# STATE OF NEW YORK

612

2021-2022 Regular Sessions

# IN ASSEMBLY

**(Prefiled)**

January 6, 2021

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 Assembly, do enact as follows:**

Section 1. Subdivisions 5 and 8 of section 220.00 of the penal law, subdivision 5 as amended by chapter 537 of the laws of 1998 and subdivision 8 as amended by section 18 of part C of chapter 447 of the laws of 2012, are 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 **buprenorphine and** marihuana, but including concentrated cannabis as defined in paragraph (a) of subdivision four of section thirty-three hundred two of such law.

8. "Narcotic preparation" means any controlled substance listed in schedule II(b-1), III(d) or III(e) **other than buprenorphine**.

§ 2. This act shall take effect on the first of November next succeeding 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.

LBD00318-01-1