STATE OF NEW YORK

8275--B

IN SENATE

April 26, 2018

Introduced by Sen. JACOBS -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to authorizing the reclassification of controlled substances by regulation

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

Section 1. Subdivision 5 of section 3307 of the public health law is renumbered subdivision 6 and a new subdivision 5 is added to read as follows:

5. The commissioner may by regulation or emergency regulation, reclassify any compound, mixture or preparation containing any substance listed in Schedule I of section three thousand three hundred six of this title as a Schedule II, III, IV or V substance, or exempt it from this article, if that same compound, mixture or preparation is redesignated or rescheduled other than under Schedule I under the federal Controlled Substances Act, or deleted as a controlled substance under the federal Controlled Substances Act. If the commissioner acts under this subdivision and does not exempt the compound, mixture or preparation from this article, he or she may only reclassify it to a newly created subdivision in the same numbered schedule or a higher numbered schedule than to which it is redesignated or rescheduled under the federal act.

§ 2. 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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