

PROPOSED LOCAL LAW -2021

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO
CREATE A SPECIAL REVENUE FUND TO ASSIST NASSAU COUNTY TO COMBAT
THE OPIOID EPIDEMIC

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Chapter XXII-A of the Administrative Code of Nassau County is amended to
add a new Title A:

TITLE A

RESOURCES TO COMBAT OPIOID ADDICTION

§ 22A-17.0. Legislative Intent. This Legislature finds and determines that opioid misuse and overdoses are at epidemic levels in New York State, extracting a devastating toll on those suffering from addiction, their families and loved ones. In 2020, fatal drug overdoses increased 34 percent in Nassau County, claiming the lives of 287 people, with another sixty suspected overdose deaths yet to be confirmed. For many, opioid addiction begins with the misuse of prescription drugs. In 2017, Nassau County commenced an action against manufacturers, distributors, and pharmacies that were involved in the marketing, selling, and/or distributing of prescription opioids in Nassau County (collectively “defendants”) for their role in the creation of this deadly opioid epidemic. It is the intent of this law to ensure that the funds received from settlements or verdicts against the defendants of these cases should be dedicated towards providing the financial resources necessary to combat this deadly threat and to provide interventions, education, health care, support and assistance to both addicts and their families.

§ 22A-17.1. Definitions.

A. “Opioid Litigation” shall mean any affirmative action brought by Nassau County against a manufacturer, distributor, or pharmacy that has sold or distributed opioids in Nassau County and alleging that such manufacturer, distributor, or pharmacy’s conduct constitutes or has constituted a public nuisance.

§22A-17.2. Allocation, deposit, and authorized disposition of moneys collected by Nassau County pursuant to the settlement or verdict of an Opioid Litigation.

A special revenue fund is hereby established to which all funds collected by the County for the settlement or verdict of an Opioid Litigation shall be deposited.

The use of this special revenue fund will be to fund programs and provide resources in excess of budgeted funds to assist Nassau County's efforts to provide interventions, recovery services, education, support and assistance to those that suffer from an opioid addiction and to their families.

§2. 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..

§3. SEQRA Determination

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Effective Date This local law shall take effect immediately after enactment.

