# STATE OF NEW YORK

6140

2019-2020 Regular Sessions

# IN SENATE

May 17, 2019

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to adding substances to the schedules of controlled substances

**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 a new paragraph 58 to read as follows:

**(58) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers, esters and ethers. For the purposes of this paragraph, fentanyl-related substance means any substance for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), that is structurally related to fentanyl by one or more of the following modifications:**

**(A) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;**

**(B) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;**

**(C) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;**

**(D) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocyle; and/or**

**(E) Replacement of the N-propionyl group by another acyl group.**

§ 2. This act shall take effect on the ninetieth day after 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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