

STATE OF NEW YORK

4028

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. RODRIGUEZ, GOTTFRIED -- Multi-Sponsored by -- M.
of A. LUPARDO, SIMON -- read once and referred to the Committee on
Codes

AN ACT to amend the penal law, in relation to standardize penalties
associated with marihuana possession

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

1 Section 1. The opening paragraph of section 221.05 of the penal law,
2 as amended by chapter 131 of the laws of 2019, is amended to read as
3 follows:
4 A person is guilty of unlawful possession of marihuana in the second
5 degree when he or she knowingly and unlawfully possesses marihuana.
6 § 2. Section 221.10 of the penal law, as amended by chapter 131 of the
7 laws of 2019, is amended to read as follows:
8 § 221.10 Unlawful possession of marihuana in the first degree.
9 A person is guilty of unlawful possession of marihuana in the first
10 degree when he or she knowingly and unlawfully possesses one or more
11 preparations, compounds, mixtures or substances containing marihuana and
12 the preparations, compounds, mixtures or substances are of an aggregate
13 weight of more than one ounce.
14 Unlawful possession of marihuana in the first degree is a violation
15 punishable only by a fine of not more than two hundred dollars.
16 § 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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