



Adult-Use Cannabis Legalization

What You Need to Know

On March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law. The OCM will issue licenses and develop regulations outlining how and when business can participate in the new industry. The new Office will also oversee the State's existing Medical Marijuana Program and Cannabinoid Hemp Program previously regulated by the Department of Health. The Office will ensure a smooth transition for all certified patients, designated caregivers and licensees under both programs. The Office will be sharing more information soon, however, at this time, Medical Marijuana Program regulations remain the same.

The legalization of adult-use cannabis is an enormous public policy shift affecting many facets of society. The regulatory framework outlined in the MRTA will take time to develop and will require input from communities and stakeholders throughout the state. While there are currently no stores open to purchase adult-use cannabis, the possession and use of cannabis for adults 21 years of age and older in accordance with the MRTA, is now legal. The table below outlines key components of the new law to help keep New Yorkers' safe and compliant. For additional information or to contact the Office of Cannabis Management, please visit our website at: cannabis.ny.gov or e-mail us at: info@ocm.ny.gov.

Adult-Use Cannabis is only legal for adults over 21

Like for alcohol, only adults 21 years of age or older may possess and use adult-use cannabis.

Possession of Adult-Use Cannabis

Adults over 21 can possess up to 3 ounces of cannabis and 24 grams of concentrated cannabis (like vaporization oil or an edible). Adults may possess up to five pounds of cannabis at their personal residence or grounds.

Secure your Adult-Use Cannabis

All cannabis should be stored securely and kept away from individuals under 21.

Driving While High

Cannabis impairs you. It is illegal and dangerous to drive under the influence of cannabis. You can be charged with a DUI and are subject to the same penalties as driving drunk.

Restrictions on where you can use

Cannabis cannot be consumed when operating a motor vehicle. The smoking of cannabis is prohibited anywhere smoking tobacco is prohibited. Be aware landlords, property owners and rental companies can still ban the use of cannabis on their premises.

Employment Restrictions

While it is legal for adults 21 years or older to consume cannabis, employers can still enforce policies that prohibit impairment on the job. Employers are not required to commit any act that would cause them to violate federal law or lose federal funding.

Crossing State Borders

Since cannabis is illegal federally, you cannot cross state or international borders in possession of cannabis. It is also illegal to possess and use cannabis on federal lands or property.

Growing Your Own Cannabis at Home

Growing cannabis at home for personal use is not permitted under the new law until the Cannabis Control Board adopts regulations outlining the rules. These rules are required to be in place within eighteen months of the first retail sale of adult-use cannabis in New York State.

Responsible Use

Cannabis does not affect everyone the same. If you haven't used cannabis before, or it has been a while, it's good to "start low and go slow". Cannabis should always be used responsibly and never before driving, operating heavy machinery or making important decisions.

Health Effects

Cannabis use has health consequences. If you are pregnant or breast feeding, have been diagnosed or are predisposed to having a serious mental illness, have a history of respiratory or cardiovascular illness, or are currently taking any prescription medication – talk with your health care provider before use.

How will I know if cannabis use becomes a problem?

Talk to your health care provider or a substance use counselor if you think your cannabis use is disrupting your daily life or causing problems at work or home, or if you crave cannabis. You can also call the Office of Addiction Services and Supports (1-877-846-7369) or visit oasas.ny.gov to learn more about addiction treatment.