STATE OF NEW YORK

7612

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. NOVAKHOV -- read once and referred to the Committee on Economic Development

AN ACT prohibiting the public use of cannabis, unless approved by the applicable local government

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

Section 1. Legislative intent. The legislature finds that cannabis has been legalized for personal use in New York state. Smoking cannabis in public places can be disruptive and harmful to non-smokers. Fines for smoking tobacco in public places have been effective in reducing public smoking rates and fines for smoking cannabis in public places can help enforce public health and safety regulations while reducing the burden on law enforcement agencies.

§ 2. Notwithstanding any other provision of law to the contrary, smoking or using cannabis in any public place, including but not limited to streets, sidewalks, parks, and outdoor patios of restaurants and bars, shall be prohibited, unless designated for cannabis use by the local government.

§ 3. Any person found to be in violation of the provisions of section two of this act shall be subject to a fine of one hundred twenty-five dollars, to be paid to the local government where the violation occurred, within thirty days of receiving such violation.

§ 4. The cannabis control board, in conjunction with local governments, shall establish regulations and guidelines for the implementation and enforcement of this act, including but not limited to the definition of a public place and the designation of areas for cannabis use.

§ 5. This act shall take effect immediately.

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

LBD11419-01-3