

STATE OF NEW YORK

9426

IN SENATE

March 11, 2026

Introduced by Sen. BYNOE -- 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, in relation to proximity restrictions for adult-use cannabis retail dispensaries 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 6 of section 72 of the cannabis law, as added
2 by chapter 2 of the laws of 2026, is amended to read as follows:

3 6. (a) No premises with a license issued pursuant to this section, or
4 section sixty-eight-a of this article, or section seventy-three of this
5 article that allows for the retail sale of adult-use cannabis, shall be
6 located on the same street and within five hundred feet of a building
7 containing a school or a building containing a public library or associ-
8 ation library.

9 (b) No premises with a license issued pursuant to this section, or
10 section sixty-eight-a of this article, or section seventy-three of this
11 article that allows for the retail sale of adult-use cannabis, shall be
12 located on the same street and within two hundred feet of a building
13 exclusively occupied as a house of worship.

14 (c) The measurements in paragraphs (a) and (b) of this subdivision are
15 to be taken in straight lines from the center of the nearest entrance of
16 the premises sought to be licensed to the center of the nearest entrance
17 of such school, public library or association library, or house of
18 worship.

19 (d) For purposes of this subdivision: (i) The word "entrance" shall
20 mean: (A) a door of a school regularly used to give ingress to students
21 of the school; (B) a door of a house of worship regularly used to give
22 ingress to the general public attending the house of worship; [~~or~~] (C) a
23 door of a public library or association library regularly used to give
24 ingress to the general public; or (D) a door of the premises sought to
25 be licensed regularly used to give ingress to customers of such prem-
26 ises.

27 (ii) A door which has no exterior hardware, or which is used solely as
28 an emergency or fire exit, or for maintenance or delivery purposes, or
29 which leads directly to a part of a building not regularly used by

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

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1 students of the school, the general public attending the house of
2 worship, the general public entering a public library or association
3 library, or customers of the premises sought to be licensed, is not
4 deemed an "entrance".

5 (iii) If the school, public library, association library, house of
6 worship or premises sought to be licensed is set back from a public
7 thoroughfare, the walkway or stairs leading to any such door shall be
8 deemed an entrance; and the measurement shall be taken to the center of
9 the walkway or stairs at the point where it meets the building line or
10 public thoroughfare.

11 (e)(i) For purposes of paragraph (b) of this subdivision, a building
12 occupied as a house of worship does not cease to be "exclusively" occu-
13 pied as such by incidental uses that are not of a nature to detract from
14 the predominant character of the building as a house of worship.

15 (ii) Such uses include, but are not limited to: (A) the conduct of
16 legally authorized games of bingo or other games of chance held as a
17 means of raising funds for the not-for-profit religious organization
18 which conducts services at the house of worship or for other not-for-
19 profit organizations or groups; (B) use of the building for fund-raising
20 performances by or benefitting the not-for-profit religious organization
21 which conducts services at the house of worship or other not-for-profit
22 organizations or groups; (C) the use of the building by other religious
23 organizations or groups for religious services or other purposes; (D)
24 the conduct of social activities by or for the benefit of the congre-
25 gants of the house of worship; (E) the use of the building for meetings
26 held by organizations or groups providing bereavement counseling to
27 persons having suffered the loss of a loved one, or providing advice or
28 support for conditions or diseases including, but not limited to, alco-
29 holism, drug addiction, cancer, cerebral palsy, Parkinson's disease, or
30 Alzheimer's disease; (F) the use of the building for blood drives,
31 health screenings, health information meetings, yoga classes, exercise
32 classes or other activities intended to promote the health of the
33 congregants or other persons; and (G) use of the building by non-congre-
34 gant members of the community for private social functions.

35 (iii) The building occupied as a house of worship does not cease to be
36 "exclusively" occupied as such where the not-for-profit religious organ-
37 ization occupying the house of worship accepts the payment of funds to
38 defray costs related to another party's use of the building.

39 (f) No renewal of a license shall be denied because of the
40 restrictions in paragraphs (a) or (b) of this subdivision.

41 (g) When evaluating an application for compliance with this subdivi-
42 sion, the proximity of the premises sought to be licensed to a school,
43 public library, association library or house of worship shall be deter-
44 mined based on the date such applicant submits its location to the
45 office.

46 § 2. Subdivision 4 of section 77 of the cannabis law is amended to
47 read as follows:

48 4. No applicant shall be granted an adult-use on-site consumption
49 license for any premises within five hundred feet of school grounds, as
50 such term is defined in the education law, or a public library or an
51 association library, as such terms are defined in section two hundred
52 fifty-three of the education law, or two hundred feet from a house of
53 worship.

54 § 3. This act shall take effect on the ninetieth day after it shall
55 have become a law and shall apply to licenses issued on or after such
56 date.