

STATE OF NEW YORK

8395

2023-2024 Regular Sessions

IN ASSEMBLY

December 13, 2023

Introduced by M. of A. STERN, THIELE, LAVINE, JEAN-PIERRE, SIMON, K. BROWN, E. BROWN, DeSTEFANO, GANDOLFO, BLUMENCRANZ, CHANG, DURSO, FLOOD, McDONOUGH, BLANKENBUSH, GRAY, SLATER, BENDETT -- Multi-Sponsored by -- M. of A. SHIMSKY -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to adding xylazine to the depressants designated as controlled substances

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

1 Section 1. Subdivision 1 of section 3305 of the public health law is
2 amended by adding a new paragraph (e) to read as follows:

3 (e) to any individual who possesses, sells, administers, prescribes,
4 or distributes any substance containing xylazine expressly intended for
5 administration through injections to cattle or other nonhuman species
6 and that are approved by the federal food and drug administration solely
7 for such use.

8 § 2. Subdivision (e) of schedule I of section 3306 of the public
9 health law is amended by adding a new paragraph 7 to read as follows:

10 (7) Xylazine (N- (3, 6-dimethylphenyl) - 5, 6-dihydro-4H-1,3 thiazin-
11 2-a-mine). This subdivision shall not include any substance containing
12 xylazine expressly intended for administration through injections to
13 cattle or other nonhuman species and that are approved by the federal
14 food and drug administration solely for such use. Any individual who
15 knowingly and willfully administers to himself or another person,
16 prescribes, dispenses or distributes such substances when any such
17 substance is intended for human consumption or for any purpose other
18 than injection to cattle or nonhuman species shall be subject to the
19 same penalties as any individual or practitioner who violates the
20 provisions of this section, section 3304 of this title, or any other
21 penalties prescribed by law.

22 § 3. This act shall take effect on the thirtieth day after it shall
23 have become a law.

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

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