

**S 3322-B** GRIFFO Same as [A 4769-C](#) Braunstein (MS)

ON FILE: 06/14/11 Public Health Law

TITLE....Establishes additional substances as Schedule I stimulant controlled substances

02/16/11 REFERRED TO HEALTH

06/02/11 1ST REPORT CAL.967

06/06/11 2ND REPORT CAL.

06/07/11 ADVANCED TO THIRD READING

06/13/11 AMENDED ON THIRD READING (T) 3322A

06/14/11 AMENDED ON THIRD READING (T) 3322B

06/17/11 SUBSTITUTED BY A4769C

**A04769 Braunstein (MS) AMEND=C**

02/07/11 referred to health

02/15/11 amend (t) and recommit to health

02/15/11 print number 4769a

05/24/11 reported referred to codes

06/01/11 amend and recommit to codes

06/01/11 print number 4769b

06/14/11 reported referred to rules

06/14/11 amend (t) and recommit to rules

06/14/11 print number 4769c

06/15/11 reported

06/15/11 rules report cal.270

06/15/11 ordered to third reading rules cal.270

06/17/11 passed assembly

06/17/11 delivered to senate

06/17/11 REFERRED TO RULES

06/17/11 SUBSTITUTED FOR S3322B

06/17/11 3RD READING CAL.967

06/17/11 PASSED SENATE

06/17/11 RETURNED TO ASSEMBLY

**A4769-C** Braunstein (MS) Same as [S 3322-B](#) GRIFFO

Public Health Law

TITLE....Establishes certain additional substances as Schedule I stimulants controlled substances

**Currently on Assembly Committee Agenda**

Codes (LENTOL)

OFF THE FLOOR, Tuesday, June 14, 2011

**Currently on Assembly Committee Agenda**

Rules (SILVER)

OFF THE FLOOR, Wednesday, June 15, 2011

**ROOM 342 CAP**

02/07/11 referred to health

02/15/11 amend (t) and recommit to health

02/15/11 print number 4769a

05/24/11 reported referred to codes

06/01/11 amend and recommit to codes

06/01/11 print number 4769b

06/14/11 reported referred to rules

06/14/11 amend (t) and recommit to rules

06/14/11 print number 4769c

06/15/11 reported

06/15/11 rules report cal.270

06/15/11 ordered to third reading rules cal.270

06/17/11 passed assembly

06/17/11 delivered to senate

06/17/11 REFERRED TO RULES

06/17/11 SUBSTITUTED FOR S3322B

06/17/11 3RD READING CAL.967

06/17/11 PASSED SENATE

06/17/11 RETURNED TO ASSEMBLY

---

## SUMMARY:

GRIFFO, FUSCHILLO, JOHNSON, LIBOUS, MARTINS, MAZIARZ, YOUNG

Amd S3306, Pub Health L

Establishes certain additional substances as Schedule I stimulant controlled substances.

---

## BILL TEXT:

# STATE OF NEW YORK

---

3322--B

Cal. No. 967

2011-2012 Regular Sessions

# IN SENATE

February 16, 2011

Introduced by Sens. GRIFFO, FUSCHILLO, JOHNSON, LIBOUS, MARTINS, MAZIARZ, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to establishing certain additional substances as Schedule I stimulants controlled substances

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

1 Section 1. Subdivision (f) of schedule I of section 3306 of the  
2 public health law is amended by adding two new paragraphs 9 and 10 to  
3 read as follows:  
4 (9) 4-Methylmethcathinone, also known as Mephedrone.  
5 (10) Methylenedioxypyrovalerone, also known as MDPV.  
6 § 2. This act shall take effect on the thirtieth day after it shall  
7 have become a law.

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

LBD08960-04-1

---

## SPONSORS MEMO:

### NEW YORK STATE SENATE INTRODUCER'S MEMORANDUM IN SUPPORT submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S3322B

SPONSOR: GRIFFO

#### TITLE OF BILL:

An act to amend the public health law, in relation to establishing certain additional substances as Schedule I stimulants controlled substances

#### PURPOSE:

To prohibit the sale or distribution of any product containing 4-Methylmethcathinone, also known as Mephedrone and Methylenedioxypyrovalerone, also known as MDPV.

#### SUMMARY OF PROVISIONS:

Section One- Subdivision (F) of Schedule I of section 3306 of the public

health law is amended by adding two new paragraphs 9,10.

Section Two- Sets forth the effective date.

**JUSTIFICATION:**

Many recent news reports have brought to light the use of products claiming to be bath salts as a drug. Some of the names that the pseudo bath salts have been sold under are Cloud Nine, Scarface, White Dove, Charge +, White Lightning, Ivory Wave, Hurricane Charlie, Red Dove, and Ocean. These products can be purchased legally through the mail or on the Internet. The product is marketed as bath salts or plant food. However, through the Internet, consumers of this product are able to find out how to use this product as a drug.

This drug is snorted by users who then experience a high. However, it is being reported that users of this product are having disturbing side effects that are lasting days after ingesting the drug. Some of the side effects include extreme paranoia, hallucinations, delusions, agitations, hypertension, chest pains, headaches and suicidal thoughts.

This bill will not outlaw true bath salts that are on the market. When comparing ingredients of real bath salts (Boots Botanies Invigorating Bath Salts, Burt's Bees Therapeutic Bath Crystals, etc) to the pseudo bath salts there is no mention of the aforementioned chemicals. In the fake bath salts at least one of the chemicals is mentioned in the ingredients.

Products containing these chemicals, as well as others, have already been banned in the United Kingdom as well as Australia and Canada. Florida, North Carolina and Louisiana have already banned these substances and there is pending legislation in numerous other states.

**LEGISLATIVE HISTORY:**

This is a new bill.

**FISCAL IMPLICATIONS:**

None.

**EFFECTIVE DATE:**

This act shall take effect on the thirtieth (30) day after it shall have become law.