STATE OF NEW YORK

8811

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

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

AN ACT to amend the cannabis law, in relation to establishing the "small cannabis farmer relief act"; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. This act shall be known and may be cited as the "small cannabis farmer relief act".

§ 2. The cannabis law is amended by adding a new section 68-c to read as follows:

§ 68-c. Limited canopy expansion. 1. (a) Notwithstanding any provision of law to the contrary, any licensee who qualifies as a distressed farmer and legally cultivated cannabis during the two thousand twenty-two or two thousand twenty-three calendar year shall be eligible to expand their canopy as provided in this subdivision.

(b) Licensees shall be eligible to expand their cultivation canopy to up to twice the maximum square footage cultivated in two thousand twenty-two or two thousand twenty-three, provided that the expanded area shall not exceed the maximum limits established by the corresponding cultivation tier.

(c) Verification of canopy cultivated in two thousand twenty-two or two thousand twenty-three shall be submitted to the office in a form prescribed by the office. Denials of applications under this subdivision may be appealed to the cannabis control board.

(d) No additional fees shall be assessed for canopy expansions authorized pursuant to this subdivision, including standard license renewal fees.

(e) Microbusiness licensees who previously held an adult-use conditional cultivator license shall also be eligible for canopy expansion under this section.

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

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2. Notwithstanding the provisions of this section, no licensee shall be authorized to expand their canopy beyond the maximum cultivation canopy size currently permitted under this chapter and any rules or regulations promulgated thereunder.

3. Any canopy expansion pursuant to this section shall remain subject to compliance with all applicable environmental, security, and testing regulations.

§ 3. This act shall take effect immediately and shall expire December 31, 2028 when upon such date the provisions of this act shall be deemed repealed.