

# STATE OF NEW YORK

7604

2023-2024 Regular Sessions

## IN SENATE

July 19, 2023

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

AN ACT prohibiting the public use of cannabis, unless approved by the applicable local government

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

1 Section 1. Legislative intent. The legislature finds that cannabis has  
2 been legalized for personal use in New York state. Smoking cannabis in  
3 public places can be disruptive and harmful to non-smokers. Fines for  
4 smoking tobacco in public places have been effective in reducing public  
5 smoking rates and fines for smoking cannabis in public places can help  
6 enforce public health and safety regulations while reducing the burden  
7 on law enforcement agencies.

8 § 2. Notwithstanding any other provision of law to the contrary, smok-  
9 ing or using cannabis in any public place, including but not limited to  
10 streets, sidewalks, parks, and outdoor patios of restaurants and bars,  
11 shall be prohibited, unless designated for cannabis use by the local  
12 government.

13 § 3. Any person found to be in violation of the provisions of section  
14 two of this act shall be subject to a fine of one hundred twenty-five  
15 dollars, to be paid to the local government where the violation  
16 occurred, within thirty days of receiving such violation.

17 § 4. The cannabis control board, in conjunction with local govern-  
18 ments, shall establish regulations and guidelines for the implementation  
19 and enforcement of this act, including but not limited to the definition  
20 of a public place and the designation of areas for cannabis use.

21 § 5. This act shall take effect immediately.

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

LBD11419-01-3