

Within the past week, legislators from both the New York State Senate and Assembly have set forth amendments to the Cannabis Regulation and Taxation Act (“CRTA”) introduced by Governor Cuomo in January 2019. Both bills attempt to facilitate the legalization of recreational cannabis in New York, but have different ramifications on the criminal justice system and medical marijuana program. Below are the highlights of each bill.

### **BILL A1617-A**

- Introduced by Assemblyman Richard Gottfried (D-75) and Senator Diane Savino (D-23)
- Allows health care providers to determine which patients should have access to medical marijuana, eliminating the requirement that patients have one of 13 enumerated conditions
- Increases the number of medical dispensaries statewide from 35 to 80
- Eliminates \$50 patient-registration fees
- Allows patients to obtain a 60-day (rather than 30-day) supply of medical marijuana
- Eliminates the ban on the sale of smokeable medical marijuana
- Enables health care facilities for the developmentally disabled to become “designated caregiver facilities” allowed to obtain and administer medical marijuana independently
- Establishes a medical marijuana research program
- Expands third-party testing of cannabis products beyond the state’s Wadsworth Laboratory
- Allows registered organizations to contract out ancillary functions (i.e., security, transportation)

### **BILL S1527-B**

- Introduced by Assembly Majority Leader Crystal D. Peoples-Stokes (D-141) and Senator Liz Kreuger (D-28)
- Decreases the amount of marijuana a person can legally possess from 2 lbs. to 3 oz.
- Increases taxes on marijuana flowers from \$.62 to \$1 per flower
- Increases taxes on marijuana leaves from \$.10 per gram to \$.25 per gram
- When prioritizing the issuance of licenses for distribution, gives preference to applicants whose parent, guardian, child, spouse, dependent or dependee has been convicted of a marijuana related offense
- Invests \$1 million for three years to train police officers to identify people driving under the influence of drugs
- Establishes an Office of Cannabis Management to oversee the growth, sale and distribution of hemp, medical and recreational marijuana
- Expunges, rather than seals, records of people with previous lower-level marijuana possession convictions

Both bills are currently pending in Committee, and could be amended before the legislative session ends. The 2019-2020 legislative session ends Wednesday, June 19.

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