



Legislation Text

File #: Res 1009-2016, **Version:** *

Res. No. 1009

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.8409-A/S.6039-A and A.8441/S.6040, in relation to criminalizing the sale of synthetic cannabinoids and strengthening penalties against retailers of such drugs.

By Council Members Cohen, Cabrera and Rose

Whereas, Synthetic cannabinoids-often known as synthetic marijuana, K2, or Spice-refers to a range of herbal mixtures sprayed with chemicals in order to produce mind-altering effects; and

Whereas, According to the American Association of Poison Control Centers (“AAPCC”), health effects from synthetic cannabinoids can include severe agitation, seizures, intense hallucinations, psychotic episodes, and can be life-threatening; and

Whereas, Since 2010, AAPCC has tracked the number of calls made to poison centers due to adverse reactions to these drugs; and

Whereas, AAPCC’s data show that in 2015, 7,779 such calls were made across the country, increasing dramatically from 2,668 in 2013 and 3,680 from 2014; and

Whereas, In New York City, the Department of Health and Mental Hygiene issued a warning in April of 2015 detailing the potential dangers of synthetic cannabinoids, citing that in a one-week period in early April, there had been more than 120 emergency room visits related to these drugs in New York City; and

Whereas, Responding to the drugs’ increased use and adverse health effects, in 2012 the New York State Department of Health (“DOH”) expanded the list of banned drugs and chemicals in the State Sanitary Code to include dozens more substances often used in making synthetic drugs; and

Whereas, In 2015, DOH banned two additional classes of compounds, covering potentially hundreds of

chemicals; and

Whereas, However, many believed law enforcement agencies still lacked effective tools to enforce these regulations; and

Whereas, To address this problem, New York State Assembly Member Mark Gjonaj and New York State Senator Jeffrey D. Klein introduced A.8409-A/S.6039-A, which amends New York State’s penal law to criminalize the sale of “synthetic cannabinoids”; and

Whereas, A.8409-A/S.6039-A provides five degrees of criminal sale depending on the weight of the drug sold, from class “B” misdemeanor to class “C” felony; and

Whereas, In addition, Assembly Member Mark Gjonaj and Senator Klein introduced A.8441/S.6040, legislation to increase penalties against retailers convicted of selling synthetic cannabinoids; and

Whereas, A.8441/S.6040 would impose a \$2,000 fine for the first violation, a \$5,000 fine for the second, and the loss of a store’s license to sell cigarettes, alcohol, or lottery tickets for the third; and

Whereas, A.8409-A/S.6039-A and A.8411/S.6040 are necessary tools to combat the use of synthetic cannabinoids and the corresponding negative impact on communities; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.8409-A/S.6039-A and S.6040/A.8441, in relation to criminalizing the sale of synthetic cannabinoids and strengthening penalties against retailers of such drugs.

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