



Office of Cannabis Management

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Board Member

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Executive Director

No. 2023-43
November 17, 2023

RESOLUTION TO APPROVE CANNABIS LABORATORY PERMIT FEE SETTING

WHEREAS, pursuant to Section 129 of the Cannabis Law, the Cannabis Control Board (Board) is charged with permitting one or more independent cannabis testing laboratories to test medical cannabis, adult-use cannabis and/or cannabinoid hemp or hemp extract;

WHEREAS, pursuant to Sections 10(4) and 13(2) of the Cannabis Law, the Board has the authority to establish standards and requirements, and to promulgate rules and regulations, governing required laboratory testing and sampling of medical cannabis, adult-use cannabis and/or cannabinoid hemp products including but not limited to, prescribing forms and establishing application, reinstatement, and renewal fees;

WHEREAS, pursuant to Section 130.3(a) of Part 130 of Title 9 of the New York Codes, Rules and Regulations, the cannabis laboratory permit applicant shall pay the appropriate cannabis laboratory permit fee based on its gross annual receipts determined by the Board;

WHEREAS, through review and analysis, the Office of Cannabis Management (Office) proposes to establish that such cannabis laboratory permit fee be one (1) percent of the cannabis laboratory permittee’s gross annual receipts, or one thousand (1,000) dollars, whichever is greater;

WHEREAS, the Office recommends that the Board accept the Office recommendation and determine that the proposed cannabis laboratory permit fees be established as aforementioned, in compliance with Section 130.3(a) of Part 130 of Title 9 of the New York Codes, Rules and Regulations; now, therefore, be it

RESOLVED, that the Board approves the proposed cannabis laboratory permit fees in compliance with Section 130.3(a) of Part 130 of Title 9 of the New York Codes, Rules and Regulations.