



Office of Cannabis Management

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Board Member

CHRIS ALEXANDER

Executive Director

No. 2023-21
May 30, 2023

RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE FOR ADOPTION CERTAIN AMENDMENTS TO THE 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 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, on November 21, 2022, the Board voted to approve Resolution No. 2022-49, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Violations, Hearings and Enforcement Regulations;

WHEREAS, on April 3, 2023, the Board voted to approve Resolution No. 2023-13, a Resolution Directing the Office of Cannabis Management to Refile for Adoption Certain Emergency Violations, Hearings and Enforcement Regulations;

WHEREAS, pursuant to Part UU of Chapter 56 of the Laws of 2023 (Part UU), which amends the Marihuana Regulation and Taxation Act, and Sections 13, 16, 16-a, 17, 89, 132, and 133 of the Cannabis Law, the Board wishes to propose amendments to the emergency violations, hearings, and enforcement regulations to provide for actions related to unlicensed activities in accordance with Part UU;

WHEREAS, the Office recommended that the Board propose amending the current emergency violations, hearings, and enforcement procedures as specified in the attached proposed amendment; and

WHEREAS, the Board directed the Office to file certain amendments to the emergency violations, hearings, and enforcement regulations on May 30, 2023 which will expire on July 14, 2023; now, therefore, be it

RESOLVED, the Board directs the Office to file the attached amendments to the emergency violations, hearings, and enforcement regulations.

[Attachment]