

STATE OF NEW YORK

7842

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

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

AN ACT to amend the public health law and the cannabis law, in relation to prohibiting vapor products dealer storefronts, cannabis retail licensee storefronts, and adult-use on-site cannabis consumption licenses in certain locations

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

Section 1. The public health law is amended by adding a new section 1399-mm-4 to read as follows:

§ 1399-mm-4. Vapor products dealer storefront location restrictions.
1. No vapor products dealer shall locate a storefront within one mile of school grounds as such term is defined in the education law, a house of worship, a park as such term is defined in section 1399-o-2 of this chapter, or a playground as such term is defined in section 1399-o-1 of this chapter, or in a mixed-use building in which there are one or more residences.

2. Municipalities shall revoke the certificate of occupancy of vapor products dealer storefronts located within one mile of school grounds as such term is defined in the education law, a house of worship, a park as such term is defined in section 1399-o-2 of this chapter, or a playground as such term is defined in section 1399-o-1 of this chapter, or in a mixed-use building in which there are one or more residences, provided such vapor products dealer storefront was established in such location prior to the effective date of this section, in accordance with the following schedule:

(a) the certificate of occupancy of any such vapor products dealer storefront established with less than twenty thousand one dollars of capital investment shall be revoked prior to one year from the effective date of this section;

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

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(b) the certificate of occupancy of any such vapor products dealer storefront established with twenty thousand one to thirty thousand dollars of capital investment shall be revoked prior to two years from the effective date of this section;

(c) the certificate of occupancy of any such vapor products dealer storefront established with thirty thousand one to fifty thousand dollars of capital investment shall be revoked prior to three years from the effective date of this section;

(d) the certificate of occupancy of any such vapor products dealer storefront established with fifty thousand one to seventy-five thousand dollars of capital investment shall be revoked prior to four years from the effective date of this section; and

(e) the certificate of occupancy of any such vapor products storefront established with seventy-five thousand one dollars or more of capital investment shall be revoked prior to five years from the effective date of this section.

§ 2. Subdivision 6 of section 72 of the cannabis law is amended to read as follows:

6. (a) No cannabis retail licensee shall locate a storefront within ~~[five hundred feet]~~ one mile of a school grounds as such term is defined in the education law ~~[or within two hundred feet of]~~, a house of worship, a park as such term is defined in section 1399-o-2 of the public health law, or a playground as such term is defined in section 1399-o-1 of the public health law, or in a mixed-use building in which there are one or more residences.

(b) Municipalities shall revoke the certificate of occupancy of cannabis retail licensee storefronts located within one mile of school grounds as such term is defined in the education law, a house of worship, a park as such term is defined in section 1399-o-2 of the public health law, or a playground as such term is defined in section 1399-o-1 of the public health law, or in a mixed-use building in which there are one or more residences, provided such cannabis retail licensee storefront was established in such location prior to the effective date of this paragraph, in accordance with the following schedule:

(i) the certificate of occupancy of any such cannabis retail licensee storefront established with less than twenty thousand one dollars of capital investment shall be revoked prior to one year from the effective date of this paragraph;

(ii) the certificate of occupancy of any such cannabis retail licensee storefront established with twenty thousand one to thirty thousand dollars of capital investment shall be revoked prior to two years from the effective date of this paragraph;

(iii) the certificate of occupancy of any such cannabis retail licensee storefront established with thirty thousand one to fifty thousand dollars of capital investment shall be revoked prior to three years from the effective date of this paragraph;

(iv) the certificate of occupancy of any such cannabis retail licensee storefront established with fifty thousand one to seventy-five thousand dollars of capital investment shall be revoked prior to four years from the effective date of this paragraph; and

(v) the certificate of occupancy of any such cannabis retail licensee storefront established with seventy-five thousand one dollars or more of capital investment shall be revoked prior to five years from the effective date of this paragraph.

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

1 4. (a) No applicant shall be granted an adult-use on-site consumption
2 license for any premises within [~~five hundred feet~~ one mile of school
3 grounds as such term is defined in the education law [~~or two hundred~~
4 ~~feet from~~], a house of worship, a park as such term is defined in
5 section 1399-o-2 of the public health law, or a playground as such term
6 is defined in section 1399-o-1 of the public health law, or in a mixed-
7 use building in which there are one or more residences.

8 (b) Municipalities shall revoke the certificate of occupancy of any
9 premises with an adult-use on-site consumption license located within
10 one mile of school grounds as such term is defined in the education law,
11 a house of worship, a park as such term is defined in section 1399-o-2
12 of the public health law, or a playground as such term is defined in
13 section 1399-o-1 of the public health law, or in a mixed-use building in
14 which there are one or more residences, provided such adult-use on-site
15 consumption license was issued for such premises prior to the effective
16 date of this paragraph, in accordance with the following schedule:

17 (i) the certificate of occupancy of any such premises with an adult-
18 use on-site consumption license established with less than twenty thou-
19 sand one dollars of capital investment shall be revoked prior to one
20 year from the effective date of this paragraph;

21 (ii) the certificate of occupancy of any such premises with an adult-
22 use on-site consumption license established with twenty thousand one to
23 thirty thousand dollars of capital investment shall be revoked prior to
24 two years from the effective date of this paragraph;

25 (iii) the certificate of occupancy of any such premises with an
26 adult-use on-site consumption license established with thirty thousand
27 one to fifty thousand dollars of capital investment shall be revoked
28 prior to three years from the effective date of this paragraph;

29 (iv) the certificate of occupancy of any such premises with an adult-
30 use on-site consumption license established with fifty thousand one to
31 seventy-five thousand dollars of capital investment shall be revoked
32 prior to four years from the effective date of this paragraph; and

33 (v) the certificate of occupancy of any such premises with an adult-
34 use on-site consumption license established with seventy-five thousand
35 one dollars or more of capital investment shall be revoked prior to five
36 years from the effective date of this paragraph.

37 § 4. This act shall take effect immediately.