STATE OF NEW YORK

6506--A

2023-2024 Regular Sessions

IN ASSEMBLY

April 12, 2023

Introduced by M. of A. TAPIA, ZACCARO, ALVAREZ, LAVINE, RAJKUMAR, DE LOS SANTOS, SIMONE, REYES, SOLAGES, DICKENS, RIVERA, RAMOS, ARDILA, BUTTENSCHON, FORREST, SHIMSKY, LUCAS, CUNNINGHAM, CRUZ, SIMON, SAYEGH, EPSTEIN, BICHOTTE HERMELYN, BORES -- read once and referred to the Committee on Consumer Affairs and Protection -- reported 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 general business law, in relation to prohibiting the sale of xylazine

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

Section 1. The general business law is amended by adding a new section 392-k to read as follows:

§ 392-k. Sale of xylazine. 1. For purposes of this section, the term "xylazine" shall mean a pharmaceutical drug used for sedation, anesthesia, muscle relaxation, and analgesia in animals such as horses, cattle, and other non-human mammals.

2. No person, corporation, partnership, limited liability company, firm, online platform, or any other business entity doing business within this state shall sell, offer for sale, or deliver xylazine to individuals without proof of its intended use for institutional, veterinary, or scientific purposes.

3. No person, corporation, partnership, limited liability company, firm, online platform, or other business entity doing business within this state shall sell, offer for sale, or deliver xylazine to individuals under the age of twenty-one.

4. Any person, corporation, partnership, limited liability company, firm, online platform or other business entity doing business within this state which sells, offers for sale, or distributes xylazine, shall require and retain sales records, proof of age, and proof of use from all purchasers.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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5. Any person, corporation, partnership, limited liability company, firm, online platform, or other business entity doing business within this state that violates the provisions of this section by selling, offering for sale, or delivery of xylazine shall be subject to a civil penalty of not more than five hundred dollars per violation, recoverable in an action by the attorney general of the state of New York.

§ 2. This act shall take effect immediately.