STATE OF NEW YORK

4340--A

2021-2022 Regular Sessions

IN SENATE

February 3, 2021

Introduced by Sens. HINCHEY, JACKSON, MYRIE, O'MARA, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to the sale of cannabinoid hemp flower

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 3398 of the public health law is amended by adding a new subdivision 2-a to read as follows:

2-a. "Cannabinoid hemp flower" means the flower of the plant Cannabis sativa L. that has been harvested, dried, and cured, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than three-tenths of a percent on a dry weight basis, prior to any processing. Cannabinoid hemp flower shall not include "medical marihuana" as defined in subdivision eight of section thirty-three hundred sixty of this chapter.

§ 2. Section 3398-c of the public health law is amended by adding a new subdivision 3 to read as follows:

3. Retail license holders shall be authorized to sell cannabinoid hemp flower and all other products approved to be sold as cannabinoid hemp products. Retail license holders may only sell cannabinoid hemp flower to a person over twenty-one years of age.

§ 3. Section 3398-s of the public health law is amended by adding a new subdivision 4 to read as follows:

4. Nothing in this article shall prohibit or otherwise prevent the sale of cannabinoid hemp flower.

§ 4. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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