



Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for businesses selling synthetic drugs and the landlords of such businesses

Sponsors: Andy L. King

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Attachments: 1. Summary of Int. No. 1505, 2. Int. No. 1505, 3. Hearing Transcript - Stated Meeting 4-9-19, 4. Minutes of the Stated Meeting - April 9, 2019, 5. April 9, 2019 - Stated Meeting Agenda with Links to Files

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|-----------------------------|--------|
| 4/9/2019 | * | City Council | Introduced by Council | |
| 4/9/2019 | * | City Council | Referred to Comm by Council | |

Int. No. 1505

By Council Member King

A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for businesses selling synthetic drugs and the landlords of such businesses

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 10-203 of the administrative code of the city of New York, as added by local law number 97 for the year 2015, is amended to read as follows:

d. In addition to the penalties prescribed in subdivision c of this section, any person, [or] entity, or owner of a building with any retail tenant that violates subdivision a of this section shall be liable for a civil penalty of not less than \$1,000 and not more than \$10,000 recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings, provided that upon the first such violation, and any other such violations by the same person or entity on the same day as such first violation, such person or entity shall be

liable for a civil penalty of not less than \$500 and not more than \$5,000 if such violation is not in conjunction with the commission of any crime other than possession, manufacture, distribution or sale of any synthetic cannabinoid, synthetic phenethylamine, or other substance described in subdivision a of this section. The manufacture, distribution, sale, offer for sale, display for sale, or possession with intent to sell of each packet, individual container or other separate unit of substance described in subdivision a of this section shall constitute a separate violation under this subdivision, with a maximum civil liability of [~~\$50,000~~] \$100,000 for violations in a day for a single person or entity under this subdivision.

§2. Subdivision f of section 10-203 of the administrative code of the city of New York, as added by local law number 97 for the year 2015, is amended to read as follows:

f. Whenever a police officer, or sheriff, undersheriff, or deputy sheriff of the city of New York, or any peace officer acting pursuant to his or her special duties, discovers any substance described in subdivision a being possessed in a manner that violates such subdivision, such officer is authorized and empowered to seize and take possession of such substance, which shall be destroyed or used either for law enforcement purposes or for evidentiary purposes in connection with any enforcement proceeding conducted pursuant to this section[.], and if the entity is a retail business that is duly licensed to sell alcohol under the provisions of the alcohol and beverage control law such officer shall notify the local community board of such violation.

§3. This local law takes effect 90 days after it becomes law.

D.A.
LS 7657 and 7892
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