



Office of Cannabis Management

KATHY HOCHUL
Governor

FELICIA A. B. REID
Acting Executive Director

Memo

To: Licensees Whose Locations Conflict with Cannabis Law § 72 (6)

From: Felicia A. B. Reid, Esq., *Acting Executive Director*

Date: August 6, 2025

Re: Update for Licensees Whose Locations Conflict with Cannabis Law § 72 (6)

I want to reassure each of you that Governor Hochul understands the injustice to impacted businesses in how previous OCM leadership set in place a practice that did not comply with Cannabis Law. The Governor is committed to fighting for impacted cannabis businesses so that they can continue living MRTA's economic development mission and remain a vital and vibrant part of their communities.

Over the last week, I have been deeply engaged in hearing directly from dozens of impacted businesses. I understand your questions, concerns, and need for clarity. Responsively, I want to re-elevate information from the notices you received last week that informed you of OCM's proximity correction and provide you with additional resources.

Who is an 'impacted licensee'?: Impacted licensees mean entities with a final license, approved by the Cannabis Control Board (CCB). This includes licensees who have businesses open *and* licensees who are not yet open—and whose businesses are at locations currently in conflict with Cannabis Law § 72 (6).

Impacted licensees **do not** include provisional licensees who do not have a final license, approved by CCB. OCM considers provisional licensees who have locations in conflict with Cannabis Law § 72 (6) part of the 'impacted applicant' group. Impacted applicants will be receiving a separate notice updating them and providing additional resources.

Impacted licensee action right now: OCM is:

- **NOT** directing licensees to close their businesses,
- **NOT** directing licensees to move their business,
- **NOT** directing licensees to stop working toward opening if they are not yet open,
- **NOT** directing licensees to alter their current or planned business operations,
- **NOT** directing licensees to otherwise cease operating.

Finally, OCM is **NOT** recommending to the CCB that licensees whose locations conflict with Cannabis Law § 72 (6) have their licenses revoked or taken away.

Governor Hochul and OCM are pursuing a legislative change to Cannabis Law § 72 (6) to enable impacted licensees and their businesses to remain at their current locations. I have had conversations with dozens of legislators in the last few days and am heartened by their resounding support for legislative redress.

For licensees whose renewals are upcoming: So long as a licensee submits a timely (submitted on or before the date of license expiration) and sufficient (no significant deficiencies in the application) renewal application, they can remain fully operational, in accordance with the [State Administrative Procedure Act](#) (SAPA) § 401 (2), until CCB makes a determination on the renewal. You can find more information about the application of SAPA to licensees' situations at: [ocm-advisory-2025-001.pdf](#).

OCM and the Governor's Office will be looking to the Legislature to address this issue as early as possible during the upcoming legislative session, **before** the CCB makes any determination on a timely submitted and sufficient renewal application. If, while OCM and the Governor's Office pursue legislation, an impacted licensee needs proof of the license validity / a letter of good standing for business operating purposes, they can request one from OCM at: AUlicensing@ocm.ny.gov.

Legislative redress: The Governor's Office and OCM will be proposing and aggressively pursuing legislation to address impacted licensees with the goal of permitting these businesses **to remain** at their present licensed location.

The Applicant Relief Program **does not** apply to impacted licensees, only to impacted applicants. Impacted licensees can open or continue to operate at their current location under their license, until a legislative solution that applies retrospectively. In contrast, impacted applicants will not be able to receive a final license for their current location, so cannot open or operate until a legislative solution that applies retrospectively.

If any impacted licensee has any questions about this or another issue, reach out to OCM at: locations@ocm.ny.gov.

Take good care,



F.