# STATE OF NEW YORK

5809

2025-2026 Regular Sessions

# IN SENATE

March 3, 2025

Introduced by Sens. SEPULVEDA, ROLISON -- 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 the sale of cannabinoid hemp products; and directing the office of cannabis management to repeal certain emergency regulations

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

Section 1. The office of cannabis management shall repeal the cannabinoid hemp emergency regulations adopted by such office on July 27th, 2025.

§ 2. Subdivisions 52 and 53 of section 3 of the cannabis law are amended to read as follows:

52. "THC" means Delta-9-tetrahydrocannabinol[~~; Delta-8-tetrahydrocannabinol; Delta-10-tetrahydrocannabinol and the optical isomer of such substances~~].

53. "Total THC" means the [~~sum of the percentage by weight or volume measurement of tetrahydrocannabinolic acid multiplied by 0.877, plus, the percentage by weight or volume measurement of THC~~] **dry weight total percentage of Delta-9-tetrahydrocannabinol in each product**.

§ 3. Section 91 of the cannabis law is amended by adding a new closing paragraph to read as follows:

**Commencing on January first, two thousand twenty-six, a retailer licensed by the office pursuant to this article or any applicable rule shall be permitted to sell any and all forms of cannabinoid hemp; provided that such forms of cannabinoid hemp meet the requirements set forth in this article. The cannabis control board shall have the authority to promulgate any rules necessary to ensure the safety of cannabinoid hemp, so long as said rules do not infringe upon the ability of licensed hemp retailers to sell cannabinoid hemp. Any prior or future rules, policies, or regulations promulgated by the board or any other**

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

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rulemaking body to prohibit the selling of any form of cannabinoid hemp shall be null and void.

§ 4. Subdivision 13 of section 91 of the cannabis law is amended to read as follows:

13. Any cannabinoid hemp flower product clearly labeled or advertised for the purposes of smoking, or in the form of a cigarette, cigar, or pre-roll, or packaged or combined with other items designed to facilitate smoking such as rolling papers or pipes, shall only be offered for sale [~~in adult-use cannabis retail dispensaries licensed pursuant to article four of this chapter~~] to persons twenty-one years of age and older.

§ 5. Subdivision 2 of section 103 of the cannabis law is amended to read as follows:

2. [~~The board may, by rules and regulations, require processors to establish a code, including, but not limited to QR code, for labels and establish methods and procedures for determining, among other things, serving sizes or dosages for cannabinoid hemp, hemp extract and products derived therefrom, active cannabinoid concentration per serving size, number of servings per container, and the growing region, state or country of origin if not from the United States. Such rules and regulations may require an appropriate fact panel that incorporates data regarding serving sizes and potency thereof~~] Notwithstanding any law, rule, or regulation to the contrary, all hemp-derived cannabinoid products shall meet the following labeling requirements:

(a) nutrition label with serving size;

(b) a warning label that the product is not meant to treat or cure any medical ailment and that it is not regulated by the FDA;

(c) the amount of hemp-derived product in each serving of the product in milligrams; and

(d) the address of the manufacturer or distributor.

§ 6. This act shall take effect immediately.