

STATE OF NEW YORK

6757

2025-2026 Regular Sessions

IN SENATE

March 24, 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 statewide opioid settlement agreements

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

1 Section 1. Paragraph 8 of subdivision (a) of section 25.18 of the
2 mental hygiene law, as amended by chapter 171 of the laws of 2022, is
3 amended to read as follows:

4 8. "Statewide opioid settlement agreements" means agreements of state-
5 wide applicability entered into on or after June first, two thousand
6 twenty-one by the office of the attorney general, including but not
7 limited to consent judgments, consent decrees filed or unfiled, and
8 related agreements or documents between the state and [~~certain opioid~~
9 ~~manufacturers, distributors, dispensers, consultants, chain pharmacies,~~
10 ~~related entities, and/or the New York subdivisions, to provide remunera-~~
11 ~~tion~~] any party, the purpose of which is to resolve claims for conduct
12 related to the manufacture, promotion, dispensing, sale, overutilization
13 and/or distribution of opioid products which are consistent with subdivi-
14 sion sixteen of section sixty-three of the executive law. Copies of
15 such agreements, including any amendments thereto, shall be kept on file
16 by the attorney general, who shall make such available for inspection
17 and copying pursuant to the provisions of article six of the public
18 officers law.

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

22 (d) Limitation on authority of government entities to bring lawsuits.
23 No government entity shall have the authority to assert released claims
24 against entities released by the department of law in a statewide opioid

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

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1 settlement agreement executed by the department of law and the released
2 party on or after June first, two thousand twenty-one. Any action filed
3 by a government entity after June thirtieth, two thousand nineteen
4 asserting released claims against a [~~manufacturer, distributor, or~~
5 ~~dispenser of opioid products~~] released party in a statewide opioid
6 settlement agreement, shall be extinguished by operation of law upon
7 being released pursuant to such statewide opioid settlement agreement.
8 § 3. This act shall take effect immediately.