

# STATE OF NEW YORK

7369

2021-2022 Regular Sessions

## IN SENATE

September 10, 2021

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the cannabis law, in relation to extending the opt-out date for municipalities to prohibit the establishment of retail dispensary licenses and on-site consumption licenses

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

1 Section 1. Subdivision 1 of section 131 of the cannabis law is amended  
2 to read as follows:  
3 1. The licensure and establishment of a retail dispensary license  
4 and/or on-site consumption license under the provisions of article four  
5 of this chapter authorizing the retail sale of adult-use cannabis to  
6 cannabis consumers shall not be applicable to a town, city or village  
7 which, after the effective date of this chapter, and, on or before [~~the~~  
8 ~~later of~~] December thirty-first, two thousand [~~twenty-one or nine months~~  
9 ~~after the effective date of this section~~] twenty-two, adopts a local  
10 law, subject to permissive referendum governed by section twenty-four of  
11 the municipal home rule law, requesting the cannabis control board to  
12 prohibit the establishment of such retail dispensary licenses and/or  
13 on-site consumption licenses contained in article four of this chapter,  
14 within the jurisdiction of the town, city or village. Provided, however,  
15 that any town law shall apply to the area of the town outside of any  
16 village within such town. No local law may be adopted after [~~the later~~  
17 ~~of~~] December thirty-first, two thousand [~~twenty-one or nine months after~~  
18 ~~the effective date of this section~~] twenty-two prohibiting the estab-  
19 lishment of retail dispensary licenses and/or on-site consumption  
20 licenses; provided, however, that a local law repealing such prohibition  
21 may be adopted after such date.  
22 § 2. 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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