



## 2018 New York State YMCA

### Youth And Government

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Committee Assignment: Senate 4

Bill #: S-25

1 **Sponsors:** Justin Iorio, Joseph Mazzaella, Makayla Willets

2 **An Act To** Add section 4 to the New York State Penal 125.15

3 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

4 **Purpose**

5 To punish opioid dealers for causing overdose deaths by selling opioids to users  
6 with a class C felony of manslaughter in the second degree. By implementing  
7 additional legislation to combat drug dealers, the amount of opioids in the hands of  
8 the public will decrease. Ultimately, opioid related death rate will be driven down in  
9 the State of New York.

10 **Summary of Provisions**

11 Section 1: Definitions

12 Opiate: relating to, resembling, or containing opium

13 Controlled Substance: an illegal drug that can have a detrimental effect on a  
14 person's health and welfare

15 Class C felony: For a class C felony, the term shall be fixed by the court, and shall  
16 not exceed fifteen years

17 Manslaughter: the unlawful killing of another person without premeditation or lack  
18 of prior intention to kill anyone or create a deadly situation.

19 Section 2:

20 § 125.15 Manslaughter in the second degree.

21 A person is guilty of manslaughter in the second degree when:

22 1. He recklessly causes the death of another person; or

23 2. He commits upon a female an abortifacient act which causes her death,  
24 unless such abortifacient act is justifiable pursuant to subdivision three  
25 of section 125.05; or

26 3. He intentionally causes or aids another person to commit suicide.

27 4. By the sale of an opiate controlled substance when such opiate controlled  
28 substance causes the death of the person to which the opiate was sold.

29 **Justification**

30 In New York State, approximately 2,750 lives in one year were taken due to  
31 overdosing on opioids. Opioid use across New York State is an epidemic that must  
32 be dealt with. Citizens obtain opioids by illegal sale, the passage of this bill will hold  
33 opiate drug dealers responsible for the overdose deaths of individuals. By convicting  
34 dealers of the class C felony of manslaughter, the amount of opioids in the hands of  
35 the public will decrease because there will be less opiate dealers. This will  
36 ultimately drive down the opioid related death rate in the State of New York.

37 **Fiscal Implications** There will be no additional fiscal implications on New York  
38 State with the passage of this bill.

39 **Effective Date** This bill will go into effect six months after passage.