

STATE OF NEW YORK

7387

2025-2026 Regular Sessions

IN SENATE

April 14, 2025

Introduced by Sen. HINCHEY -- 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 immature cannabis plants for personal cultivation

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

1 Section 1. Section 3 of the cannabis law is amended by adding a new
2 subdivision 28-a to read as follows:

3 28-a. "Immature cannabis plant" means a non-flowering female cannabis
4 plant or a cannabis plant which does not have buds that may be observed
5 by visual examination.

6 § 2. Subdivision 1 of section 72 of the cannabis law is amended to
7 read as follows:

8 1. A retail dispensary license shall authorize the acquisition,
9 possession, sale and delivery of cannabis, and sale of up to three imma-
10 ture cannabis plants per person for personal cultivation, from the
11 licensed premises of the retail dispensary by such licensee to cannabis
12 consumers.

13 § 3. Subdivision 1 of section 73 of the cannabis law is amended to
14 read as follows:

15 1. A microbusiness license shall authorize the limited cultivation,
16 processing, distribution, delivery, and dispensing of their own adult-
17 use cannabis and cannabis products. A microbusiness license shall also
18 authorize the sale of up to three immature cannabis plants per person
19 for personal cultivation.

20 § 4. Subdivision 1 of section 75 of the cannabis law is amended to
21 read as follows:

22 1. A nursery license shall authorize the production, sale and distrib-
23 ution of clones, immature plants, seeds, and other agricultural products
24 used specifically for the planting, propagation, and cultivation of

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

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1 cannabis by licensed adult-use cultivators, cooperatives, microbusi-
2 nesses or registered organizations. A nursery license shall authorize
3 the sale of up to three immature cannabis plants per person for personal
4 cultivation. For the purposes of this section, the office shall provide
5 recommendations to the board for the application process, license crite-
6 ria and scope of licensed activities for this class of license. The
7 granting of such licenses shall promote social and economic equity
8 applicants as provided for in this chapter.

9 § 5. The New York state cannabis control board shall promulgate any
10 rules and regulations necessary to implement the provisions of this act.

11 § 6. This act shall take effect on the one hundred twentieth day after
12 it shall have become a law. Effective immediately, the New York state
13 cannabis control board is authorized to promulgate any rules and regu-
14 lations necessary to implement the provisions of this act on its effec-
15 tive date on or before such effective date.