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|  | **The Council of the City of New York**  **Finance Division**  **Latonia McKinney, Director**  **Fiscal Impact Statement**  **Proposed Intro. No.: 885-A**  **Committee: Consumer Affairs** |
| **Title:** A local law to amend the administrative code of the city of New York, in relation to the revocation, suspension, or refusal to renew a cigarette dealer license due to the sale of synthetic drugs or imitation synthetic drugs | **Sponsor(s):** The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Cohen, Arroyo, Barron, Chin, Johnson, Koo, Mendez, Richards, Rose, Wills, and Crowley |

**Summary of Legislation:** The proposed legislation would mandate the suspension of a cigarette dealer license for any licensed cigarette dealer who violates the provisions of the proposed synthetic drug prohibition. It would create a mandatory revocation for a second or subsequent violation of such proposed prohibition if such violation occurred in the same place of business within a 3 year period unless 1) the license holder acquired the business or premises through an arm’s length transaction; and 2) such transaction was not conducted for the purpose of avoiding the effect of violations on the premises. Further, this bill would allow the Department of Consumer Affairs commissioner to take such violations into account as they consider whether to grant future cigarette dealer licenses to such violator.

**Effective Date:** This local law would take effect 60 days after it becomes law.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2017

**Fiscal Impact Statement:**

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|  | **Effective FY16** | **FY Succeeding Effective FY17** | **Full Fiscal Impact FY17** |
| **Revenues** | $0 | $0 | $0 |
| **Expenditures** | $0 | $0 | $0 |
| **Net** | $0 | $0 | $0 |

**Impact on Revenues:** It is anticipated that there will be no impact on revenues resulting from the enactment of this legislation.

**Impact on Expenditures:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DCA would use existing resources to implement and enforce this local law.

**Source of Funds To Cover Estimated Costs:** Not applicable.

**Source of Information:** New York City Council Finance Division

**Estimate Prepared by:** Aliya Ali, Senior Legislative Financial Analyst

**Estimate Reviewed by:** Emre Edev, Assistant Director

Tanisha Edwards, Chief Counsel

**Legislative History:** This legislation was introduced to the full Council on September 17, 2015 as Intro. No. 885 and was referred to the Committees on Consumer Affairs. A hearing was held by the Committee on Consumer Affairs, the Committee on Public Safety, the Committee on Health, and the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services on September 21, 2015 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 885-A, will be considered by the Committee on Consumer Affairs on September 25, 2015. Upon successful vote by the Committee, Proposed Intro. No. 885-A will be submitted to the full Council for a vote on September 30, 2015.

**Date Prepared:** September 22, 2015