STATE OF NEW YORK

3248--A

2025-2026 Regular Sessions

IN SENATE

January 24, 2025

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the cannabis law, in relation to authorizing for a private right of action for certain violations

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

Section 1. The cannabis law is amended by adding a new section 138-c to read as follows:

§ 138-c. Private right of action. In addition to the right of action granted to the office and the attorney general pursuant to this article, any person who has been injured by reason of a violation of subdivision one of section one hundred twenty-five of this article may bring an action in their own name to enjoin such unlawful act or practice, an action to recover actual damages or five thousand dollars, whichever is greater, or both such actions. The court may, in its discretion, increase the award of damages to an amount not to exceed three times the actual damages up to ten thousand dollars, if the court finds the defendant willfully or knowingly violated such section. The court may award reasonable attorney's fees to a prevailing plaintiff.

§ 2. This act shall take effect immediately.

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

LBD01118-03-5