STATE OF NEW YORK

1248--C

Cal. No. 44

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. TAPIA, ZACCARO, ALVAREZ, LAVINE, DE LOS SANTOS, SIMONE, FORREST, SHIMSKY, LUCAS, CUNNINGHAM, CRUZ, SIMON, SAYEGH, BICHOTTE HERMELYN, BORES, K. BROWN, CHANG, GIGLIO, PIROZZOLO, DeSTEFANO, PHEFFER AMATO, WEPRIN, SANTABARBARA, WALSH, REYES -- read once and referred to the Committee on Consumer Affairs and Protection -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- ordered to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the special order of third reading -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the general business law, in relation to prohibiting the sale, offer for sale, or delivery of xylazine

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

Section 1. The general business law is amended by adding a new section 392-k to read as follows:

§ 392-k. Sale of xylazine. 1. For purposes of this section, the term "xylazine" shall mean a pharmaceutical drug used for sedation, anesthesia, muscle relaxation, and analgesia in animals such as horses, cattle, and other non-human mammals.

2. The provisions of this section shall apply only to the sale, offer for sale, delivery, or distribution of xylazine.

3. No corporation, partnership, limited liability company, firm, online platform, or any other business entity doing business within this state shall knowingly sell, offer for sale, or deliver xylazine to individuals without proof of its intended use for institutional, veterinary, or scientific purposes, including but not limited to obtaining a copy of

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

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such individual's active license to practice veterinary medicine under article one hundred thirty-five of the education law, or an affidavit that such individual is otherwise not prohibited under this section from purchasing xylazine.

4. No corporation, partnership, limited liability company, firm, online platform, or other business entity doing business within this state shall knowingly sell, offer for sale, or deliver xylazine to individuals under the age of twenty-one, demonstrated via government issued identification by the individual, veterinary representative, or purchasing agent.

5. Any corporation, partnership, limited liability company, firm, online platform, or other business entity doing business within this state which knowingly sells, offers for sale, or distributes xylazine, shall require and retain, for a minimum of five years, sales records, proof of age, and proof of use from all purchasers.

6. Any corporation, partnership, limited liability company, firm, online platform, or other business entity doing business within this state that violates the provisions of this section by knowingly selling, offering for sale, or delivering xylazine shall be subject to a civil penalty of not more than three thousand dollars for a first violation, and sixty-five hundred dollars for each subsequent violation, recoverable in an action by the attorney general of the state of New York. All funds collected or received by the state from civil penalties imposed under this section shall be deposited in the New York state drug treatment and public education fund established pursuant to section ninety-nine-jj of the state finance law.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.