

Cannabis

As the cannabis industry develops across New York State, our attorneys stand ready to provide comprehensive and timely legal counsel to clients in this rapidly growing business sector. We understand the difficulties in navigating the everchanging regulations of this emerging area of law and will successfully guide you through them.



Our attorneys represent some of the nation's leading cannabis companies, including start-ups, large multi-state retail operators, processors, producers and retail businesses, on a wide range of legal issues.

We recognize that each line of business presents a different set of challenges. We have assembled a multi-disciplinary team of attorneys with corporate, intellectual property, real estate, labor and employment, environmental and healthcare experience who can meet the needs of our cannabis clients.

Governor Andrew M. Cuomo recently signed the Marijuana Regulation and Taxation Act ("MRTA") legalizing adult-use cannabis, fulfilling a key component of his 2021 State of the State agenda. The bill establishes the Office of Cannabis Management to implement a comprehensive regulatory framework that covers medical, adult-use and cannabinoid hemp. The bill also expands New York State's existing medical marijuana and cannabinoid hemp programs. The legislation provides licensing for marijuana producers, distributors, retailers, and other actors in the cannabis market, and creates a social and economic equity program to assist individuals disproportionately impacted by cannabis enforcement that want to participate in the industry. We have attorneys keeping track of developments with the MRTA, which will impact every component of the cannabis industry throughout the state.

Representative Matters

- Represented a client in an application for a hemp processing facility with a focus on potential environmental regulations relating to the production process.
- Currently representing a leading national distributor on matters involving commercial leases and construction disputes over dispensary and growth facility building projects.
- Represented a variety of entities in a financing/breach of contract suit centered around a startup business in the cannabis industry in New York.
- Represented a cannabis start up in providing recommendations for structuring for purposes of long-term estate planning to protect the growth of the business from estate tax.
- Counseled a large pharmacy chain on the legality of hemp-based CBDs following the enactment and implementation of the 2018 Farm Bill, including the State's stance on the retail sale of hemp-based dietary supplements, the interplay between federal and state policy, and takeaways from New York's

hemp pilot program.

- Representation of municipalities tracking the State cannabis legislation (CRTA) to understand their ability to regulate the cannabis industry components through land use laws and establish strategies based upon their communities.

Please remember that under federal law, the possession, use, distribution or sale of non-hemp cannabis and cannabis-based products is illegal despite certain state laws that decriminalize such activity. While federal enforcement policy may defer to a state's laws and not enforce conflicting federal laws, the fact remains that compliance with state law in no way assures compliance with federal law, and there is a risk that conflicting federal laws may be enforced in the future. No legal advice we give is intended to provide any guidance or assistance in violating federal law.