STATE OF NEW YORK

6465

2021-2022 Regular Sessions

IN ASSEMBLY

March 17, 2021

Introduced by M. of A. BARCLAY, MORINELLO, REILLY, MANKTELOW, J. M. GIGLIO, GALLAHAN, SALKA, LAWLER, LEMONDES, DeSTEFANO -- Multi-Sponsored by -- M. of A. BROWN -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the penal law, in relation to synthetic cannabinoids

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

Section 1. Section 3302 of the public health law is amended by adding two new subdivisions 44 and 45 to read as follows:

44. "Synthetic cannabinoid" means any chemical compound that is chemically synthesized and:

(a) has been demonstrated to have a binding activity at one or more cannabinoid receptors; or

(b) is a chemical isomer, salt or salt of an isomer of a compound that has been demonstrated to have binding activity at one or more cannabinoid receptors.

"Synthetic cannabinoid" does not include any products that have been approved for medical use by the United States Food and Drug Administration.

45. "Synthetic cannabinoid analog" means any chemical that is substantially similar in chemical structure to a chemical compound that has been determined to have binding activity at one or more cannabinoid receptors. It does not include any products that have been approved for medical use by the United States Food and Drug Administration.

§ 2. Subdivision 5 of section 220.00 of the penal law, as amended by chapter 537 of the laws of 1998, is amended to read as follows:

5. "Controlled substance" means any substance listed in schedule I, II, III, IV or V of section thirty-three hundred six of the public health law other than marihuana, but including concentrated cannabis**, synthetic cannabinoid, and synthetic cannabinoid analog** as defined in [~~paragraph (a) of subdivision four of~~] section thirty-three hundred two of such law.

§ 3. 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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