

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:

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

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

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

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

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

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

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

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

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

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

24 Such information shall be reported [~~and published~~] annually in such
25 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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1 to the provisions of section four hundred ninety-nine of this article[~~7~~
2 ~~with~~] . With the exception of the information collected under paragraph
3 (ii) of this subdivision[~~7. The~~], the department of health shall make
4 the information collected in such [~~report shall be made~~] reports avail-
5 able to the public in machine-readable formats and [~~such report shall be~~
6 ~~made~~] make it publicly available on the department of health's website
7 annually.

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