



NEW YORK STATE SENATOR

Velmanette Montgomery

# **Senator Montgomery Announces Passage of New York's Compassionate Care Act**

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ISSUE:

- [Health](#)

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Senator Montgomery announced passage of legislation to establish a medical marijuana program in New York State. The legislation includes provisions to ensure medical marijuana is reserved only for patients with serious conditions and is dispensed and administered by the appropriate state agencies to ensure that the program cannot be abused.

Senator Montgomery is a co-sponsor of the legislation, which was passed by both the Senate and Assembly on June 20, 2014.

The bill passed by the State Legislature and supported by Governor Cuomo will:

- Establish a certification and registry process for physicians to administer medical marijuana;
- Put in place a process for patients to obtain, and manufacturers to dispense, medical marijuana;
- Specify that the serious conditions for which medical marijuana can be prescribed are cancer, HIV/AIDS, ALS (Lou Gehrig's Disease), Parkinson's Disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication on intractable spasticity, epilepsy, inflammatory bowel disease, neuropathies and Huntington's Disease;
- Establish a Class-E felony for a practitioner that certifies an individual as eligible to facilitate the possession of medical marijuana if he or she knows or reasonably should know the person who is asking for it has no need for the medication;
- Establish a misdemeanor offense for recipients of medical marijuana that sell or trade the medication; and
- Create a 7% excise tax on every sale of medical marijuana by a registered organization to a certified patient or designated

Having passed both the Senate and Assembly, the legislation will be delivered to the Governor for enactment into law.

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