STATE OF NEW YORK

4013--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. L. ROSENTHAL, DINOWITZ, STECK, SIMON, REYES, GONZALEZ-ROJAS, MAMDANI, BURDICK, FORREST, HEVESI, CRUZ, CLARK, GALLAGHER, TAYLOR, WEPRIN, WALKER -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 92 of the laws of 2021 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**.

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.

LBD06669-02-3