STATE OF NEW YORK

7141--A

2025-2026 Regular Sessions

IN SENATE

April 1, 2025

Introduced by Sen. CHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to fentanyl

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

Section 1. Short title. This act shall be known and may be cited as "Sasha's Law".

§ 2. Subdivision 5 of section 125.25 of the penal law, as amended by chapter 23 of the laws of 2024, is amended and a new subdivision 6 is added to read as follows:

5. Being eighteen years old or more, while in the course of committing rape in the first, second or third degree, a crime formerly defined in section 130.50, 130.45 or 130.40 of this title, the crime of sexual abuse in the first degree, aggravated sexual abuse in the first, second, third or fourth degree, or incest in the first, second or third degree, against a person less than fourteen years old, [~~he or she~~] they intentionally [~~causes~~] cause the death of such person[~~.~~]; or

6. Knowingly, the defendant distributes fentanyl or any substance containing fentanyl and causes the death of another person.

§ 3. The penal law is amended by adding a new section 120.12-a to read as follows:

§ 120.12-a Aggravated criminal sale of a controlled substance resulting in serious physical injury.

1. A person is guilty of aggravated criminal sale of a controlled substance resulting in serious physical injury when such person knowingly manufactures, sells, or distributes fentanyl or any substance containing fentanyl, and as a result of such manufacture, sale or distribution, causes the serious physical injury of another person.

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

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2. For the purposes of this section, the term "sale" shall not include the casual, non-commercial sharing of a controlled substance among individuals who have a pre-existing social relationship.

Aggravated criminal sale of a controlled substance resulting in serious physical injury is a class B felony.

§ 4. This act shall take effect immediately.