

STATE OF NEW YORK

7720

2025-2026 Regular Sessions

IN ASSEMBLY

April 8, 2025

Introduced by M. of A. VANEL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to making the possession of certain amounts of a controlled substance a violation

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

1 Section 1. Section 220.03 of the penal law, as amended by section 4 of
2 part I of chapter 57 of the laws of 2015, the opening paragraph as
3 amended by chapter 433 of the laws of 2021, is amended to read as
4 follows:

5 § 220.03 [~~Criminal~~] Unlawful possession of a controlled substance [~~in~~
6 ~~the seventh degree~~].

7 A person is guilty of [~~criminal~~] unlawful possession of a controlled
8 substance [~~in the seventh degree~~] when [~~he or she~~] such person knowingly
9 and unlawfully possesses a controlled substance; provided, however, that
10 it shall not be a violation of this section when a person possesses a
11 residual amount of a controlled substance and that residual amount is in
12 or on a hypodermic syringe or hypodermic needle; nor shall it be a
13 violation of this section when a person's unlawful possession of a
14 controlled substance is discovered as a result of seeking immediate
15 health care as defined in paragraph (b) of subdivision three of section
16 220.78 of this article, for either another person or [~~him or herself~~]
17 for such principal person because such person is experiencing a drug or
18 alcohol overdose or other life threatening medical emergency as defined
19 in paragraph (a) of subdivision three of section 220.78 of this article.

20 [~~Criminal~~] Unlawful possession of a controlled substance [~~in the~~
21 ~~seventh degree~~] is a [~~class A misdemeanor~~] violation.

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

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

LBD11425-01-5