

Available Adult-Use Cannabis Licenses

Cultivator Licenses

What activities are authorized? In short, growing and selling cannabis to any processor licensed by the Board. “Cultivation” includes every part of the agricultural process, including planting, growing, cloning, harvesting, drying, grading and trimming cannabis.

What are the licensing limitations? Licensees are also allowed one processor license and one distributor license—but the distributor license is only for processing and distributing the cultivator’s own products.

What else do I need know? The Board may create rules that permit a limited amount of processing without a processor’s license and may also authorize cultivator licensees to operate in more than one location (but not to have more than one license).

Registered Organization Adult-Use Cultivator/Processor/Distributor Retail Dispensary License

What activities are authorized? This license is available to organizations registered under Article 3 of the MRTA—namely, those operating in the medical cannabis sector. Such organizations are permitted to vertically integrate their operations, but this license would also permit adult-use retail sales in only three of the Registered Organization’s medical dispensaries and would limit such retail sales to the Registered Organization’s own products.

What are the licensing limitations? Licensees cannot hold any other adult-use licenses.

What else do I need to know? The Registered Organization must maintain its medical cannabis license and continue offering medical cannabis. (The degree of the continued medical cannabis sales will be determined by the Board.)

Registered Organization Adult-Use Cultivator/Processor/Distributor License

What activities are authorized? The same activities as adult-use cultivator, processor and distributor licensees.

What are the licensing limitations? Licensees cannot hold any other adult-use licenses.

What else do I need to know? A Registered Organization licensed as an adult-use cultivator, processor and distributor can only distribute its own products.

Processor License

What activities are authorized? Buying cannabis from licensed cultivators, processing the cannabis (blending, extracting, infusing, packaging, labeling, branding and otherwise making or preparing cannabis products), and selling cannabis products to licensed distributors.

What are the licensing limitations? Licensees are allowed one distributor license for distributing their own products, but no other licenses.

What else do I need to know? A processor cannot engage in any other activities at the licensed location, though the Board may authorize processor licensees to operate in more than one location. The Board will issue minimum operating requirements for processor licensees.

Cooperative License

What activities are authorized? The cooperative license allows for vertically integrated operations: acquisition, possession, cultivation, processing, distribution and sale from the licensed premises.

What are the licensing limitations? To qualify as a cooperative, the licensee must: (i) Be comprised of New York State residents, (ii) be registered as an LLC, LLP or other business structure authorized by the Board, (iii) subordinate capital, both in terms of control over the cooperative undertaking and the ownership of the pecuniary interests arising from the cooperative's operations, (iv) be democratically controlled by the cooperative members on a one-vote-per-member basis, (v) vest in and allocate with priority to and among cooperative members of all increases arising from their cooperative in proportion to the members' respective active participation, and (vi) operate according to the seven cooperative principles published by the International Cooperative Alliance.

What else do I need to know? Cooperatives and cooperative members cannot have any interest in any other licensees, and cooperative members cannot be members in more than one cooperative. The Board will issue regulations for cooperatives, including canopy limits on the size and scope of cooperative licenses, with the goal of incentivizing the use of cooperatives.

Distributor License

What activities are authorized? Purchasing cannabis and cannabis products from authorized licensees and selling cannabis and cannabis products to retail dispensaries and on-site consumption sites.

What are the licensing limitations? Distributor licensees can have interests only in cultivator and processor licensees, but can then only distribute cannabis cultivated and processed by such licensee(s).

What else do I need to know? Distributor licensees can charge an appropriate fee (as authorized by the Board) for distributing cannabis, including based on the volume of cannabis distributed. The Board will issue minimum operating requirements for distributors.

Microbusiness License

What activities are authorized? Limited cultivation, processing, distribution, delivery and sale of the microbusiness' own cannabis and cannabis products.

What are the licensing limitations? Microbusinesses cannot hold any interest in any other licensee and can only distribute their own cannabis and cannabis products to retail dispensaries.

What else do I need to know? The size, scope and eligibility of microbusinesses will be determined by the Board. Microbusiness licenses will be issued in a manner that promotes social and economic equity applicants.

Delivery License

What activities are authorized? Delivery of cannabis and cannabis products independent of another adult use cannabis license.

What are the licensing limitations? Delivery licensees cannot have an interest in more than one delivery license and cannot have more than 25 individuals providing fulltime paid delivery services per week.

What else do I need to know? The criteria and scope for permitted activities or delivery licensees will be determined by the Board. Delivery licenses will be issued in a manner that promotes social and economic equity applicants.

Nursery License

What activities are authorized? The production, distribution, and sale of clones, immature plants, seeds and other agricultural products used for planting, propagation and cultivation of cannabis.

What are the licensing limitations? Cultivator licensees may be issued one nursery license to sell directly to other cultivators, cooperatives, microbusinesses and registered organizations.

What else do I need to know? The OCM will provide recommendations for the application process, license criteria and scope of licensed activities. Nursery licenses will be issued in a manner that promotes social and economic equity applicants.

Retail Dispensary License

What activities are authorized? Selling and delivering cannabis and cannabis products from a licensed premises.

What are the licensing limitations? No person can have an interest in more than three retail dispensaries. If a person or entity has a retail license, the licensee cannot have any other license issued under the MRTA.

What else do I need to know? Applicants for a retail license must demonstrate ownership or possession of the premises to be licensed within 30 days of final approval of a license through a lease, management or other agreement—with the term of such lease or agreement being at least as long as the license period. Retail dispensaries must be located in a storefront, with the principal entrance accessible from street level and located on a public thoroughfare. The licensed premises must be zoned for commercial use and be located at least 500 feet from any school or 200 feet from any house of worship.

On-Site Consumption License

What activities are authorized? The sale and consumption of cannabis and cannabis products, including smoking and vaping, within the licensed premises.

What are the licensing limitations? Owning an interest in up to three on-site consumption licenses is permitted, but a licensee cannot have an interest in any other license authorized by the MRTA.

What else do I need to know? Applicants for an on-site consumption license must demonstrate ownership or possession of the premises to be licensed within 30 days of final approval of a license through a lease, management or agreement—with the term of such lease or agreement being at least as long as the license period. The licensed premises must be zoned for commercial use and be located at least 500 feet from any school or 200 feet from any house of worship. No one under the age of 21 can enter on-site consumption facilities.