

WITHDRAWN AS OF 4/6/2016

Intro. Res. No. 1230-2016
Introduced by Legislator Spencer

Laid on Table 3/1/2016

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW
NO. -2016, A LOCAL LAW TO BAN THE MANUFACTURE
OF SYNTHETIC CANNABINOIDS AND SYNTHETIC COCAINE
IN SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2016, a proposed local law entitled, "**A LOCAL LAW TO BAN THE MANUFACTURE OF SYNTHETIC CANNABINOIDS AND SYNTHETIC COCAINE IN SUFFOLK COUNTY**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2016, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO BAN THE MANUFACTURE OF SYNTHETIC
CANNABINOIDS AND SYNTHETIC COCAINE IN SUFFOLK
COUNTY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk consistently seeks to protect its residents from the proliferation of dangerous drugs.

This Legislature also finds and determines that Local Law No. 26-2010 and Local Law No. 20-2012 banned the sale of synthetic cannabinoids in Suffolk County.

This Legislature finds that Local Law No. 23-2011 banned the sale of synthetic cocaine, commonly referred to as "bath salts", in Suffolk County.

This Legislature determines that since the County enacted these laws, other states and municipalities have banned the sale and manufacture of synthetic cannabinoids and synthetic cocaine.

This Legislature also finds that Suffolk County should strengthen the protection it offers residents from dangerous synthetic drugs by banning their manufacture within the County's boundaries.

Therefore, the purpose of this local law is to amend Chapter 423 of the SUFFOLK COUNTY CODE to ban the manufacture of synthetic cannabinoids and synthetic cocaine in Suffolk County.

Section 2. Amendments.

Chapter 423 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 423.
DRUGS AND DRUG PRODUCTS**

* * * *

**ARTICLE V.
SALE OF SYNTHETIC CANNABINOIDS**

* * * *

§ 423-28. Prohibitions.

No person shall sell, [or] offer for sale, or manufacture within the County of Suffolk any synthetic cannabinoid or any products containing one or more synthetic cannabinoids.

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**ARTICLE VI.
SALE OF SYNTHETIC COCAINE**

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§ 423.34. Prohibitions.

No person shall sell, [or] offer for sale, or manufacture the chemicals 3,4-methylenedioxymethcathinone ("methylone"), 3,4-methylenedioxyprovalerone ("MDPV"), 4-methylmethcathinone ("mephedrone"), 3-methoxymethcathinone, 3-fluoromethcathinone, or 4-fluoromethcathinone or any products containing said chemicals within the County of Suffolk.

* * * *

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: