

Cannabis Law Alert: Developments from the Cannabis Control Board's First Public Meeting

On Tuesday, October 5, members of the New York State Cannabis Control Board (the “Board”) met publicly for the first time to discuss advancing the cannabis industry in New York State.

The five member Board is led by Tremaine Wright, Board Chair, a former member of the New York State Assembly and currently Director of the DFS Statewide Office of Financial Inclusion and Empowerment. Other members include Jessica Garcia, Assistant to the President of the Retail, Wholesale Department Store Union, UFCW; Reuben McDaniel, III, President and CEO of The Dormitory Authority of the State of New York; Adam W. Perry, an attorney with Hodgson Russ LLP; and Jen Metzger, former New York State Senator. The Board is charged with implementing New York’s Marijuana Regulation & Taxation Act (“MRTA”), which passed nearly six months ago. The Board members acknowledged that although certain deadlines have passed and the rollout of the recreational marijuana program has been slower than expected, the Board is committed to drafting licensing regulations and issuing them for public comment.

During their first meeting, the Board unanimously voted to confirm Jason Starr as the first Chief Equity Officer of the Office of Cannabis Management and confirmed 21 other hires for senior agency positions. These appointments are vital to the Board’s ability to draft regulations in a timely manner.

Board Chair Wright also announced a series of changes to the medical cannabis program that will become effective immediately. They include permitting the sale of whole flower cannabis for vaporization; allowing any medical provider who can prescribe controlled substances to certify patients; increasing the dispensing of medical cannabis to a 60-day supply; and permanently waiving the \$50 fee for patient and caregiver registration.

The October 5 meeting can be viewed – and associated resolutions can be found – [here](#). The next Board meeting is scheduled for Thursday, October 21, 2021 and will be held virtually.

Meanwhile, municipalities across New York State are in the process of determining whether they will opt out of allowing retail sales and/or on-site consumption within their districts. The MRTA contains a December 31, 2021 deadline by which municipalities may pass a local law prohibiting retail licenses. Any such law is subject to permissive referendum.

Hancock Estabrook attorneys are closely monitoring the ever-changing developments in this emerging industry and are available to assist should you have questions.