

# STATE OF NEW YORK

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221

2025-2026 Regular Sessions

## IN SENATE

(Prefiled)

January 8, 2025

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Introduced by Sens. PALUMBO, MATTERA -- read twice and ordered printed,  
and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to criminal possession and  
sale of stimulants weighing fifteen grams or more

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

1 Section 1. Section 220.21 of the penal law, as amended by chapter 75  
2 of the laws of 1995, the opening paragraph and subdivision 1 as amended  
3 by chapter 738 of the laws of 2004, is amended to read as follows:

4 § 220.21 Criminal possession of a controlled substance in the first  
5 degree.

6 A person is guilty of criminal possession of a controlled substance in  
7 the first degree when [~~he or she~~] such person knowingly and unlawfully  
8 possesses:

9 1. one or more preparations, compounds, mixtures or substances  
10 containing a narcotic drug and said preparations, compounds, mixtures or  
11 substances are of an aggregate weight of eight ounces or more; or

12 2. methadone and said methadone weighs five thousand seven hundred  
13 sixty milligrams or more[~~-~~]; or

14 3. a stimulant and said stimulant weighs fifteen grams or more.

15 Criminal possession of a controlled substance in the first degree is a  
16 class A-I felony.

17 § 2. Section 220.43 of the penal law, as amended by chapter 785 of the  
18 laws of 1975, subdivisions 1 and 2 as amended by chapter 75 of the laws  
19 of 1995, is amended to read as follows:

20 § 220.43 Criminal sale of a controlled substance in the first degree.

21 A person is guilty of criminal sale of a controlled substance in the  
22 first degree when [~~he~~] such person knowingly and unlawfully sells:

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

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- 1 1. one or more preparations, compounds, mixtures or substances
- 2 containing a narcotic drug and the preparations, compounds, mixtures or
- 3 substances are of an aggregate weight of two ounces or more; or
- 4 2. methadone and the methadone weighs two thousand eight hundred
- 5 eighty milligrams or more~~[-]~~; or
- 6 3. a stimulant and the stimulant weighs fifteen grams or more.
- 7 Criminal sale of a controlled substance in the first degree is a class
- 8 A-I felony.
- 9 § 3. This act shall take effect immediately.