STATE OF NEW YORK

4639

2025-2026 Regular Sessions

IN SENATE

February 10, 2025

Introduced by Sen. FERNANDEZ -- 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 mental hygiene law, in relation to funds received pursuant to a New York opioid settlement sharing agreement

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

Section 1. Paragraph 10 of subdivision (c) of section 25.18 of the mental hygiene law, as amended by chapter 171 of the laws of 2022, is amended to read as follows:

10. On or before November first of each year, beginning one year after the initial deposit of monies in the opioid settlement fund, the relevant commissioners[~~,~~] shall provide a written report to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate alcoholism and substance [~~abuse~~] **use disorders** committee, chair of the assembly alcoholism and drug abuse committee, and the opioid settlement advisory board. Such report shall be presented as a consolidated dashboard and be made publicly available on the respective offices' websites. The report shall, to the extent practicable after making all diligent efforts to obtain such information, include the following: (i) the baseline funding for any entity that receives funding from the opioid settlement fund **or other funds received pursuant to a New York opioid settlement sharing agreement**, prior to the receipt of such [~~opioid settlement~~] funds; (ii) how funds deposited in the opioid settlement fund **and other funds received pursuant to a New York opioid settlement sharing agreement** had been utilized in the preceding calendar year, including but not limited to: (A) the amount of money disbursed [~~from the fund~~] and the award process used for such disbursement, if applicable; (B) the names of the recipients, the amounts awarded to such recipient and details about the purpose such

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

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funds were awarded for, including what specific services and programs the funds were used on and what populations such services or programs served; (C) the main criteria utilized to determine the award, including how the program or service assists to reduce the effects of substance use disorders; (D) an analysis of the effectiveness of the services and/or programs that received opioid settlement funding **or other funds received pursuant to a New York opioid settlement sharing agreement** in their efforts to reduce the effects of the overdose and substance use disorder epidemic. Such analysis shall utilize evidence-based uniform metrics when reviewing the effects the service and/or program had on prevention, harm reduction, treatment, and recovery advancements; (E) any relevant information provided by the New York subdivisions pursuant to this section; and (F) any other information the commissioner deems necessary to help inform future appropriations and funding decisions, and ensure such funding is not being used to supplant local, state, or federal funding.

§ 2. Subdivision (d) of section 25.18 of the mental hygiene law, as amended by chapter 171 of the laws of 2022, is amended to read as follows:

(d) Limitation on authority of government entities to bring lawsuits. No government entity shall have the authority to assert released claims against entities released by the department of law in a statewide opioid settlement agreement executed by the department of law and the released party on or after June first, two thousand twenty-one. Any action filed by a government entity after June thirtieth, two thousand nineteen asserting released claims against a manufacturer, distributor, [~~or~~] dispenser**, consultant, or related party thereof,** of opioid products shall be extinguished by operation of law upon being released pursuant to such statewide opioid settlement agreement.

§ 3. This act shall take effect immediately.