

Summary of Marijuana Regulation and Taxation Act

The following points are noted under the NYS Cannabis Law and will all go into effect for individuals 21 years of age and older 6-18 months from the date of signing (3/31/2021) based on policies created by the Cannabis Control Board:

- Legal possession of up to 3oz cannabis or 24g cannabis concentrate on one's person
- Legal possession in a private residence of 3 mature cannabis plants and 3 immature cannabis plants per individual in residence over the age of 21.
 - Max of 6 mature and 6 immature plants per residence
 - Possession of up to 5lbs of cannabis in a private residence
- No retail locations are to be allowed within 500ft of a school or 200ft of place of worship
- No adult use on-site consumption locations are to be allowed within 500ft of a school
- No advertising may be viewable within 500ft from a school or playground
- No retailer may sell both alcohol and cannabis
- Possession under the age of 21 will be a \$50 fine and once paid the individual will be provided with material on dangers of underage use and information regarding cannabis use disorder

Pg. 87 §222.10 Restrictions to cannabis use.

No person shall:

11 2. smoke, vape or ingest cannabis or concentrated cannabis in or upon
 12 the grounds of a school, as defined in subdivision ten of section eleven
 13 hundred twenty-five of the education law or in or on a school bus, as
 14 defined in section one hundred forty-two of the vehicle and traffic law;
 15 provided, however, ***provisions of this subdivision shall not apply to
 16 acts that are in compliance with article three of the cannabis law.***

Pg. 84 §9-b Section 201-d of the labor law amendment:

33 § 9-b. Section 201-d of the labor law, as amended by chapter 778 of
 34 the laws of 1992, is amended by adding a new subdivision 4-a, to read as
 35 follows:

36 4-a. Notwithstanding the provisions of subdivision three or four of
 37 this section, an employer shall not be in violation of this section
 38 where the employer takes action related to the use of cannabis based on
 39 the following:

40 (i) the employer's actions were required by state or federal statute,
 41 regulation, ordinance, or other state or federal governmental mandate;
 42 (ii) the employee is impaired by the use of cannabis, meaning the
 43 employee manifests specific articulable symptoms while working that
 44 decrease or lessen the employee's performance of the duties or tasks of
 45 the employee's job position, or such specific articulable symptoms

Article 3 refers to Medical Cannabis Use which is protected as certified patients are considered to have a disability and are afforded the same rights and protections as injured workers, including job duty modification. This does not bar employers from enforcing policies prohibiting an employee from working

46 interfere with an employer's obligation to provide a safe and healthy
47 work place, free from recognized hazards, as required by state and
48 federal occupational safety and health law; or

Article 20-C Tax on Adult Use Cannabis

- Notes percentage of revenue to be used to fund prevention efforts by communities and also school districts

Points to note for advocacy via Drug-Free Irondequoit:

- Town zoning laws need to be adopted prior to 12/31/2021
- Packaging, labeling, and administration *prior* to sale at retail need child-*resistant* packaging
- Cannabis Regulation Board can adopt a standard warning label to be utilized
- Regarding materials provided in connection to underage possession, who is identifying and creating these materials? Will they be updated regularly by the state Office of Addiction Supports and Services? Will they be available as *prevention* materials?
- Pg. 118 line 10-14 addresses funding for additional DRE training through State Police

Full text of bill is viewable at:

<https://legislation.nysenate.gov/pdf/bills/2021/S854A>