

# 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:

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

4 5. The commissioner may by regulation or emergency regulation, reclas-  
5 sify any compound, mixture or preparation containing any substance list-  
6 ed in Schedule I of section three thousand three hundred six of this  
7 title as a Schedule II, III, IV or V substance, or exempt it from this  
8 article, if that same compound, mixture or preparation is redesignated  
9 or rescheduled other than under Schedule I under the federal Controlled  
10 Substances Act, or deleted as a controlled substance under the federal  
11 Controlled Substances Act. If the commissioner acts under this subdivi-  
12 sion and does not exempt the compound, mixture or preparation from this  
13 article, he or she may only reclassify it to a newly created subdivision  
14 in the same numbered schedule or a higher numbered schedule than to  
15 which it is redesignated or rescheduled under the federal act.

16 § 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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