STATE OF NEW YORK

6176

2023-2024 Regular Sessions

IN SENATE

April 3, 2023

Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Use Disorders

AN ACT to amend the general business law, in relation to including masking products within the definition of drug-related paraphernalia

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

Section 1. Paragraph (a) of subdivision 2 of section 850 of the general business law, as amended by chapter 433 of the laws of 2021, and subparagraph (vii) as separately amended by chapters 92 and 433 of the laws of 2021, is amended to read as follows:

(a) "Drug-related paraphernalia" consists of the following objects used for the following purposes:

(i) Kits, used or designed for the purpose of planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(ii) Kits, used or designed for the purpose of manufacturing, compounding, converting, producing, or preparing controlled substances;

(iii) Isomerization devices, used or designed for the purpose of increasing the potency of any species of plant which is a controlled substance;

(iv) Scales and balances, used or designed for the purpose of weighing or measuring controlled substances;

(v) Diluents and adulterants, including but not limited to quinine hydrochloride, mannitol, mannite, dextrose and lactose, used or designed for the purpose of cutting controlled substances;

(vi) [~~and~~

~~(vii)~~] Objects, used or designed for the purpose of ingesting, inhaling, or otherwise introducing cocaine into the human body**; and**

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

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(vii) Masking products, including but not limited to synthetic urine, human urine, a substance used or designed to be added to human urine or a substance used or designed to be added to a chemical test, used for the purpose of defrauding a chemical test which is used to determine the alcoholic and/or drug content of the blood.

§ 2. This act shall take effect immediately.