STATE OF NEW YORK

821

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the tax law, in relation to availability of certain reports detailing sales of opioids in this state

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

Section 1. Subdivision (g) of section 498 of the tax law, as amended by a chapter of the laws of 2022 amending the tax law relating to requiring the department of health to publish certain reports on department's website detailing sales of opioids sold in the state, as proposed in legislative bills numbers S. 7378-A and A. 8339-A, is amended to read as follows:

(g) Each registrant shall provide a report to the department of health detailing all opioids sold by such registrant in the state of New York. Such report shall include:

(i) the registrant's name, address, phone number, federal Drug Enforcement Agency (DEA) registration number, education department registration number, and controlled substance license number issued by the department of health, if applicable;

(ii) the name, address and DEA registration number of the entity to whom the opioid was sold;

(iii) the date of the sale of the opioid;

(iv) the gross receipt total, in dollars, for each opioid sold;

(v) the name and National Drug Code of the opioid sold;

(vi) the number of containers and the strength and metric quantity of controlled substance in each container of the opioid sold;

(vii) the total number of morphine milligram equivalents sold; and

(viii) any other elements as deemed necessary by the commissioner of health.

Such information shall be reported [~~and published~~] annually in such form as defined by the commissioner of health and shall not be subject

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

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to the provisions of section four hundred ninety-nine of this article[~~,~~ ~~with~~] **. With** the exception of **the information collected under** paragraph (ii) of this subdivision[~~. The~~]**, the department of health shall make the** information collected in such [~~report shall be made~~] **reports** available to the public in machine-readable formats and [~~such report shall be made~~] **make it** publicly available on the department of health's website **annually**.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the tax law relating to requiring the department of health to publish certain reports on department's website detailing sales of opioids sold in the state, as proposed in legislative bills numbers S. 7378-A and A. 8339-A, takes effect.