



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Announces Passage Of Legislation To Make Synthetic Marijuana And Bath Salts Illegal

JOHN J. FLANAGAN April 30, 2012

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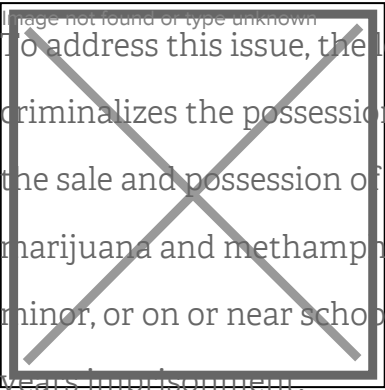


In an ongoing effort to protect New Yorkers from the danger posed by “legal” drugs, Senator John Flanagan (2nd Senate District) announced that legislation he sponsored to criminalize the sale and possession of synthetic marijuana and “bath salts” has passed the New York State Senate.

Synthetic marijuana or “fake pot” are herbs sprayed with chemicals called “synthetic cannabinoids.” These products -- including Spice, K2, Cloud 9 and Black 9 -- have dangerous side effects, including rapid heart rate, tremors, loss of consciousness and hallucinations.

“Bath salts”, or “substituted cathinones,” are chemically related to methamphetamines and ecstasy that also cause harmful physical and psychological reactions.

While Governor Andrew Cuomo signed a law to ban the sale of “bath salts” last year, and just last month the New York State Department of Health banned the sale and distribution of synthetic marijuana through an Order for Summary Action, possession of these substances -- which may be purchased outside the state or via the Internet -- continues to be legal.

To address this issue, the legislation introduced by Senator Flanagan goes a step further and criminalizes the possession of these products. Under the provisions of this bill, penalties for the sale and possession of synthetic marijuana and bath salts would be similar to those of marijuana and methamphetamines, respectively. Therefore, sale of these substances to a minor, or on or near school grounds, would constitute a class B felony punishable by up to 25 years imprisonment.

“These ‘legal’ drugs clearly have the potential to do harm to our residents, and serve as gateways to further and more devastating drug use. While we applaud Governor Cuomo’s ban, we need to take additional action to get these substances completely out of our communities and out of the reach of our young people. Drug abuse is a pervasive problem impacting a growing number of families across our state. We owe it to our children and their parents to make sure that we get this legislation enacted this year,” stated Senator Flanagan.

In addition to outlawing the sale and possession of synthetic marijuana and bath salts, this legislation would establish a Statewide Synthetic Cannabinoid and Substituted Cathinone Surrender Program. For 90 days following the effective date of the law, the program would allow individuals to voluntarily turn over any products containing synthetic cannabinoids

and substituted cathinones at locations throughout the State.

A state database would also be created and available on the New York State Department of Health's website to provide retailers, law enforcement and the general public with a listing of trade names, physical descriptions, brand names and images of the various products known to be either synthetic marijuana or "bath salts".

"Fake pot has real health consequences, as do bath salts and other products that are aggressively being marketed to young people on Long Island and around the State. Several journal articles published in the last three months have detailed a wide range of psychiatric symptoms experienced by users including paranoia, hallucinations, delusions and extreme anxiety. Several other journal articles have detailed cases of convulsions, heart attacks and kidney failure in adolescents who, because these substances are legal, often mistakenly believe they are safe. We thank Senator Flanagan for leading the charge to protect our State's young people, and we continue to urge the Assembly and our Governor to follow suit," added Dr. Jeffrey Reynolds, Executive Director of the Long Island Council on Alcoholism & Drug Dependence.

The legislation is sponsored in the Assembly by Assemblyman Michael Cusick (63rd Assembly District).