



State of New Jersey
CANNABIS REGULATORY COMMISSION
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DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

RESOLUTION 2024-220
WAIVER OF REGULATION TO ELIMINATE OPERATIONAL DEADLINE FOR
ADULT-USE LICENSEES

WHEREAS, pursuant to N.J.A.C. 17:30-3.7, the New Jersey Cannabis Regulatory Commission (the “Commission”), in accordance with the general purpose and intent of the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-31 et seq., (the “Act”), may waive certain requirements regarding the operations of a cannabis business, if in the Commission's determination, such a waiver is necessary to achieve the purpose of the Act and provide access to cannabis items to consumers, and does not create a danger to the public health, safety or welfare; and

WHEREAS, pursuant to N.J.S.A. 24:6I-35(a), the Commission is bestowed with certain powers with respect to regulating cannabis businesses and the adult-use cannabis market, including the authority to establish procedures for the application, issuance, and denial of a cannabis business license; and

WHEREAS, pursuant to N.J.S.A. 24:6I-24(e), the Commission may designate its powers and authority as it deems necessary and appropriate to carry out its duties and implement the provisions of N.J.S.A. 24:6I-1 et al. and the Act; and

WHEREAS, the Commission approved and adopted bylaws on January 27, 2022, which establish the Permitting and Licensing Committee (the “Committee”) and require the Committee to “evaluate the regulations promulgated by the Commission for permitting and licensing of alternative treatment centers and cannabis businesses to ensure efficient licensing and permitting process for applicants”; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.14(h), after the construction and preparation of a cannabis business premises or administrative office is completed, a license applicant shall submit a written request to the Commission to conduct a final onsite assessment; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.14(i), “[t]he Commission shall conduct a final onsite assessment of the cannabis business and shall determine whether the cannabis business premises or administrative office, operations, plans, procedures, protocols, and actions are consistent with the annual license application and compliant with the Act, [Chapter 30], and any

additional requirements provided by the Commission”; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.14(f), a license applicant is required to request a final onsite assessment no later than “365 days from the date of the notice of approval”; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.14(k), if the Commission determines that a “license applicant does not undergo a successful final onsite assessment yielding a determination of compliance pursuant to [N.J.A.C. 17:30-7.14(i)] within 365 days of the notice of approval, the Commission shall decline to issue the annual license approval and the license shall be returned to the Commission”; and

WHEREAS, in accordance with Resolution 2023-70, the Committee has the “authority to approve a waiver of the 365-day requirement to become operational under N.J.S.A. 17:30-7.14(f),” pursuant to the requirements as set forth in N.J.A.C. 17:30-3.7; and

WHEREAS, the Committee has evaluated the regulations setting forth the 365-day deadline by which a cannabis business must request a final onsite assessment to determine whether they ensure an efficient licensing process for applicants, and has made its recommendation to the Commission; and

WHEREAS, the Commission, through the Committee, finds that eliminating the 365-day deadline for final onsite assessments will ensure a more efficient licensing process for applicants, will benefit cannabis businesses that may be at risk for losing their cannabis business license due to delays caused by external factors, and will not create a danger to the public health safety or welfare;

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Cannabis Regulatory Commission, that N.J.A.C. 17:30-7.14(f) and (k) are hereby waived as indicated in the attached Certificate of Waiver, eliminating the 365-day deadline by which a cannabis business must request a final onsite assessment. This waiver shall be effective immediately and shall remain in effect until modified or rescinded by the Commission.

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 11th day of April 2024.



Christopher Riggs, Chief Counsel

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