



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

DIANNA HOUEYOU, *Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
SAMUEL DELGADO, *Commissioner*
CHARLES BARKER, *Commissioner*

TAHESHA L. WAY
Lt. Governor

JEFF BROWN, *Executive Director*

RESOLUTION 2024-199
**AUTHORIZATION FOR THE ISSUANCE OF PROVISIONAL ATC AND CANNABIS
BUSINESS EMPLOYEE IDENTIFICATION CARDS**

WHEREAS, the New Jersey Cannabis Regulatory Commission (“the Commission”), established pursuant to P.L.2019, c.153, known and cited as the “Jake Honig Compassionate Use Medical Cannabis Act,” is charged with implementing the provisions of that Act as well as P.L.2021, c.16, known and cited as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”; and

WHEREAS, pursuant to N.J.A.C. 17:30A-8.1 the Commission shall issue an alternative treatment center (“ATC”) identification card to an ATC employee within 10 business days of receiving a completed application with required documents; and

WHEREAS, N.J.S.A. 24:6I-7(d)(5) permits the Commission to offer provisional authority for individuals to be an employee of an ATC for a period not to exceed three months; and

WHEREAS, N.J.S.A. 24:6I-7 and -44 authorize the Commission to conduct a criminal history background check for individuals interested in participating in the personal use cannabis industry; and

WHEREAS, pursuant to N.J.S.A. 24:6I-44, the Commission promulgated N.J.A.C. 17:30-7.12, which details the Commission’s criminal history background check process; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.12(f), the Commission may, in its discretion, offer provisional authority for a person to be an owner, principal, or employee of a cannabis business or testing laboratory license applicant or license holder for a period not to exceed three months if the person submits to the Commission a sworn statement attesting that the person has not been convicted of any disqualifying conviction; and

WHEREAS, the Commission has determined that the cannabis industry has experienced a significant labor shortage due in part to longer than expected criminal background checks; and

WHEREAS, for those new ATC identification cards issued to ATC employees between December 19, 2023, and January 18, 2024, the average time to obtain the ATC identification card was 53.4 days; and

WHEREAS, the Commission has found that, since August 2023, the background check results for fewer than 30 out of 1,092 employees of ATCs took longer than 90 days to obtain; and

WHEREAS, the Commission has determined that it is in the best interests of approved cannabis businesses and prospective employees to issue temporary, provisional approval for certain employees to work in an ATC or adult-use cannabis business;

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 24:6I-7 and -44 and N.J.A.C. 17:30-7.12(f), the Commission has determined to offer provisional authority for a person to be an employee of an ATC or adult-use cannabis business for a period not to exceed three months if that person's fingerprint results have not been received within 14 days following the date of a fingerprint appointment and, as long as all the following conditions are met:

1. The employee or business provides a receipt from IdentiGo evidencing the date that fingerprinting has occurred; and
2. The employee submits an attestation to the Commission that the employee has not been convicted of any disqualifying conviction, and that the employee has submitted fingerprints pursuant to N.J.S.A. 24:6I-7 and -44 and N.J.A.C. 17:30-7.12(f).

The issuance of a provisional approval for an ATC identification card or a cannabis business identification card does not guarantee a person's qualification. Submission of a false attestation shall result in the person's disqualification for an identification card and the revocation of the person's provisional status and ATC or cannabis business identification card. Submission of a false attestation may additionally result in the person's permanent ineligibility to participate in an approved ATC or adult-use cannabis business.

The authority to issue provisional cannabis business identification cards has been delegated to the Executive Director, or his designee. The Executive Director, or his designee, shall, as soon as practicable, notify the Commission's Board of any decisions made pursuant to the authority(ies) delegated by this Resolution.

Submitted by:



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 15th day of February 2024.



Christopher Riggs, Chief Counsel

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker			X			
Commissioner Del Cid-Kosso		X	X			
Vice Chair Delgado	X		X			
Chairwoman Houenou			X			
Commissioner Nash			X			