

STATE OF NEW YORK

5185

2023-2024 Regular Sessions

IN SENATE

February 27, 2023

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of high purity sodium nitrite

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

1 Section 1. The general business law is amended by adding a new section
2 392-k to read as follows:

3 § 392-k. Sale of sodium nitrite. 1. For purposes of this section, the
4 term "sodium nitrite" shall mean a substance containing a concentration
5 that is greater than 6.25% pure sodium nitrite.

6 2. No person, corporation, partnership, limited liability company,
7 firm, online platform, or any other business entity doing business with-
8 in this state shall sell, offer for sale, or deliver sodium nitrite to
9 individuals without proof of its intended use for institutional or
10 scientific purposes.

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

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

20 5. Any individual harmed by a violation of this section shall have a
21 private right of action for compensatory and actual damages, punitive
22 damages, attorneys' fees and costs.

23 § 2. 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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