



Office of Cannabis Management

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No. 2021-06
October 21, 2021

A RESOLUTION TO PERMIT THE OFFICE OF CANNABIS MANAGEMENT TO FILE THE PROPOSED REGULATIONS FOR THE HOME CULTIVATION OF MEDICAL CANNABIS.

WHEREAS, the Cannabis Control Board (Board), is a five-member Board created pursuant to Article 2 of the Cannabis Law, charged with the responsibility of overseeing activities related to planting, cultivation, possession, manufacture, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis for a certified patient, or the administration, cultivation, manufacture, delivery, harvest, possession, preparation, transfer, or transport of cannabis or cannabis plants by a designated caregiver,

WHEREAS, pursuant to Section 10 and Section 13 of Article 2 of the Cannabis Law, the Board has the authority to establish standards and promulgate regulations to govern medical cannabis conduct in addition to other cannabis related activities,

WHEREAS, the Board pursuant to Section 41 and Section 43 of Article 3 of the Cannabis Law, intends on exercising its express rulemaking authority to create a regulatory framework for the home cultivation of medical cannabis for certified patient use, in accordance with Section 222.15 of the Penal Law, which, if adopted, shall be enforced by the Office of Cannabis Management (hereinafter “Office”), now, therefore, be it,

RESOLVED, that the Board approves, by majority vote through the adoption of this resolution, to permit the Office to initiate the process for filing proposed regulations with the New York State Department of State, in accordance with the State Administrative Procedure Rules Act for the home cultivation of medical cannabis.

[Attachment Enclosed]