



# Office of Cannabis Management

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Board Member

**CHRIS ALEXANDER**

Executive Director

No. 2024-67  
April 11, 2024

## RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE FOR EMERGENCY ADOPTION AND REVISED PROPOSED RULEMAKING OF CERTAIN 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 and undertake revised rulemaking to ensure the Office of Cannabis Management (Office) has the authority to act against licensees and unlicensed individuals violating the Cannabis Law, its rules, regulations or guidance to protect public health and safety;

**WHEREAS**, the Office recommends Attachment A, which would create a substantially different regulation for violations, hearings and enforcement to warrant a new filing for emergency adoption and revised rulemaking for the violations, hearings and enforcement regulations; now therefore, be it

**RESOLVED**, the Board directs the Office to file with the New York State Department of State to make effective the attached emergency and proposed violations, hearing and enforcement regulations amendments currently before the Board, as may be amended for changes in accordance with the State Administrative Procedure Act to be effective immediately upon filing.

[Attachment A]