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:

Section 1. Subdivision 6 of section 72 of the cannabis law, as added by chapter 2 of the laws of 2026, is amended to read as follows:

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

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

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

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

(ii) A door which has no exterior hardware, or which is used solely as an emergency or fire exit, or for maintenance or delivery purposes, or 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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students of the school, the general public attending the house of worship, **the general public entering a public library or association library,** or customers of the premises sought to be licensed, is not deemed an "entrance".

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

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

(ii) Such uses include, but are not limited to: (A) the conduct of legally authorized games of bingo or other games of chance held as a means of raising funds for the not-for-profit religious organization which conducts services at the house of worship or for other not-for-profit organizations or groups; (B) use of the building for fund-raising performances by or benefitting the not-for-profit religious organization which conducts services at the house of worship or other not-for-profit organizations or groups; (C) the use of the building by other religious organizations or groups for religious services or other purposes; (D) the conduct of social activities by or for the benefit of the congregants of the house of worship; (E) the use of the building for meetings held by organizations or groups providing bereavement counseling to persons having suffered the loss of a loved one, or providing advice or support for conditions or diseases including, but not limited to, alcoholism, drug addiction, cancer, cerebral palsy, Parkinson's disease, or Alzheimer's disease; (F) the use of the building for blood drives, health screenings, health information meetings, yoga classes, exercise classes or other activities intended to promote the health of the congregants or other persons; and (G) use of the building by non-congregant members of the community for private social functions.

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

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

(g) When evaluating an application for compliance with this subdivision, the proximity of the premises sought to be licensed to a school**, public library, association library** or house of worship shall be determined based on the date such applicant submits its location to the office.

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

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

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