



# Office of Cannabis Management

**KATHYH OCHUL**

Governor

**TREMAINE WRIGHT**

Cannabis Control Board Chair

**JESSICA GARCIA**

Board Member

**REUBENMCDA NIEL, III**

Board Member

**ADAM W.PERRY**

Board Member

**JENMETZ GER**

Board Member

**CHRISALEX ANDER**

Executive Director

No. 2022-49  
November 21, 2022

## RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE FOR ADOPTION CERTAIN EMERGENCY VIOLATIONS, HEARING AND ENFORCEMENT REGULATIONS

**WHEREAS**, pursuant to Section 17 of the Cannabis Law, the Cannabis Control Board (Board) is charged with adopting, amending and repealing administrative rules and regulations governing the procedures to be followed with respect to violations, hearing, and enforcement, issuing subpoenas and administering oaths in connection with any hearing or investigation, making determinations founded upon preponderance of evidence to sustain charged brought at a hearing, and making appropriate determinations and issuing a final order after a hearing;

**WHEREAS**, pursuant to Section 16 of the Cannabis Law, the Board is empowered to provide additional and cumulative remedies, including imposing a penalty of up to \$5,000 for each violation of any term or provision of the Cannabis Law, and is authorized to request that the attorney general bring an action for an injunction against any person who violates, disobeys, or disregards any term or provision of the Cannabis Law;

**WHEREAS**, in accordance with Section 13(5) of the Cannabis Law, the Board wishes to take emergency action by advancing emergency rulemaking to establish emergency violations, hearing, and enforcement regulations in New York State; and

**WHEREAS**, the Office of Cannabis Management (Office) recommends that the Board propose establishing emergency violations, hearing, and enforcement procedures as specified in the attached proposed regulations; now, therefore, be it

**RESOLVED**, the Board directs the Office to file the attached emergency violations, hearing, and enforcement regulations.

[Attachment]