STATE OF NEW YORK

933--B

2017-2018 Regular Sessions

IN SENATE

January 5, 2017

Introduced by Sens. CROCI, AKSHAR, AMEDORE, BROOKS, GALLIVAN, HELMING, KAMINSKY, MARCHIONE, MURPHY, O'MARA, PHILLIPS, RANZENHOFER, SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to designating certain substances as schedule I opiates; and to amend the penal law, in relation to the sale of preparations, compounds mixtures and substances containing heroin and an opiate

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

Section 1. Subdivision (b) of schedule I of section 3306 of the public health law is amended by adding two new paragraphs 58 and 59 to read as follows:

(58) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide (Butyryl Fentanyl).

(59) N-{1-{2-hydroxy-2-(thiophen-2-yl)ethyl}piperidin-4-yl}- N-phenylpropionamide (Beta-Hydroxythiofentanyl).

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

7. methadone and the methadone weighs three hundred sixty milligrams or more[~~.~~]**; or**

8. one or more preparations, compounds, mixtures or substances containing heroin and an opiate, defined in subdivision (b) of schedule

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

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I of section thirty-three hundred six of the public health law, and the preparations, compounds, mixtures or substances are of an aggregate weight of one-quarter ounce or more.

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

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

3. one or more preparations, compounds, mixtures or substances containing heroin and an opiate, defined in subdivision (b) of schedule I of section thirty-three hundred six of the public health law, and the preparations, compounds, mixtures or substances are of an aggregate weight of one ounce or more.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law.