STATE OF NEW YORK

2096

2025-2026 Regular Sessions

IN SENATE

January 15, 2025

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

AN ACT to amend the penal law, in relation to the criminal possession of fentanyl

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

Section 1. The penal law is amended by adding a new section 220.79 to read as follows:

§ 220.79 Criminal possession of fentanyl.

A person is guilty of criminal possession of fentanyl when such person knowingly and unlawfully possesses, manufactures, distributes, or uses fentanyl, or any fentanyl analogs, to enhance another illegal substance.

Criminal possession of fentanyl is a class E felony.

§ 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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