



The following terms and conditions of the adult-use conditional cultivator license are binding on an Applicant for an adult-use conditional cultivator license and a person, partnership, or entity that receives an adult-use conditional cultivator license (Applicant). In addition, all Applicants are bound by current and future state laws, rules, regulations, and guidance.

Compliance

An Applicant is subject to the same authorizations and restrictions applied to any adult-use cultivator pursuant to section sixty-eight of the Cannabis Law. The Applicant must also comply with all current and future state laws, rules, regulations, and guidance.

An adult-use conditional cultivator license is valid for no more than two years, expiring at the latest on June 30, 2024. In order to continue cultivating cannabis upon the expiration of the adult-use conditional cultivator license, the Applicant must apply for an adult-use cultivator license and meet the requirements of that license within a specified time frame as determined by the Office.

Ownership

At least 51% of the ownership and control of the operations of the Applicant must be held by a previously authorized NYS Department of Agriculture and Markets industrial hemp grower.

Any proposed change in ownership or organizational structure of the Applicant after the issuance of an adult-use conditional cultivator license must be submitted to the Cannabis Control Board (Board) for review and must receive the prior written approval of the Board before becoming effective.

No Applicant or owner of an Applicant may have a direct or indirect financial or controlling interest in more than one license under the Cannabis Law, except as otherwise authorized.

No Applicant or owner of an Applicant may transfer all or a majority of its interest in an adult-use conditional cultivator license unless approved by the Board. An adult-use conditional cultivator license shall not be leased, assigned, subcontracted, or otherwise alienated, encumbered, or availed, in whole or in part.

Mentorship and Environmental Sustainability Programs

The Applicant must participate in a social equity mentorship and a environmental sustainability program as determined by the Office of Cannabis Management (Office). The mentorship program will be directed to train individuals interested in becoming licensed cultivators and shall leverage remote and in-person mentees with experience in agricultural business management, sustainable cannabis cultivation, and best practices.

Labor Peace Agreement

Within six months of licensure, the Applicant must enter into a labor peace agreement with a bona-fide labor organization, and a signed copy of the labor peace agreement must be provided to the Office. Maintenance of such labor peace agreement is an ongoing material condition of licensure. For purposes of this requirement, a “bona fide labor organization” is defined as a labor union:

- (1) that represents employees in this state with regard to wages, hours and working conditions;
- (2) in which officers have been elected by secret ballot or otherwise in a manner consistent with federal law, and;



- (3) that is free of domination or interference by any employer and has received no improper assistance or support from any employer.

Child Support Attestation

Every applicant for an adult-use conditional cultivator license who is an individual or sole proprietor must certify in a written statement under oath, duly sworn and subscribed, that as of the date the application is filed he or she is (or is not) under obligation to pay child support and that if he or she is under such an obligation, that he or she does (or does not) meet one of the following requirements:

- a. he or she is not four months or more in arrears in the payment of child support; or
- b. he or she is making payments by income execution or by court agreed payment or repayment plan or by plan agreed to by the parties; or
- c. the child support obligation is the subject of a pending court proceeding; or
- d. he or she is receiving public assistance or supplemental security income.

Such written statement must be emailed to the Office at licensing@ocm.ny.gov in order for the adult-use conditional cultivator license application to be considered complete. **Persons who are four months or more in arrears in child support or who have failed to comply with a summons, subpoena or warrant relating to a paternity or child support proceeding may be subject to suspension of their license.** The intentional submission of false written statements for the purpose of frustrating or defeating the lawful enforcement of support obligations is punishable pursuant to section 175.35 of the penal law.



By signing below, the Applicant understands and agrees to the following:

“I understand that the statements made in this application will be accepted for all purposes as the equivalent of an Affidavit and that any false statements, including omissions, made herein, in addition to being the possible basis for a revocation of any approval given as a result of this application, may be punishable as a misdemeanor under the provisions of Section 210.45 of the Penal Law of the State of New York.”

Print: _____

Signed: _____

Date: _____