

# STATE OF NEW YORK

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612

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

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

AN ACT to amend the penal law, in relation to decriminalizing the  
possession of buprenorphine

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

- 1 Section 1. Subdivisions 5 and 8 of section 220.00 of the penal law,  
2 subdivision 5 as amended by chapter 537 of the laws of 1998 and subdivi-  
3 sion 8 as amended by section 18 of part C of chapter 447 of the laws of  
4 2012, are amended to read as follows:  
5 5. "Controlled substance" means any substance listed in schedule I,  
6 II, III, IV or V of section thirty-three hundred six of the public  
7 health law other than buprenorphine and marihuana, but including concen-  
8 trated cannabis as defined in paragraph (a) of subdivision four of  
9 section thirty-three hundred two of such law.  
10 8. "Narcotic preparation" means any controlled substance listed in  
11 schedule II(b-1), III(d) or III(e) other than buprenorphine.  
12 § 2. This act shall take effect on the first of November next succeed-  
13 ing the date on which 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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