



NEW YORK STATE SENATOR

James Sanders Jr.

Senator James Sanders Jr. and the Senate Majority Pass Legislation That Ends Marijuana Prohibition and Legalizes Adult-use Recreational Marijuana

JAMES SANDERS JR. March 30, 2021



Senator James Sanders Jr. and the Senate Democratic Majority passed legislation that will end the prohibition on adult-use marijuana in New York State. The Marijuana Regulation and Taxation Act (MRTA) will establish a new office for the regulation of cannabis and decriminalizes the use of adult-use marijuana.

"I have long said that I was not in favor of legalization marijuana for many reasons. I still

have many reservations. However, my colleagues Senator Krueger and Majority Leader People-Stokes worked tirelessly for years to figure out a way to legalize cannabis that is beneficial to the citizens of New York State and to mitigate potential harms," Senator Sanders said.

He continued: "Every day, this country is moving towards total legalization of cannabis. Rather than continuing to fight a losing battle, we must make sure that we get legalization right. We must ensure that those who have been harmed by it get justice. This legislation has one of the most robust social equity programs of any state that has legalized cannabis to date. I know this, because I have traveled to and spoken with many states regarding their social equity programs."

Positive aspects in the area of social equity:

- There is a goal of fifty percent of licenses being issued to social and economic equity applicants involved in the adult-use program.
- Social equity applicants are from communities impacted by cannabis prohibition, MWBEs, distressed farmers, or service-disabled veterans.
- Extra priority is given to applicants impacted by the war on drugs, who are low-income and who have, or a close relative has, a marijuana-related conviction.
- The cannabis control board shall waive or reduce fees for social and economic equity applicants
- An incubator program will be created to encourage social and economic equity applicants to apply (and if granted a permit/license) and provide counseling services, education, small business coaching, financial planning, and compliance assistance.

- These are just a few of the ways people who have been impacted by cannabis in a negative way will see justice.
- Those who have been convicted of certain marijuana offenses (221.05, 221.10, 221.15, 221.20, 221.35 or 221.40 of the penal law) will have their convictions vacated, dismissed and expunged. The proper authorities will be notified and the appropriate relief will be given.

"I know many of my constituents have concerns," Senator Sanders said. "Those concerns are valid. However, if we can control the legal market, we can make sure that the illicit market only grows smaller."

Restrictions implemented to maintain control of legalization:

- This product will not be legal for anyone under the age of 21,
- Advertising and marketing to children is prohibited
- There are strict rules on how you can market & advertise in general
- Driving while under the influence of marijuana will be penalized.
- Smoking and vaping will be restricted to designated areas.

"The battle is not over my friends," Senator Sanders said. "While this legislation is a good starting point, it is ONLY the beginning. The actual implementation of Cannabis legalization has to have the effect intended by this legislation. We also must go another step and hold our elected officials and enforcing agencies accountable for making sure we do this in the safest and best way possible for the state and our citizens. We have a long way to go before we are where we want to be. But today, we have taken a good first step. I want to thank my colleagues in the Senate and Assembly for pushing through this historic legislation."