



# Office of Cannabis Management

**KATHY HOCHUL**

Governor

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Cannabis Control Board Chair

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Board Member

**REUBEN MCDANIEL, III**

Board Member

**ADAM W. PERRY**

Board Member

**JENNIFER GILBERT JENKINS**

Board Member

**CHRIS ALEXANDER**

Executive Director

No. 2023-13  
April 3, 2023

## RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE FOR ADOPTION CERTAIN EMERGENCY VIOLATIONS, HEARINGS, 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, hearings, and enforcement, issuing subpoenas and administering oaths in connection with any hearing or investigation, making determinations founded upon a 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 to ensure the Office of Cannabis Management (Office) has the authority to act against licensees violating the Cannabis Law, its rules, regulations or guidance to protect public health and safety;

**WHEREAS**, the Office recommended that the Board propose establishing emergency violations, hearings, and enforcement procedures as specified in the attached proposed regulations; and

**WHEREAS**, the Board directed the Office to file certain emergency violations, hearings, and enforcement regulations on November 22, 2022 which will expire on April 6, 2023; now, therefore, be it

**RESOLVED**, the Board directs the Office to refile the attached emergency violations, hearings, and enforcement regulations prior to the expiration of the existing emergency violations, hearings, and enforcement regulations on April 6, 2023.

[Attachment]