

GOVERNOR CUOMO SIGNS HEMP BILL, WITH STRINGS ATTACHED

Hemp & Medical Cannabis Alert
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In July, we reported on the details of the New York State Legislature's modified hemp bill, which was passed in the waning hours of the 2019 session. The bill amended the agriculture and markets law in relation to the growth of Industrial Hemp and the regulation of Hemp Extract. Our July article, titled *New York State Legislators Approve Modified Hemp Bill*, may be viewed here. Among other things, the legislation establishes the regulatory framework for producing and selling hemp, and hemp-derived products, in New York State. The bill was signed into law by Governor Cuomo on December 9, 2019, and becomes effective March 8, 2020. While the text of the Act remains unchanged, those currently participating—or seeking to participate—in the Industrial Hemp industry in New York must remain diligent of future changes.

In its press release, the Governor's office announced that the "legislation was signed pursuant to a chapter agreement," which will allow for additional legislative changes to be made before it becomes effective. For example, the language of the Act appears to command legalization of CBD-infused food and beverages, which are currently prohibited under guidance issued by the Department of Agriculture and Markets (NYSDAM). But the chapter agreement reached between Governor Cuomo and the Legislature contemplates a change which would continue the current prohibition on CBD-infused food and beverages.

Likewise, the fine details of New York's Industrial Hemp program will be subject to future rules and regulations yet to be promulgated by NYSDAM. While these developments represent obvious progress, it is clear that regulation of Industrial Hemp and Hemp Extract is far from final, with future important changes to come. We expect there will be additional clarifications and developments over the next 90 days. If you have any questions regarding recent developments in the hemp industry, or any other issues concerning hemp and cannabis law, please do not hesitate to contact us for assistance.

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Attorneys

Arielle Doolittle
Christopher Doyle
Carol Fitzsimmons
Patrick Fitzsimmons
Joseph Goldberg
Patrick Hines
Kinsey O'Brien
Gary Schober
Daniel Spitzer
Melissa Subjeck
William Turkovich

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