STATE OF NEW YORK

7984

IN SENATE

January 4, 2024

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the cannabis law and the public health law, in relation to limiting the hours of certain businesses located near schools

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

Section 1. Subdivision 12 of section 85 of the cannabis law is renumbered subdivision 13 and a new subdivision 12 is added to read as follows:

12. No adult-use dispensing facility shall open until one hour after the latest beginning of a school day of any school located within one mile of such adult-use dispensing facility; provided, however, that the provisions of this subdivision shall only apply on those days such school is operational. The provisions of this subdivision shall not be construed to permit operation of an adult-use dispensing facility during hours which are prohibited by any general, special or local law or rule or regulation.

§ 2. The public health law is amended by adding a new section 1399-cc-1 to read as follows:

§ 1399-cc-1. Tobacco business hours of operation. No tobacco business shall open until one hour after the latest beginning of a school day of any school located within one mile of such tobacco business; provided, however, that the provisions of this section shall only apply on those days such school is operational. The provisions of this section shall not be construed to permit operation of a tobacco business during hours which are prohibited by any general, special or local law or rule or regulation.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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