of substances containing heroin

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

1 Section 1. Subdivision 13 of section 220.16 of the penal law, as  
2 amended by chapter 75 of the laws of 1995, is amended and a new subdivi-  
3 sion 14 is added to read as follows:

4 13. phencyclidine and said phencyclidine weighs one thousand two  
5 hundred fifty milligrams or more~~[-]~~; or

6 14. one or more preparations, compounds, mixtures or substances  
7 containing heroin and said preparations, compounds, mixtures or  
8 substances are of an aggregate weight of 1.5 grams or more, or such  
9 preparations, compounds, mixtures or substances are packaged in fifty or  
10 more containers, packets or "decks".

11 § 2. Subdivision 7 of section 220.18 of the penal law, as amended by  
12 chapter 75 of the laws of 1995, is amended and a new subdivision 8 is  
13 added to read as follows:

14 7. methadone and said methadone weighs two thousand eight hundred  
15 eighty milligrams or more~~[-]~~; or

16 8. one or more preparations, compounds, mixtures or substances  
17 containing heroin and said preparations, compounds, mixtures or  
18 substances are of an aggregate weight of twelve grams or more, or such  
19 preparations, compounds, mixtures or substances are packaged in four  
20 hundred or more containers, packets or "decks".

21 § 3. Subdivision 2 of section 220.21 of the penal law, as amended by  
22 chapter 75 of the laws of 1995, is amended and a new subdivision 3 is  
23 added to read as follows:

24 2. methadone and said methadone weighs five thousand seven hundred  
25 sixty milligrams or more~~[-]~~; or

26 3. one or more preparations, compounds, mixtures or substances  
27 containing heroin and said preparations, compounds, mixtures or  
28 substances are of an aggregate weight of twenty-four grams or more, or

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

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1 such preparations, compounds, mixtures or substances are packaged in  
2 eight hundred or more containers, packets or "decks".

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

6 7. methadone and the methadone weighs three hundred sixty milligrams  
7 or more[+]; or

8 8. one or more preparations, compounds, mixtures or substances  
9 containing heroin and the preparations, compounds, mixtures or  
10 substances are of an aggregate weight of 1.5 grams or more, or such  
11 preparations, compounds, mixtures or substances are packaged in fifty or  
12 more containers, packets or "decks".

13 § 5. Subdivision 2 of section 220.43 of the penal law, as amended by  
14 chapter 75 of the laws of 1995, is amended and a new subdivision 3 is  
15 added to read as follows:

16 2. methadone and the methadone weighs two thousand eight hundred  
17 eighty milligrams or more[+]; or

18 3. one or more preparations, compounds, mixtures or substances  
19 containing heroin and the preparations, compounds, mixtures or  
20 substances are of an aggregate weight of six grams or more, or such  
21 preparations, mixtures or substances are packaged in two hundred or more  
22 containers, packets or "decks".

23 § 6. This act shall take effect on the first of November next succeed-  
24 ing the date upon which it shall have become a law.