



NEW YORK STATE SENATOR

Pete Harckham

# **Harckham: Legalized Marijuana Legislation is the “Most Thoughtful Bill of Its Kind in the Nation”**

[Pete Harckham](#)

March 30, 2021

ISSUE:

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*Albany, NY* – New York State Senator Pete Harckham welcomed today the State Senate’s approval of the Marijuana Regulation & Taxation Act, which will permit adults 21 and over to purchase and possess certain amounts marijuana and cannabis products, saying the new legislation was the “most thoughtful bill of its kind in the nation.”

“This legislation is the result of substantial conversations with concerned stakeholders from around the state,” said Harckham. “Because we took the time to gather necessary information and bring together everyone’s concerns, the result is a comprehensive agreement that stands as the most thoughtful bill of its kind in the nation. By regulating the sale of marijuana, we will be able to bring this economic activity out of the shadows for the good of all our residents.”

The bill was finalized in an agreement with Governor Andrew M. Cuomo. Thanks partly to Harckham’s insistence, the bill ensures that a portion of the revenue generated from state tax on the sale of marijuana will be earmarked for drug treatment and public education. Major components of the bill also include community protections, new public safety guidelines and a focus on social justice.

Harckham noted the state legislators benefited from seeing how other states fared with marijuana legalization, learning from the states’ successes and missteps. As chair of the Senate Committee on Alcoholism and Substance Abuse, he expressed his initial concern about legalization when it was first introduced. His fact-finding

efforts included a visit in January 2020 to a Massachusetts cannabis dispensary and a nearby school district, where he discovered “the sky was not falling,” he said.

All told, Harckham met with residents, stakeholders and representatives from various organizations on over 50 occasions since taking office in 2019 to discuss the marijuana legalization bill, including a town hall gathering in Pleasantville; his staff members also fielded numerous phone calls and emails on the subject. His support for legalization came when promised funding for treatment and drug prevention from marijuana revenue was added to the bill.

It is expected that \$350 million in taxes from marijuana sales will be generated annually, of which (after state program costs) 20% will go toward treatment and public education programs, 40% toward education and 40% to community development in underserved areas most harmed by the criminalization of drugs. Moreover, the cannabis industry is expected to create 30,000 to 60,000 jobs statewide.

The Marijuana Regulation & Taxation Act features community safeguards that were asked for in many of the discussions Harckham hosted. Municipalities are able to opt out of having adult-use cannabis retail dispensaries or on-site consumption licenses by passing local laws. Also, cannabis will be added to regulations regarding indoor activity in terms of where it can be consumed.

The use of cannabis by drivers will remain prohibited, and the state’s Department of Health will be involved with methodologies and technologies to detect impaired driving. The new legislation earmarks significant funding for drug recognition and law enforcement on the state’s public roadways.

In terms of social justice, the marijuana legalization bill restructures penalties for sale and possession, while assisting to expunge or resentence individuals in accordance to the new laws. New provisions will guarantee that marijuana is treated as a lawful substance, and discriminatory enforcement of laws will be prohibited.

New York becomes the sixteenth state, along with the District of Columbia, to legalize marijuana. It will take about a year for the regulatory framework to be in place for dispensaries to open.

“With proper safeguards in place, and an opportunity to correct injustices while strengthening our communities, this bill is the right thing to do,” said Harckham. “I am proud to have participated in its creation.”

## related legislation

### 2021-S854A

- 
- Introduced
    - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -

[Enacts the "marihuana regulation and taxation act"; repealer](#)

January 05, 2021

Signed by Governor

Sponsored by [Liz Krueger](#)

Do you support this bill?